



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 23 FEBRUARY 2016**, on the rising of the Extraordinary Meeting which commences at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

Part I : Items suggested for discussion with the press and public present

	Pages
1 Minutes	
To sign the minutes of the Ordinary Meeting held on 15 December 2015 and the Extraordinary Meetings held on 20 and 25 January 2016.	5 - 28
2 Official Communications	
3 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 item 16 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part I, Schedule 12A of the Act.	

To receive minutes of the following Committees and to determine thereon:-

4 Planning Committee - 4 January 2016	29 - 36
5 Planning Committee - 8 February 2016	37 - 48
6 Licensing Committee - 2 February 2016	49 - 50
7 Scrutiny Committee - Community - 19 January 2016	51 - 58
8 Scrutiny Committee - Economy - 21 January 2016	59 - 66
9 Scrutiny Committee - Resources - 27 January 2016	67 - 74

Office of Corporate Manager Democratic & Civic Support			
Civic Centre, Paris Street, Exeter, EX1 1JN	Tel: 01392 277888	Fax: 01392 265593	www.exeter.gov.uk

10	Executive - 26 January 2016	75 - 82
11	Executive - 9 February 2016	83 - 92

Notices of Motion

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

Trade Union Bill

That this Council recognises the positive contribution that trade unions and trade union members make in our workplaces. This Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.

This Council notes with concern the Trade Union Bill which is currently being proposed by the Government and which would affect this Council's relationship with our trade unions and our workforce as a whole. This Council rejects this Bill's attack on local democracy and the attack on our right to manage our own affairs.

This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. Facility time should not be determined or controlled by Government in London.

This Council is happy with the arrangements we currently have in place for deducting trade union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and a cheap and easy to administer system that supports our staff. This system is an administrative matter for the Council and should not be interfered with by the UK Government.

This Council resolves to support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.

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

Exeter's roads are increasingly congested and this situation is made significantly worse by the frequency of road works and the wholly unacceptable time it takes to complete them. The City Council must determine to make every effort, by whatever means necessary, to reduce to an absolute minimum the intrusive, expensive and disruptive impact of all road works within the City.

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14 Notion of Motion by Councillor Harvey under Standing Order No 6.

This Council recognises the need to encourage the widest possible public involvement with its meetings and therefore resolves to:-

- a) Support Council Committee meetings and Full Council meetings being held out of the Civic Centre and Guildhall on a rolling basis, giving a greater opportunity for Exeter residents to engage with the Council's decision-making processes;
- b) Support web broadcasts of Full Council and all Council Committee meetings (where such meetings are held in The Guildhall and Civic Centre);
- c) Support a Question Time to the Council Leader at the commencement of Full Council Meetings. This may or may not include questions written in advance.

The Corporate Manager Democratic and Civic Support is asked to draw together a report on the above proposals, with a report on the practicalities of implementation to be brought to the Council's Executive at the earliest opportunity.

15 Notice of Motion by Councillor Harvey Under Standing Order No 6.

That Exeter City Council celebrates the 2016 centenary of the Cub Scouts.

The City Council recognises the contribution that the Cub Scouts make to communities across Exeter, with the wide range of events and activities delivered by Cub Scout groups.

The City Council recognises the benefits that children across the city gain from membership of the Cub Scouts through participation in a wide range of activities and also recognises the benefits that accrue to children through the awarding of a wide range of badges to celebrate their achievements.

As the Cub Scout movement continues to thrive in the city, the City Council confirms that it will take all available opportunities to support local communities across the city in seeking to grow and strengthen local Cub Scout groups.

In addition, the City Council places on record its thanks to the many volunteers who keep Cub Scout groups functioning across the city.

The City Council agrees to the Lord Mayor of Exeter hosting a special thank you reception and tea at the Guildhall, on behalf of the City Council, for Cub Scout leaders from across the city to mark the 2016 centenary of the Cub Scouts.

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Part II : Item suggested for discussion with the press and public excluded

16 Support to the Development of the Exeter Wellbeing Hub

93 - 104

A Plan of seating in the Guildhall is attached.

Date: Monday 15 February 2016

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register



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THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 15 December 2015

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

61 **APOLOGIES**

Apologies for absence were received from Councillors Henson and Shiel.

62 **MINUTES**

The minutes of 20 October 2015 were moved by the Leader and seconded by Councillor Sutton were taken as read and signed as correct.

63 **OFFICIAL COMMUNICATIONS**

The Lord Mayor announced that she would like to make Members aware of the efforts of a member of staff, Rob Bolton, who saved the life of a fellow swimmer at the Pyramids swimming pool. The Lord Mayor would also write a letter of thanks to the two life guards at the pool who assisted in the rescue.

64 **PLANNING COMMITTEE - 2 NOVEMBER 2015**

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

RESOLVED that the minutes of the Planning Committee held on 02 November 2015 be received.

65 **PLANNING COMMITTEE - 30 NOVEMBER 2015**

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

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

66 **LICENSING COMMITTEE - 3 NOVEMBER 2015**

The minutes of the Licensing Committee of 3 November 2015 were presented by the Chair, Councillor Sheldon, and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 3 November 2015 be received.

SCRUTINY COMMITTEE - COMMUNITY - 10 NOVEMBER 2015

The minutes of the Scrutiny Committee - Community of 10 November 2015 were presented by the Chair, Councillor Morse, and taken as read.

In respect of Minute 56 (Local Air Quality Action Plan) and in response to a Member, the Portfolio Holder for Health and Place clarified that air quality levels were being constantly monitored in and around sensitive areas in the city.

The Portfolio Holder for City Development commented that Executive had resolved that greater weight be given to the impact of air pollution when developing planning policy and carrying out development control.

RESOLVED that the minutes of the Scrutiny Committee - Community held on 10 November 2015 be received.

SCRUTINY COMMITTEE - ECONOMY - 12 NOVEMBER 2015

The minutes of the Scrutiny Committee - Economy of 12 November 2015 were presented by the Chair, Councillor Brimble, and taken as read.

RESOLVED that the minutes of the Scrutiny Committee – Economy held on 12 November 2015 be received.

SCRUTINY COMMITTEE - RESOURCES - 18 NOVEMBER 2015

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

In respect of Minute 61 (Waste Operations Staffing Levels) and in response to a Member, the Leader clarified that the Council was working towards reducing the reliance on the use of agency staff within the Council.

RESOLVED that the minutes of the Scrutiny Committee - Resources held 18 November 2015 be received.

AUDIT AND GOVERNANCE COMMITTEE - 2 DECEMBER 2015

The minutes of the Audit and Governance Committee of 2 December 2015 were presented by the Chair, Councillor Vizard, and taken as read.

RESOLVED that the minutes of the Audit and Governance Committee held on 2 December 2015 be received.

STRATA JOINT EXECUTIVE COMMITTEE - 24 NOVEMBER 2015

The minutes of the Strata Joint Executive Committee of 24 November 2015 were presented by the Chair, Councillor Edwards, and taken as read.

RESOLVED that the minutes of the Strata Joint Executive Committee held on 24 November 2015 be received and, where appropriate, any recommendations contained therein approved.

STRATA JOINT SCRUTINY COMMITTEE - 3 DECEMBER 2015

The minutes of the Strata Joint Scrutiny Committee of 3 December 2015 were presented by Councillor Raybould and taken as read.

RESOLVED that the minutes of the Strata Joint Scrutiny Committee held on 3 December 2015 be received.

EXECUTIVE - 17 NOVEMBER 2015

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

RESOLVED that the minutes of Executive held on 17 November 2015 be received and, where appropriate, adopted.

EXECUTIVE - 1 DECEMBER 2015

The minutes of the Executive of 1 December 2015 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of Minute 117 (Members' Allowances 2016/17), a Member stated that he would not support the recommendation as this would be sending the wrong message to the public particularly in these times of austerity and when the Council was relying more on the voluntary sector to work in the community.

Some Members spoke in support of the proposals as they were of the view that the present allowance was low compared to other Councils and therefore prohibited some people from standing as a local Councillor. They recognised the work of the voluntary sector, whilst acknowledging that the majority of these organisations were run by paid staff.

Other Members stated that they could not support the proposed increase in Members' Allowance as council employees were expected to be getting only a 1% pay rise and that Members did not stand for election because of the remuneration.

It was noted that Members could opt out of the scheme or reduce their remuneration if they so wished and that the issue of any poor attendance by a Member should be addressed through the Groups.

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

Voting for:

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

(27 Members)

Against:

Councillors Baldwin, Harvey, Holland, Leadbetter, Mottram, Newby and Thompson.

(7 Members)

Abstain:

The Lord Mayor, Morris and Prowse

(3 Members)

Absent:

Councillors Henson and Shiel

(2 Members and 1 vacancy)

RESOLVED that the minutes of Executive held on 1 December 2015 be received and, where appropriate, adopted.

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EXECUTIVE - SPECIAL - 8 DECEMBER 2015

The minutes of the Special Executive of 8 December 2015 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of Minute 130 (2016/17 Budget Strategy and Medium Term Financial Plan) and in response to a Member, the Leader stated that the Council was in a strong financial position because it had been prudent in its approach to the use of the New Homes Bonus receipts. The Council had also been short listed for a Local Government Chronicle (LCG) Award for Efficiency.

RESOLVED that the minutes of Special Executive held on 8 December 2015 be received and, where appropriate, adopted.

(The meeting commenced at 6.03 pm and closed at 7.06 pm)

Chair

THE EXTRAORDINARY MEETING OF EXETER CITY COUNCIL

Guildhall
Wednesday 20 January 2016

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

1 COMMITTEE MEMBERSHIP

RESOLVED that the following appointments be agreed:-

Portfolio Holder for Customer Access

Councillor Morse to replace Councillor Morris

Scrutiny Committee – Community

Chair – Councillor Wardle
Councillor Morris to replace Councillor Morse.

2 PLANNING APPLICATION NO. 15/0791/01 - BUS AND COACH STATION RE-DEVELOPMENT AREA, PARIS STREET, EXETER

The Lord Mayor explained that, due to the level of public interest in the planning application, it had been decided to permit public speaking at the meeting as was the practice at Planning Committees and that five objectors and four supporters would present their cases.

She handed over to Councillor Bialyk, the Chair of the Planning Committee, who explained the format of and conduct for the meeting.

The Assistant Director City Development and the Principal Project Manager (Development) (HS) presented the application for 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], D2 [assembly & leisure] & including a new Leisure Centre & new Bus Station, with associated access landscaping and public realm works.

The Devon County Council Head of Planning, Transportation and Environment was also present to advise on highways matters.

The Assistant Director, in defining the site and proposal, advised that it was an outline planning application for retail and leisure led mixed use development with all matters reserved. He reported that the application was accompanied by a Design and Access statement and three parameters plans showing extent of site and uses, access and circulation routes, and building heights. The proposals involved the demolition of existing buildings at Exeter Bus and Coach Station, 188 Sidwell Street and 1-29 (odds) Paris Street.

The scheme would provide a new mixed use development of up to 27,547 square metres (sqm) of new floorspace and for the demolition of 7195 sqm of existing floorspace. It is proposed that the scheme include between 5,000 and 11,000 sqm of Class A1 (retail), between 5,000 and 9,500 sqm of Class A3 (restaurants and cafes), a total maximum of 750 sqm of A2, A4 and A5 (financial services, drinking establishments and hot food takeaways), between 1,300 sqm and 4720 sqm of D2 (assembly and leisure) and between 5,500 and 6,100 sqm floorspace for the leisure centre and 760 sqm for the bus station building with associated access, landscaping and public realm works.

The Principal Project Manager (Development) set out the following key issues:-

Principle of use

A City Centre location was considered appropriate for a mix of quality retail, dining and leisure, the latter including a cinema and swimming pool and was in accordance with the Development Plan.

Closure of Paris Street and package of highway works

The closure of Paris Street to vehicular traffic between Dix's Field and High Street and the laying out of this as a public open space was necessary to provide a better link between the High Street and Princesshay and the bus station and considered essential to viability. In order to mitigate effects on park and ride buses using Paris Street, a bus lane would be created with a turning area in Dix's field together with stops. Additional proposals for New North Road, Longbrook Street, York Road, Bampfylde Street, Cheeke Street, Summerland Street, King William Street and Bude Street were explained.

Building form/massing

The proposals provided five new blocks of development, varying between two and four commercial storeys arranged around a terraced central open space as an amphitheatre. Pedestrian routes would connect that space directly with surrounding streets. The Bus Station concourse would provide another through route to the site.

Proposed Bus Station

A minimum specification had been agreed with the County Council and Stagecoach with no obligation to provide for other users. Stops would be provided in Sidwell Street and Cheeke Street which would operate as an extension to the Bus Station. At present there are 16 operational stands, (three for coaches) with six layover bays. The proposal was for 12 stands, with five layovers and four stands for scheduled coaches on Bampfylde Street.

Tourist coaches would drop and collect passengers from South Street with layover in the Coach Park at Haven Banks.

Four on street stops were proposed for Bampfylde Street which were considered acceptable and would be controlled by conditions

Updates

Updates reported included additional comments from the Green Party, Sport England, Confederation of Passenger Transport, Exeter St James Forum and Exeter Swimming Club including a 620 name petition regarding the unsuitability of the swimming pool site and ten further public comments since publication of the late

list. Representation had also been received from agents on behalf of developers of the Bus Depot site regarding concern about impact of scheduled coach stops on their development and a further petition objecting to the swimming pool.

The following spoke against the application:-

Ms Patten on behalf of Devon Senior Voice Transport Group

- proposed bus station does not meet the needs of the travelling public, particularly those with luggage, shopping, buggies as well as the disabled, especially at peak times - the proposal is ill thought out and short sighted;
- the suggestion for on street bus stops for passengers travelling outside the city will lead to difficulties and confusion; and
- the bus station will have difficulty in serving an expanding Exeter and further thought needs to be given to its design and the needs of the public.

Ms Child on behalf of the St James Neighbourhood Association, Devonshire Place, Powderham Crescent and Prospect Place.

Opposing the application for three reasons:-

- the closure of Paris Street has not been openly explained or justified and there has been no apparent consideration of alternatives such as shared use space;
- Neighbourhood Plan policy T2 (through traffic) has not been addressed. There is widespread concern in St James about the proposed traffic changes and consequences of closing Paris Street. The changes will lead to more not less congestion on residential streets. The probability of an increased use of smaller roads for rat running is greater;
- the proposals do not provide sufficient mitigation measures against the impact of through traffic on residential streets. With the exception of York Road, which includes the St Sidwell's Primary School and the Mosque, the proposed routes are predominantly residential streets, home to families with children and no students. There is a high level of pedestrian activity on all streets in this part of St James.

Mr Day on behalf of the Exeter Swimming Club

- Plymouth, with a 50 metre pool, is the only facility in Devon that can hold major swimming championships. Exeter, with a 25m pool proposed, would only be able to hold Amateur Swimming Association (ASA) Level 4 events, such as school and in-house competitions;
- Exeter, as a major City in Devon and the South West, should aspire to provide a 50 metre, eight lane pool with an increased spectator capacity, to achieve ASA Level 2 for major regional and national events. The design can be upgraded to a Level 2;
- Pool proposal and design is being rushed through; and
- the application proposes a swimming pool of the wrong size in the wrong location and at the wrong cost and the proposal should be deferred for further consideration.

Mr Haigh on behalf of signatories to two petitions

- speaking on behalf of over 1,200 petitioning on two online petitions;

- large number of objections including Devon Senior Voice, University of Exeter, Exeter Green Party, St James Neighbourhood Forum, Exeter Civic Society, National Express, as well as the public in general;
- agree with the need to re-develop site, but not with proposal put forward;
- Devon Amateur Swimming Association expressed disappointment and do not support the proposal;
- the leisure complex is simply being shoehorned into the site and the pool itself is inadequate;
- over development of the site and inappropriate design;
- the Pool should be located elsewhere and outside the City Centre with greater priority given to the bus station; and
- request that the application be postponed.

Mr Lewis on behalf of the Civic Society

- welcome development of the bus and coach station site for new uses but grave concerns about the impact of the development upon neighbouring streets and communities further afield;
- main concern is the impact upon public areas and roads as a result of diverting traffic to roads which are unsuitable - not enough thought to how traffic will in future find its way across the city from south to north;
- it is claimed that with the closure of Paris Street to south bound traffic car usage would diminish but the people living on Exwick Road, Buddle Lane, Bonhay Road, Pennsylvania Road, Stoke Hill and Church Hill have all felt the impact of that closure with drivers finding other routes some through these residential areas;
- routes emanating from the Paris Street roundabout become gridlocked at peak times, and the loss of Paris Street as an arterial route can only add to current congestion;
- it is a poor proposal for people of Exeter and visitors, whether sightseeing or shopping and will have a negative impact on the City's reputation;
- proposed bus and coach station is inadequate and will not provide a good first impression;
- no proposals for improved pedestrian access from neighbouring areas or traffic calming and the car remains king. Instead, there will be ad-hoc bus parking on streets in the vicinity of the bus station, as well as many new on-street bus stops which will detract from what is supposed to be an improved Grecian Quarter, as set out in the Bus & Coach Station Development Principles;
- proposals for student accommodation on the existing bus depot site include shop units which should enliven the area with active frontages, but will be blighted by on-street bus stops on pavements that are too narrow;
- new bus station will cost the rate payer £6.25m, money that will be taken from the CIL earmarked for other infrastructure; and
- request deferral.

The following spoke in support of the application:-

Mr John Grinnell, the Crown Estate

- Crown Estate are partners with TIAA Henderson Real Estate and are experienced developers in the UK;
- the proposal is a mixed use development, providing retail, leisure, shopping, restaurants and open space to create a vibrant 21st Century City Centre;

- £70 million private sector investment bringing additional vitality to the City Centre, providing a new bus station, and leisure centre and creating 750 new jobs through the construction period and through the provision of new shops, restaurants, cinema and leisure centre;
- current site is inappropriate for a principal gateway to a City Centre;
- Exeter should respond to aspirations of public and tourists who seek a wider range of eating opportunities;
- established businesses and traders will benefit from re-development with increased footfall in City Centre in general;
- the closure of the upper part of Paris Street will improve pedestrian flow from Princesshay and City Centre to the new bus station and assist the further expansion of the City Centre; and
- the development of this area has been a priority for many years and this development will further enhance Exeter's position as a prime shopping destination for the people of Exeter and tourists.

Mr Gary Forster, Montagu Evans, Planning Consultant

- the proposal meets strategic focus and planning policies for the provision of retail/leisure facility in the City Centre, accessed by good public transport and providing additional public open space;
- represents the next stage of development and regeneration of City Centre;
- the closure of the upper part of Paris Street is necessary to improve pedestrian linkage to area, provide additional cycle paths and improve bus flow;
- there has been a robust assessment of the development against policies including the St James Neighbourhood Plan;
- at a public consultation event, there was 96% support for re-development of the area with 76% support for this proposal; and
- the proposal has received the support of the Chamber of Commerce and Sport England.

Mr Iain McNeill, WSP, Transport Consultant

- a robust assessment of transport needs of City Centre and adjoining areas confirms that there is capacity for change;
- traffic flow in Paris Street, New North Road, Sidwell Street and High Street will be reduced;
- traffic passing St. Sidwells School on York Road would reduce by 33%;
- the new bus station layout along with dynamic stand allocation will ensure a much more efficient use of space;
- a level pedestrian access route will be provided through to the City Centre;
- there would be air quality improvements in a number of residential streets;
- the concerns of the Highway Authority had been met after detailed discussions and subsequent amendment of the plans;
- transport plans meet requirements of policies T1 and T2 of the St James Neighbourhood Plan;
- there would be a reduction in conflict between pedestrians and vehicles; and
- the development will be of benefit to the City.

Mr Russell O'Hare, TIAA Henderson Real Estate

- the development will build on the "regional hub" that Exeter has become and improve the urban environment;
- it will lead to a mix of national, regional and local retailers;

- it will offer a community space with the Amphitheatre together with high quality retail and dining, all of which will further attract visitors to the City;
- a viable business case is presented; and
- provides a vibrant gateway to the City.

A wide ranging debate followed on the issues raised.

The Leader stated that the City Council had aspired to develop the site since the mid 1980's but had been frustrated by a number of factors and that a viable development was only possible with private sector involvement. Consultation had shown an 80% majority in support of re-developing the site and the creation of over 700 jobs was an important factor. Significant debate had centred on the appropriate size for a new pool and he emphasised that the intention was to provide a family focused leisure centre which would be well catered for through a 25 metre pool. It would also be important for the re-development to contribute to the City's night economy and a new leisure centre, allied to the other features in the site, would contribute to attracting more to visit the centre after 5pm. He called for the establishment of a Bus User Forum to meet with the designer of the bus and coach station facilities to ensure that all interests and concerns were addressed.

Some Members raised concerns covering a number of issues, primary being the effect on the city centre transport infrastructure as a result of closing the upper part of Paris Street and the design and size of both the proposed leisure complex and bus station.

It was felt that the former would increase traffic in the St. James area, impacting adversely on the York Road junctions resulting in congestion and a deterioration in air quality levels. The Bus Station proposal, it was felt, did not cater for medium to long-term expansion and development of bus services and that, in particular, it failed to address the issue of long distance coaches using the bus station. The servicing of varying bus passenger needs, it was believed, also required further thought. Whilst recognising that the replacement of the Pyramids was paramount, many did not feel that the suggested site was appropriate, in that it did not meet aspirations around a sporting legacy and that plans for the provision of this facility should be revisited with consideration given to a possibly larger option on a different site preferably outside the City Centre.

Other Members referred to the importance of catering comprehensively for the needs of cyclists with links to the major transport hubs with one Member referring to the procedure required in respect of a Stopping Up Order for Paris Street.

Another Member stated that the proposals had been acceptable to the County Council's Development Management Committee and met the Bus Station Development Principles approved in June 2012. Further, the leisure facilities proposed reflected policy KP3 of the Exeter Local Plan First Review for the sustainable redevelopment of this strategic Bus Station/Sidwell Street/Paris Street site.

Other Members also welcomed the plans for the area which would further enhance and protect Exeter's City Centre, provide a vibrant gateway and transform a site in need of regeneration. It was seen as an appropriate next step following the Princesshay re-development with the pedestrianisation of part of Paris Street complementing that of Princesshay, with the amphitheatre area providing an added bonus. Noting that discussions with key stakeholders and other interested parties for this £70 million investment had been a long process, not least in relation to transport matters, it was felt that acceptance of the proposal offered an attractive

and sustainable way forward and it was stated that many of the concerns raised were likely to be addressed as reserved matters came forward.

The Assistant Director City Development advised that the bond of £500,000 required of the developer to fund mitigation measures arising from the traffic changes would also cover air quality issues and was included in a proposed Section 106 Agreement. A condition would require the provision of a Construction and Environment Management Plan with a further condition requiring interim arrangements for the operation of the bus services. He also advised that, following consideration of the location, characteristics and impacts of the development, it had been concluded that an Environmental Impact Assessment was not required.

The Devon County Council Head of Planning Transportation and Environment stated that the County Council's Development Management Committee had supported the proposal subject to a legal agreement and conditions. He added the following points:-

- the proposals to prohibit vehicular traffic on the top section of Paris Street between Dix's Field and Sidwell Street would improve pedestrian flow between the High Street and Sidwell Street as this area has a very high pedestrian movement and clear, safe routes between the development (including the new Bus Station), Park and Ride stops and the High Street (and on towards the Cathedral) would ensure safe, easy access on foot for all;
- provision of cycle access through this space to connect with Sidwell Street was considered to be an acceptable alternative route for cyclists to the existing route through Bampfylde Street that would be lost and contribute to the enhancement of the cycle network. The potential for cycling through the site was limited by high pedestrian flows;
- the proposed alternative traffic arrangements to Paris Street displacing some traffic to roads in the St. James area had regard to Policy T2 and T3 of the St. James Neighbourhood Plan requiring proposals to protect and mitigate against the impact of traffic within residential streets, for which a bond of £500,000 was required;
- the proposals for York Road were considered to accord with the aims of policies EN3, T1 and T2 of the Exeter St. James Neighbourhood Plan; and
- it was the usual practise for a Stopping Up Order to be applied for after an outline permission had been granted.

Members agreed that a bus users group should be convened to input into the design of the Bus Station.

The majority of Members supported the recommendation.

Councillor Edwards, seconded by Councillor Sutton, moved the recommendation.

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, Choules, Crew, Denham, Edwards, George, Hannaford, Hannan, Laws, Lyons, Morris, Morse, Packham, Pearson, Raybould, the Deputy Lord Mayor, Sheldon, Spackman, Sutton, Vizard, Wardle and Williams.

(25 Members)

Voting against:

Councillors Baldwin, Brock, Buswell, Harvey, Henson, Holland, Leadbetter, Mottram, Newby, Owen, Prowse, Thompson and Shiel,

(13 Members)

Abstain:

Lord Mayor

(1 Member)

RESOLVED that the Assistant Director City Development, subject to prior consultation with the Chair of Planning Committee be authorised to **APPROVE** the application subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 to secure:-

Bus Station

- The construction of the new bus station is secured by letting of a contract before the current one is taken out of use;
- Programme to minimise duration of temporary arrangements as far as reasonably possible.
- Operation of those temporary arrangements –
 - Circulation, stopping and layover arrangements
 - Waiting facilities with protection from the weather and information for passengers.
 - Office and staff facilities for bus operators.
- A minimum site area, identified on plan, for the replacement bus and coach station, to accommodate bays (including layover bays) and circulation/turning area
- LPA to approve management arrangements for the bus and coach station, as well as on-street stops and layover facilities.
- Public Toilet arrangements

Highways

- Funding for matters listed below and (up to £0.5 million) further works to mitigate unforeseen traffic impacts and/or air quality exceedances arising as a direct result of the development within the first two years from the opening of the development
- Closure of existing accesses, interim arrangements, and creation of new accesses, including timing.
- Road closures
- Traffic circulation arrangements with all associated signage and markings, including one way working, bus lanes, and other restrictions and exemptions applicable to various types of traffic
- Installation, modification, removal and/or replacement of traffic signals
- Bus layover bays
- Bus and coach stops, with shelters and real time information, for services not accommodated in the bus station forming part of the Development
- Signed walking routes between the bus station and the stops.
- Cycle routes with directional and regulatory signage, including a fully signed route to replace the existing route between Paris Street and Cheeke Street via Bampfylde Street

- Cycle parking within the Development and on adjacent highways, and access to the Development for cyclists
- Traffic Regulation Orders
- Taxi stands,
- Occupier Travel Plans
- Financial contributions as necessary to secure the above.
- S278 fees incurred by DCC, including legal costs and inspection fees
- Phasing of all of the above, including temporary arrangements during construction.

Public Realm

- Future Maintenance/management provision (inc amphitheatre)
- Walkways access agreement
- CCTV

Other matters:

- Local labour agreements

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

	Condition	
1	Commencement	<p>Approval of the details of the layout, scale, appearance of the buildings, the means of access thereto and the landscaping for each phase of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before that part of the development is commenced.</p> <p>Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.</p>
2	Reserved matters	<p>Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of the permission and the development hereby permitted shall be begun before the expiration of five years from the date of the permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved whichever is the later.</p> <p>Reason: To ensure compliance with section 91 - 93 of the Town and Country Planning Act 1990.</p>
3	Approved plans	<p>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 11 November 2015 (dwg. Nos GA0005 rev01, PP9001 rev 05, PP9002 rev 05, PP9003 rev 05) as modified by other conditions of this consent.</p> <p>Reason: In order to ensure compliance with the approved drawings.</p>
4	Design Codes	<p>The submission of all reserved matters and the implementation of development shall be carried out in</p>

		<p>substantial accordance with the Design and Access Statement received 12 November 2015 and with Design Codes agreed in writing by the Local Planning Authority.</p> <p>Reason: To define the scope of this permission.</p>
5	Phasing	<p>Before the submission of the first application for reserved matters approval a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the development shall be undertaken in accordance with the agreed phasing plan.</p> <p>Reason: To enable the site to be delivered in discrete phases.</p>
6	Floor spaces and uses condition 1	<p>The gross internal area of the development hereby approved shall not exceed 27,547 square metres.</p> <p>Reason: In order to ensure that development accords with the submitted information.</p>
7	Floor spaces and uses condition 2	<p>The gross internal area of the development hereby approved used for A1 (shops) shall not exceed 11,000 square metres.</p> <p>Reason: In order to ensure that development accords with the submitted information.</p>
8	Floor spaces and uses condition 3	<p>The gross internal area of the development hereby approved used for A3 (restaurants and cafes) shall not exceed 9,500 square metres.</p> <p>Reason: In order to ensure that development accords with the submitted information.</p>
9	Floor spaces and uses condition 4	<p>The gross internal area of the development hereby approved used for A2 (financial and professional services), A4 (drinking establishments) and A5 (hot food takeaways) shall not exceed 750 square metres in total.</p> <p>Reason: In order to ensure that development accords with the submitted information.</p>
10	Floor spaces and uses condition 5	<p>The gross internal area of the development hereby approved used for D2 uses (assembly and leisure) including cinema, sports and leisure shall not be less than 6,800 square metres.</p> <p>Reason: In order to ensure that development accords with the submitted information.</p>
11	Floor spaces and uses condition 6	<p>The area shown as Bus Station being a minimum of 3200 square metres and a maximum of 3700 square metres on Plan PP-9001 received 12 November 2015 shall be retained for the purpose of a Bus Station.</p>

		Reason: In order to ensure that development accords with the submitted information and to replace the existing bus station with a facility that will contribute to achieving a step change in the quality and capacity of public transport, in accordance with policy CP9 of the adopted Core Strategy.
12	Floor spaces and uses condition 7	<p>Block A shall comprise a minimum of 75% floorspace in A1 (shops) use, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests reinforcing the retail function of the High Street in Exeter.</p>
13	Floor spaces and uses condition 8	<p>Kiosk buildings in Paris Street shall total no more than 5 in number, and have a footprint of no more than 50 square metres each, a total combined footprint of no more than 200 square metres, and shall be A1 (shops), A3 (restaurants) or A5 (hot food takeaways) unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In order to ensure that development accords with the submitted information.</p>
14	Additional details (prior to commencement)	<p>Notwithstanding condition no. 3 no work shall commence on any phase under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority in so far as they relate to that phase and the following shall thereafter be provided in accordance with such details:</p> <ul style="list-style-type: none"> a) Weather protection strategy b) A shopfront and advertisement design guide; c) Public Art strategy. d) Sustainable fit-out guidance for landlord and tenant areas. <p>Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.</p>
15	External lighting	<p>Notwithstanding condition no. 3 full details of all external lighting shall have been submitted to and approved in writing by the Local Planning Authority and shall thereafter only be provided in accordance with such approved details.</p> <p>Reason: Insufficient information has been submitted with the application and in the interests of amenity.</p>
16	Plant Details	<p>Notwithstanding condition no. 3 full details of the following shall have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter only be provided in accordance with such approved details:</p> <ul style="list-style-type: none"> a) All external plant and plant operating in externally ventilated plant rooms b) Kitchen extraction and discharge, including, smoke grease and odour control in accordance with DEFRA Guidance on the control of odour and noise from

		<p>commercial kitchen exhaust systems.</p> <p>Reason: Insufficient information has been submitted with the application and in the interests of amenity.</p>
17	Bus Station specification	<p>A detailed specification for the Bus Station Shall be submitted to and approved in writing by the Local Planning Authority before development of that phase commences. A contract for the construction of the bus station in accordance with the approved specification shall be let before the current bus station is closed.</p> <p>Reason: To replace the existing bus station with a facility that will contribute to achieving a step change in the quality and capacity of public transport, in accordance with policy CP9 of the adopted Core Strategy.</p>
18	Materials	<p>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.</p> <p>Reason: To ensure that the materials conform with the visual amenity requirements of the area.</p>
19	Environmental performance	<p>Unless otherwise agreed in writing by the Local Planning Authority the buildings hereby approved shall achieve an overall BREEAM scoring of 60 percent or greater and shall achieve the mandatory credits required for BREEAM 'excellent' standard for shell only, with the exception of Ene01. Prior to commencement of such a building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved. Where this does not meet the above requirement the developer must provide details of what changes will be made to the development to achieve that standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of any such building hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.</p> <p>Reason: To ensure that the proposal is in accordance with the aims of Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.</p>
20	District Heating	<p>Submission of Reserved Matters for any phase shall be accompanied by a strategy for the future connection of buildings within that phase which shall be submitted to and approved in writing by the Local Planning Authority before development in that phase commences.</p>

		Reason: In accordance with the requirements of policy CP13 of the Exeter Core Strategy 2012 and in the interests of sustainable development.
21	CEMP	<p>No development shall take place in any phase until a provision is made for a Construction and Environment Management Plan (CEMP) for that part of the development and this has been submitted to, and approved in writing by, the Local Planning Authority. This shall address the following issues: Noise, dust, vibration, construction access, hours of work, dirt on the highway, protection of the public, protection from contamination, waste management and ecology.</p> <p>Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:</p> <ul style="list-style-type: none"> 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) Noise and dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance. d) Noise and dust monitoring shall be undertaken to an agreed programme. e) Site hoarding shall be kept clear of graffiti and fly-posting. <p>The approved CEMP shall be adhered to throughout the construction period.</p> <p>Reason: In the interest of the protection of public health and the avoidance of unnecessary nuisance to existing and future residents these matters need to be agreed before development starts.</p>
22	Noise limit for all plant	<p>The rating level of the total noise emissions from plant installed at the development shall not exceed the existing background noise levels at any existing residential receptor, assessed in accordance with BS 4142: 2014. Unless otherwise agreed in writing with the Local Planning Authority, the existing background noise levels at one metre from the façade of any residential receptor shall be taken as 44 dB $L_{A90, 1 \text{ hour}}$ daytime (07:00-23:00) and 39 dB $L_{A90, 15 \text{ minute}}$ at night (23:00-07:00).</p> <p>Before any individual unit is first brought into use the developer shall submit noise limits for building services mechanical plant at specified receptor locations for each unit. The unit shall thereafter only be occupied in accordance with the agreed noise limits.</p> <p>Reason: In the interests of residential amenity.</p>
23	Noise	Prior to occupation in any phase a noise management plan

	management plan (operational phase)	controlling timings of activities (for external spaces, leisure uses, deliveries) for that phase of the development has been submitted to, and approved in writing by, the Local Planning Authority. Reason: In the interests of residential amenity.
24	Drainage scheme	A surface water management strategy for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority before development of that phase commences on site. The approved strategy shall subsequently be implemented on site before any building in that phase is first brought into use. Reason: In the interests of sustainable drainage.
25	Archaeology	No development related works shall take place in any phase until a written scheme of archaeological work for that phase 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.
26	Landscaping scheme & maintenance details	A detailed scheme for landscaping for each phase of the development, including the planting of trees and/or shrubs, the use of surface materials and shall be submitted to the Local Planning Authority and no building in that phase shall be brought into use until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme. Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
27	Replacement planting	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.
28	Wildlife Plan	<p>A Landscape and Ecological Management Plan for each phase of the development, 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 shall be submitted to and approved by the Local Planning Authority. Thereafter the development of that phase shall be carried out and managed strictly in accordance with the approved measures and provisions of the Landscape and Ecological Management.</p> <p>Reason: In the interests of protecting and improving existing, and creating new ecological and landscape enhancements in the area.</p>
29	Permitted Development restrictions	<p>Notwithstanding the provisions of Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification) no fences, walls or other means of enclosure shall be erected within the site without the prior written approval of the Local Planning Authority.</p> <p>Reason: In the interests of preserving the visual amenity and openness of the site.</p>
30	Advertisement restrictions	<p>Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 or any Order revising, revoking and re-enacting that Order with or without modification), no advertisements shall be erected under deemed consent without the prior approval of the Local Planning Authority.</p> <p>Reason: In the interests of preserving the visual amenity and to ensure advertisements are erected in accordance with the requirements of condition 14.</p>
31	Pollution Control 1	<p>Unless otherwise agreed in writing, no development shall take place in any phase until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:</p> <p>1) A site investigation scheme, based on the preliminary Risk Assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.</p> <p>2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.</p>

		<p>3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.</p> <p>Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>Reason: To prevent pollution to controlled waters and unacceptable risks from contamination.</p>
32	Pollution Control 2	<p>No occupation of any part of the permitted development / of each phase of development shall take place until a verification report demonstrating completion of 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. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.</p> <p>Reason: To protect the water environment, to prevent pollution and prevent unacceptable risks from contamination.</p>
33	Pollution Control 3	<p>Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To prevent pollution of controlled waters and prevent unacceptable risks from contamination.</p>
34	Unexploded Ordinance	<p>No phase of the approved development shall take place on site until an investigation has taken place to determine the risk posed by Unexploded Ordinance relating to that part of the site and the results, together with any further works necessary, have been agreed in writing by the Local Planning Authority. The approved works shall be implemented in full and a completion report shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development.</p> <p>Reason: In the interests of public safety.</p>

35	Off-site highway works	<p>Before Paris Street is stopped up or otherwise closed to vehicular traffic the following measures, as shown on plan 31125-SK-249 rev D received 23rd December 2015, or such alternative measures as may be agreed in writing by the Local Planning Authority in consultation with the Local Highway Authority, shall have been implemented:</p> <ul style="list-style-type: none"> a) Road closures; b) Traffic circulation including one-way working, bus lanes, and other restrictions and exemptions; c) Layover bays; bus and coach stops with shelters and real time information for services not accommodated in bus station; and signed walking routes to and from these stops; cycle routes with directional and regulatory signage (including fully signed route to replace existing route via Bampfylde Street); d) Cycle parking within and around the site, and access for cyclists; and e) Other changes to the highway network as shown on that plan. <p>Reason: To ensure suitable mitigation works are in place to prevent a severe impact on the local highway network, in accordance with Paragraph 32 of the NPPF.</p>
36	Interim Arrangements for buses	<p>Before Paris Street is stopped up or otherwise closed to vehicular traffic or the Bus and Coach Station is taken out of operational use and interim arrangements for the operation of bus services (including the necessary legal arrangements) as agreed by the Local Planning Authority in consultation with the Local Highway Authority, shall have been implemented. This shall include:</p> <ul style="list-style-type: none"> a) Provision for the circulation, stopping and layover of buses; b) Waiting facilities with protection from the weather and information for passengers. <p>Reason: To provide suitable public transport facilities and ensure that adequate provision is made for sustainable modes, in accordance with section 4 of the NPPF.</p>
37	Bus and Coach Stops	<p>The detailed provision for accommodating buses and coaches in the bus station and adjacent highway network shall be submitted to and approved in writing by the Local Planning Authority before development of the bus station commences.</p> <p>Reason: To provide appropriate access to public transport facilities and ensure that adequate provision is made for sustainable modes in accordance with section 4 of the NPPF.</p>
38	Tourist coach	Before the existing Bus and Coach parking area is taken out

	stops	<p>of operational use alternative off-site arrangements for visiting touring coaches to set down and pick up passengers, as shown on plan 31125-SK-240 revision A received 11 November 2015 or such alternative measures as may be agreed by the Local Planning Authority in consultation with the Local Highway Authority, shall have been implemented.</p> <p>Reason: To ensure suitable alterations to the Highway Network are put in place in a timely manner.</p>
39	Highways	<p>No part of any of the development shall be occupied until details of the cycle parking provision for visitors and staff have been submitted to and approved in writing by the Local Planning Authority and have been provided for those purposes. These facilities shall be maintained for those purposes thereafter.</p> <p>Reason: To provide adequate facilities for sustainable transport.</p>
40	Highways	<p>A comprehensive Framework Travel Plan for each phase shall be submitted to and approved in writing by the Local Planning Authority in advance of occupation of the development. The approved travel plan measures will be implemented to the satisfaction of the Local Planning Authority</p> <p>A review of travel patterns for the site shall be undertaken within 6 months of occupation of the development and updated on a basis as agreed in writing with the Local Planning Authority thereafter.</p> <p>Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF.</p>
41	Service yard management	<p>Unless otherwise agreed in writing by the Local Planning Authority no part of Blocks C or D as shown in the approved plans shall be brought into its intended use until the access to commercial vehicle loading/unloading area from Cheeke Street has been provided, surfaced and marked out in accordance with the requirements of this permission and shall be retained for those purposes at all times. No part of Blocks A, B or E shall be brought into its intended use until adequate provision for loading/unloading of service vehicles has been provided, surfaced and marked out in accordance with the requirements of this permission and shall be retained for those purposes at all times.</p> <p>Reason: To ensure that adequate facilities are available for the service traffic.</p>

(The meeting commenced at 6.00 pm and closed at 9.41 pm)

Chair

THE EXTRAORDINARY MEETING OF EXETER CITY COUNCIL

Guildhall
Monday 25 January 2016

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

3 APOLOGIES

Apologies for absence were received from Councillors Choules, Crew, Edwards, Laws, Leadbetter, Newby and Vizard.

4 SCRUTINY COMMITTEE - RESOURCES - SPECIAL - 7 JANUARY 2016

The minutes of the Scrutiny Committee – Resources - Special of 7 January 2016 were presented by the Chair, Councillor Bull,

RESOLVED that the minutes of the Scrutiny Committee – Resources - Special held on 7 January 2016 be received.

5 EXECUTIVE - SPECIAL - 18 JANUARY 2016

The minutes of Executive – Special held on 18 January 2016 were presented by the Deputy Leader, Councillor Sutton and taken as read.

The Deputy Leader, Councillor Sutton, seconded by Councillor Hannaford, moved the minutes.

RESOLVED that Minute 2 (The Review of Polling Districts and Polling Places within the Exeter City Council Area) of the Executive - Special held on 18 January (as below) be received and adopted:-

- (1) the proposals as circulated for implementation from a revised register of electors to be published on 1 February 2016;
- (2) its final report on the Review of Parliamentary Polling Districts and Places within the Exeter Constituency on 29 January 2016, as required by the Electoral Administration Act 2006, be formally published; and
- (3) a further review by 31 January 2020, as required by the Electoral Registration and Administration Act 2013, be completed.

RESOLVED that Minute 5 (Funding for the Bus Station) of the Executive – Special held on 18 January 2016 (as below) be received and adopted:-

- (1) that a budget of £6.25 million is allocated for the delivery of a new bus station in Exeter; and
- (2) decisions regarding expenditure within the £6.25 million budget, including approval of the design and implementation of interim arrangements for the bus station, be delegated to the Leisure Complex and Bus Station Programme Board. The Board will replace the existing Leisure Complex Programme Board and new terms of reference will be produced. The Board will be politically balanced in accordance with the necessary proportionality requirements.

(The meeting commenced at 6.00 pm and closed at 6.04 pm)

Chair

PLANNING COMMITTEE

Monday 4 January 2016

Present:

Councillor Bialyk (Chair)

Councillors Spackman, Denham, Edwards, Lyons, Newby, Prowse, Raybould, Sutton and Williams

Apologies:

Councillor Choules

Also Present:

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

1

MINUTES

Subject to the amendments set out below, the minutes of the meetings held on 2 and 30 November 2015 were taken as read and signed by the Chair as correct.

2 November

- the first bullet point in Min. No. 77 to read - “given the High Court Judgment in relation to the Village Green there remains uncertainty on the link road”;
- the second bullet point in Min. No. 77 to read - “it is not satisfactory for the Committee to give approval at this meeting with an option to withdraw six months later. Approval should be delegated to the Assistant Director in consultation with the Chair once the Section 106 Agreement is signed and not in a giveth/taketh away manner.

30 November

- Condition 7 of Min. No. 84 to read - “the building hereby approved shall not be brought into

2

DECLARATIONS OF INTEREST

Councillor Newby declared a discloseable pecuniary interest as a Trustee of the Exeter Municipal Charities and withdrew from the room whilst Minute 4 was discussed.

3

PLANNING APPLICATION NO. 15/1086/03 - RADMORE AND TUCKER, FROG STREET, EXETER

The City Development Manager presented the application for demolition of the existing building and erection of a new building for student accommodation comprising 153 units (Use Class C2), cycle parking, works of hard and soft landscaping and other works incidental to the proposals.

He reported the following as additions to the circulated report:-

- Historic England were maintaining its objection to the proposal in terms of design and massing and the impact on the setting of key heritage assets. They continued to assert that the development would impact on the views from the Medieval Bridge of the tower of the Church of St Mary's Steps and of Exeter Cathedral, although it recognised that following amendments to the scheme the Cathedral towers would be visible;
- concerns from Hidden Treasures Tea Room and the Intercom Trust that they had not been visited by the applicant to discuss their objections; and
- concern from the Intercom Trust that it had not received direct notification of the planning application and that the process was therefore flawed. The City Development Manager advised Members that the statutory notice had been placed on site and that, although there was no statutory requirement, individual properties had been notified - although the Intercom Trust had been erroneously omitted. Officers had subsequently met with the Intercom Trust on site. He confirmed that there was no legal reason why the application could not be determined.

He advised that no objections had been received from Devon County Council and the Environment Agency.

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

Councillor Bull attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- since March 2012 one of the major pieces of material consideration is the National Planning Policy Framework (NPPF) which introduces a presumption in favour of sustainable development which is the "golden thread" running through planning. It is hoped that this does not mean that any development that can turn a profit for developers is sustainable? The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development; good design; an economic role; a social role supporting strong, vibrant and healthy communities through supplying housing to meet existing and future needs; an environmental role to protect the natural, built and historic environment ;and to move to a low carbon economy to address climate change. The application does not offer much clarity on these points;
- Historic England have serious misgivings over the photo-montages;
- Section 1 of NPPF states - "Building a strong, competitive economy" - but the application would not appear to support the thriving and growing artistic community and independent shops that we are starting to see flourish along Fore Street;
- Section 6 of NPPF states - "Delivering a wide choice of high quality homes". The Council's Supplementary Planning Document seeks to deliver purpose-built student accommodation and looks to the city centre as the location for much of this. However, each and every application that comes before this Committee seems to be aimed at the high-end and luxury market. What happens to those students that can't afford the rents for these units?
- there is a 35% affordable housing threshold for those larger estates outside the city centre which has delivered 600 affordable homes for mainly social rent over the past 5 years, and there are 2,000 such homes in the pipeline. When will developers of purpose-built student accommodation start to offer units to grow such inclusive and mixed communities?

- Section 7 of NPPF states - “Requiring good design” – this emphasizes the importance of planning positively for the achievement of high quality and inclusive design for all developments, including individual buildings, public and private spaces. This proposal might be considered as good design but only in the context of existing structure - it seems to be a series of blocks that takes no account of the surrounding streetscape and landscape.
- there is no appropriate innovation and the proposal seems to contradict paragraph 58 of the NPPF which seeks to ensure that developments respond to local character and history and reflect the identity of local surroundings and materials;
- around the development site are buildings of historic importance, yet the design fails to take account of distinctive brick and stonework of the two local churches. It does little, or nothing, to promote or reinforce the local distinctiveness and character highlighted by the House That Moves and, in particular, it does nothing to integrate this new development into the historic environment;
- proposal goes against the Conservation Area designation;
- Paragraph 64 of the NPPF gives permission to refuse a development of poor design that fails to take the opportunities available for improving the character and quality of an area. Some of this is re-inforced in Section 12 - “Conserving and Enhancing the Historic Environment” - which recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance;
- the NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting and seeks to ensure that there are no detrimental impacts on the reasonable outlook and amenity of immediate neighbours. It is suggested that there will be a detrimental impact;
- the NPPF requires landscaping to deliver a good standard of amenity for all. The only amenity mentioned in relation to this development are the roof gardens but they are not available for all residents of this building, only the occupants of the duplex penthouses, let alone the wider community. At the height suggested these roof gardens will affect the views of the setting in contravention of NPPF Section 12 - “Conserving and Enhancing the Historic Environment”;
- Section 4 of the NPPF - “Promoting Sustainable Transport” - states that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives;
- there is no green travel plans to prove that a development is sustainable. There is mention of cycle storage but there is also reference to car parking spaces. The advantage of a city centre location for purpose-built student accommodation is that a car isn’t needed; and
- when assessed against the policy guidance contained within the NPPF, there are sufficient grounds to warrant refusal.

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

- resident of Tudor Street;
- there will be insufficient parking spaces for students which will lead to increased pressure on residents’ parking in the area;
- with only one cycle path linking the City Centre to Bonhay Road and on to the university campus, conflict between pedestrians and cyclists may increase with greater use of the cycle path by students;

- public transport is insufficient to meet the needs of an increased population in the area and extra traffic generated by the development will lead to increased pollution;
- the development will impact adversely on this Conservation Area and historic quarter of the City, which includes the site of the old West Gate;
- the scale of the development will be similar to Renslade House and will dominate the skyline, overshadowing the historic buildings in the area; and
- question need for even more student accommodation in the City when there remains a great need for accommodation for Exeter residents. The building could be a white elephant.

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

- the scheme is the result of a lengthy consultation process both with the internal design review panel and planning officers. Elements of the scheme have been re-designed quite significantly over the course of the last few months whilst focusing on the design integrity set out by the architects and so positively received at the initial Design Review Panel, which it is believed is critical in producing a scheme that contributes positively to the City within the historic context of the surrounding buildings and listed monuments;
- the most significant element of this redesign has been a reduction in overall massing. There is always a balance between what the applicant's design team believe is the correct overall size of a building, when considering the surrounding street scape and what other parties believe is more appropriate. It is hoped that it can be seen that the developer listens and collaborates with all stakeholders, particularly those who have a more in-depth knowledge and understanding of Exeter and its aspirations moving forward;
- in terms of the use of the proposed building as Student Accommodation, it is believed that this location is particularly appropriate given its proximity to both amenities, transportation and most importantly the University itself, all of which are within easy walking distance. It is believed that the development will not only offer much needed quality accommodation for students wishing to study at Exeter, but also positively contribute to the local environment by replacing an unattractive and inappropriate building with a sensitive and high quality design that it is believed will greatly help in regenerating this side of the City;
- this type of high quality student accommodation provides to Exeter Universities short, medium and long term growth plans, with the availability of purpose build accommodation being key to both attracting students but also ensuring that family housing is not drawn in to support an accommodation shortfall – obviously with a negative impact on local housing supply;
- it is believed that the scheme of Studio only accommodation not only meets these requirements but enhances the current offer with a quality focused design that is different to the more typical student communal-living style accommodation. The studios are of a very high quality and offer independent living within a building with the amenity support that students require and more importantly expect, such as dedicated study areas, communal social spaces and availability of trained Wardens who can offer knowledgeable support whenever needed. It is a niche based product specifically designed to appeal to the modern day requirements of students; and
- the development is more akin to a residential scheme in how it looks and operates and how occupants will be expected to behave. To reinforce this, a specialist and accredited Student Management company will be used.

He responded as follows to Members queries:-

- only two disabled parking spaces are to be provided due to restrictions on space. Landscaping of the leat area is considered preferable to further parking spaces to improve the environment of the site. It is likely that most individuals with disabilities would look to seek accommodation closer to the University campus in most cases;
- the applicant has already reduced the number of units following negotiations to cater for a reduced height and have already made a significant investment in bringing proposals to the current position;
- a meeting had been held with the Intercom Trust to discuss their concerns regarding noise during the construction period and they were generally satisfied with the proposed amelioration mechanisms. The construction works for the development would be undertaken within regulations; and
- there had been an email exchange only with the proprietor of the Tearoom, again covering proposals during the construction period. Neither the Tearoom nor Intercom Trust were opposed to the principle of development.

RESOLVED that planning permission for the demolition of the existing building and erection of a new building for student accommodation comprising 153 units (Use Class C2), cycle parking, works of hard and soft landscaping and other works incidental to the proposals be **REFUSED** as:-

- (a) the sighting, scale and massing of the proposed development would adversely affect the setting of designated historic assets. Specifically, the development would remove the key view of the Grade I listed St. Mary Steps Church from the medieval bridge over the former course of the River Exe which is a scheduled monument, thereby further eroding the historic relationship between the bridge which one formed the main western approach to Exeter with the historic townscape beyond. The proposal is therefore contrary to Section 12 Paragraphs 131-133 of the National Planning Policy Framework; Policy CP17 – Design and Distinctiveness of the Exeter City Council Core Strategy and saved Policy C2 of the Exeter Local Plan First Review 1995-2011; and
- (b) the proximity, scale and massing of the proposed development would have an overbearing effect upon the residents of properties in both New Bridge Street and West Street thereby unacceptably impacting upon their residential amenity. The proposal is therefore contrary to saved Policy DG4 of the Exeter Local Plan First Review 1995-2011 and Policy DD13 of the Council's emerging Development Delivery DPD (published version).

4

APPLICATION NO. 15/1018/03 (PLANNING PERMISSION) AND 15/0650/07 (LISTED BUILDING CONSENT) AND 15/1018/03 - 1-16 MAGDALEN COTTAGES, MAGDALEN ROAD, EXETER

The Project Officer (Planning) (AL) presented the application for internal alterations associated with the conversion of eight units into five units.

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

- was offered a first floor apartment – Number 15 - in June and was very pleased to accept. It was on the understanding that this would be a

temporary placement, as the Exeter Municipal Charity had plans to convert Numbers 14 and 15 into a single first floor two-bedroom apartment served by its own private stair. Support this proposal to be relocated;

- the first inkling the residents had of this current application was a statutory notice issued by the City Council which caused quite a lot of consternation. A meeting of residents was called and it was decided to form the Magdalen Cottages Residents Association. Am speaking as honorary secretary to put forward objections and concerns of fellow residents;
- at present the residents form a close-knit community centred on evening gatherings in the rear garden whenever weather permits. Any reduction in the number of residents will cause serious damage to their existing community, as some members will not return - community activities include shared shopping trips, food sharing, making preserves; and
- the Trustees are members of the Almshouses Consortium who advise that upgrade of properties is necessary as, once they fall into disrepair, they become hard to let.

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

- Exeter Municipal Charities is a not-for-profit, Registered Provider of affordable housing in the City's specifically for older people in financial need;
- the Magdalen Road properties are small and no longer meet the space standards or arrangement of accommodation in line with best practice, but these are Listed Buildings which precludes alterations that will affect the historic character for the site;
- the ground floor extension has been designed and consent has been granted. This is not possible at first floor level without significantly increasing the overall mass of the building which is not acceptable to the Conservation Officer. The proposal therefore seeks to re-organise and amalgamate flats within the existing structure resulting in a reduction in the number of dwellings from eight to five;
- Trustees would prefer not to lose flats but the structure and listing impose limitations on what can be achieved. The objective is to ensure that the dwellings lost are replicated elsewhere and a number of sites have been identified where the density could be increased to provide additional dwellings;
- the concerns of existing residents are acknowledged and all residents have been consulted and will be handled sensitively. As with the ground floor construction will be delayed, until there are sufficient voids into which existing residents can be moved and that those who wish to move back will be able to. Moving expenses will be covered and ensure that they do not pay more for rent than they currently pay;
- Trustees need to take a longer term approach to the housing and make sure it meets the needs of future residents if the purpose of the charity is to continue and, wherever possible, the Charity future proofs its buildings by providing the best standard it can. Without such dwellings the Charity will not be able to house the most vulnerable in society in the longer term; and
- request approval of the recommendations.

In response to a Member he confirmed that decanted residents would be offered alternative accommodation in one of the 150 units operated by the Charities in the City. It might also be the case that units within Magdalen Cottages could become vacant so these too could be offered.

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

RESOLVED that planning permission AND Listed Building Consent for internal alterations associated with the conversion of eight units into five 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 21 September 2015 (*dwg. no.s. 12271-20, 12271-14 B, 12271-22, 12271-LOC, 12271-BLOCK, 12767.500*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building and as indicated on the approved plans and submitted details, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To protect the appearance and character of the area and to ensure the development conforms with advice contained within the Council's adopted Supplementary Planning Document "Householder's Guide to Extension Design".
- 4) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of amenity.

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

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

6 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

7 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party will be held on Tuesday 26 January 2016 at 9.30 a.m. The Councillors attending will be Bialyk, Newby and Sutton.

(The meeting commenced at 5.30 pm and closed at 7.13 pm)

Chair

PLANNING COMMITTEE

Monday 8 February 2016

Present:

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

Apology:

Councillor Denham

Also Present:

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

8

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

9

PLANNING APPLICATION NO. 15/1283/03 - EXETER CITY FOOTBALL CLUB

The Assistant Director City Development and the Principal Project Manager (Development) gave a joint presentation on this and the next application in respect of 31-35 Old Tiverton Road (Min. No. 10 refers) as the two were closely linked. Similarly, the speeches of the Councillors speaking under Standing Orders as well as those of the public speakers covered both applications.

The Assistant Director City Development and the Principal Project Manager (Development) presented the application for the demolition of the existing grandstand and replacement with new Well Street grandstand and away stand with associated spectator facilities; improved facilities for players/managers/referees under the main stand and new facilities for Big Bank stand; removal of car storage and existing buildings and replacement with new purpose built student accommodation blocks up to a maximum height of 6 storeys comprising 312 cluster/studio/disabled rooms with associated facilities including parking, cycle storage, landscaping, new internal road and pedestrian access between 20 & 21 Old Tiverton Road and change of use of 20 Old Tiverton Road to six student rooms with associated shared facilities.

Members were circulated with an update sheet - attached to minutes together with an additional update (also attached) provided by the applicant in response to the issues raised by the St. James Neighbourhood Forum.

The Principal Project Manager (Development) described in detail the sites and applications and advised that the total number of representations in favour of both applications was 1,765 and that the number who had expressed their opposition was 130.

The Assistant Director City Development covered the planning policy background to the applications and explained the issues relating to student accommodation in general and the implications for the area adjacent to the football ground and the

wider St. James community. He stated that no other viable development proposals had come forward for the site, that the applications were an acceptable option for the site when considered against the development plan as a whole and the material considerations. They would secure the vitality and viability of the Football Club. He referred to two specific policy conflicts that of community balance within the St. James area (SD1(d)) and the proposal for the change of use of 20 Old Tiverton Road.

The St. James Neighbourhood Plan looked to provide a better community balance in SD1 (d) diverse population and a mixed community and the development would lead to a greater imbalance in the community. The Assistant Director emphasised that Policy SD1 did not specify particular uses for the site and did not identify Purpose Built Student Accommodation as an unacceptable use for this site. The applicants had contended that the development of purpose-built accommodation would lower the demand for HMOs and allow for certain HMOs to be returned to family accommodation, consequently improving the community balance of the existing housing stock. This could not be guaranteed due to the future growth of the University and convenience of the ward for students.

With regard to the proposed change of use of 20 Old Tiverton Road to student use local residents were concerned that this change would be contrary to the Article 4 Direction and policies applied in this area restricting the change of use from dwellings to HMOs. Whilst in isolation, this change of use would be refused, it was noted that there was a clear association with the comprehensive redevelopment of this site and it had been secured to provide additional land for the re-development site and was a small element of the scheme. It also provided a visual presence and pedestrian link for the student accommodation onto Old Tiverton Road. The applicant had confirmed that the management of this property would be linked to the main student accommodation and therefore covered by the same Student Management Plan, which would be required by the Section 106 Agreement.

Councillor Shiel attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- the application should be assessed with regard to ensuring a balanced decision in light of all information available; and
- believe that accepting the proposal would be to the greater good of the City and that the applications should therefore be approved.

Councillor Owen attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- acknowledge the importance to the City of the Football Club and the valuable work of the Football in the Community Trust and that the majority of those supporting the application are fans of the Club;
- the number objecting is smaller but they are from the St. James ward who will have to live with the stadium throughout the year;
- a significant amount of work went into the production of the St. James Neighbourhood Plan, it is an important planning document and can be seen as localism in action as opposed to directives etc. from Government. Overriding the Plan could be viewed as demoralising to the St. James community and the whole process of producing the Plan;
- although the student population in the St James area was recorded at 51% in the 2011 census, suggest that this has increased by a further 2% and will increase further with this proposal;
- the area has problems associated with noise caused by students, particularly in the early hours when they return from the University campus

through the residential roads of Union Road, Prospect Place, Devonshire Place, Well Street, St James Road and Old Tiverton Road etc. In fact, a number of students themselves have made complaints in respect of late night noise;

- with some 300 students anticipated with this development the area immediately around the units will see a significant number of late night deliveries of take-away food;
- trust that if permission is granted there will be robust student management framework and that there should be an on-site presence until 3am;
- although an increase in the provision of Purpose Built Student Accommodation could lead to a reduction in houses in multiple occupation it is believed that this will be less evident in the St. James area - there has however been a reduction in the Polsloe ward;
- although there was a reduction in the height of the flats still believe that the overall impact is excessive and that if minded to approve there should be a further reduction of the six storey elements to five;
- the rationale that 20 Old Tiverton Road could also be converted to student use against the Article 4 Direction is not acceptable - ordinary applications for conversions to houses in multiple occupation in an Article 4 Direction area must wait 12 months to provide evidence of difficulty in selling a private residence;
- although it is stated that provision will be made for disabled parking in the Fountain Centre this will lead to a displacement from the Centre car park of other vehicles into the surrounding residential areas;
- there is an overall benefit to Exeter as a whole to secure the future of the Football Club but this should not be achieved at the expense of the St James community; and
- oppose the applications.

Responding to a Member's question, he confirmed that the St. James Neighbourhood Forum had received a number of enquiries nationally in respect of its Neighbourhood Plan.

Mr Osment spoke against the applications. He made the following points:-

- a member of the Prospect Park Residents Association and the Exeter St James Forum speaking on behalf of the Forum and the various residents associations of St James;
- have advised the City Council for many years including Princesshay and the Exeter Science Park and was the principal author of the Exeter City Centre Vision. Have assisted the Exeter St. James Forum in the preparation of the Neighbourhood Plan;
- the community of St. James worked for two years on the St. James Neighbourhood Plan and became only the second community in England to have its plan supported at referendum. At the very heart of the plan was the aim of improving the balance of the community by reducing the number of proportion of students to permanent residents. Exeter City Council adopted the plan and the Football Club was involved in the preparation of the Neighbourhood Plan and did not object to its adoption;
- the policies of the Neighbourhood Plan have been praised for being positive about development. It was the policy of the Neighbourhood Plan which has also help to bring forward the joined up scheme for the Football Club site and the Yeo and Davey land;
- support for the redevelopment of the Football Club site and the Yeo and Davey land was conditional and would only be forthcoming if the scheme

delivered a well-designed mixed use development that improved the balance of the community;

- improving the balance of the community is the single most important, and over-riding, aim of the Neighbourhood Plan;
- the proposals are not compliant with the Neighbourhood Plan and worsen the balance of the community. Because St James is in close proximity to the University and is popular with students, the development of an over supply of purpose built accommodation is unlikely to result in any significant drop in the number of family houses occupied by students in St James;
- the reason for supporting the developers' argument that a student housing development is the only type of development that will provide sufficient funds to improve the Football Club is flawed;
- no alternative scheme involving a mix of development has been prepared. It is disappointing to the local community that the developers were not asked to fully investigate the development of a scheme that would improve the balance of the community by providing homes for non-students;
- in Exeter, private residential development does not have a viability challenge. Values are high and a private residential development on this site would generate a significant developer profit and residual land value;
- an alternative scheme could both improve the balance of the community and create value and such a scheme is achievable. Instead, this scheme will demoralise the community of St. James and puncture the enthusiasm and belief in positive planning which developed through the preparation of the Neighbourhood Plan;
- the St James community is trying to make Exeter a better place. The community is not anti-development it just wants the type of development it specified in the Neighbourhood Plan. Exeter has a desperate shortage of housing for young professionals and this site could help meet that need; and
- ask that the decision be deferred and ask the developers to consider again how the scheme might meet the requirements of the Neighbourhood Plan Policy and work constructively with the community to prepare what could be a fantastic win-win development outcome for the whole of Exeter.

Mr Tagg spoke in support of the applications. He made the following points:-

- speaking as Chairman of Exeter City Football Club and Football in the Community;
- the development will provide a secure base for a prosperous future for the Football Club and allow the continuation and expansion of the work of Football in the Community;
- the family stand built in 1926 requires replacing and is under the close watch of the Safety at Sports Grounds group and can be closed by them;
- the project will secure a prosperous future for Football in the Community, the Club's Charitable arm that carries out educational and volunteer work;
- with the University expanding, purpose built student accommodation is vital;
- purpose built student accommodation is the solution to a balanced community and this is an ideal site. Providing student accommodation is the only way that the stadium improvements can be funded with delivery secured by a Section106 Agreement with the partners paying the cost of works up front to the Council. No student rooms can be occupied until the stand is built;
- the club has been willing to compromise and has offered amendments to address concerns of height and massing; and
- the Club has received huge support from many quarters – the University, the Chamber of Commerce, local businesses, the Civic Society etc. with 2,000

representations of support received from the St James ward, the City of Exeter, its wider hinterland and beyond.

Mr Osborne spoke in support of the applications. He made the following points:-

- the proposed development accords with the Development Plan as a whole; which supports the development of the University and the provision of safe, well managed student accommodation in sustainable locations close to the University Campus;
- scheme will help to meet the identified need for additional student bed spaces to support Exeter University's position as a top 10 University;
- the Neighbourhood Plan recognises that demand for student accommodation in St James is inevitable as a result of its proximity to the University. Without additional purpose built student accommodation there will be a continued pressure on the existing housing stock, including in the areas of St James not covered by the current Article 4 Direction;
- Exeter City Council's own analysis of Council Tax Exemptions supports the conclusion that additional purpose built student accommodation has potential to release existing HMOs back to other types of housing, and that a failure to provide this will result in greater pressure on the existing housing stock;
- positive policies in the Development Plan and Neighbourhood Plan allocate the poor quality, underused land to the rear of the Big Bank and the Yeo and Davey site as a major opportunity for development, and the Neighbourhood Plan policy encourages a comprehensive mixed use development that secures the vitality and viability of the Football Club;
- in their presentation, the Neighbourhood Forum have chosen to focus on viability, having previously stated that viability should not be a planning issue and that the proposals should be assessed on their planning merits. The reality is that the proposal is deliverable and will secure the future of the football club and is the only one to come forward over the past decade; and
- the proposals comprise a comprehensive masterplan for a deliverable, mixed use development on an allocated development site. The proposals have been supported by an independent Design Review Panel, and will result in a high quality sustainable design that reflects the scale of adjacent buildings and provides enhanced frontages to Well St, St. James Road and Old Tiverton Road. The potential enhancements to Old Tiverton Road have also been supported by Historic England, Exeter Civic Society and the Neighbourhood Forum; and
- the significant benefits generated by these applications will provide well managed Purpose Built Student Accommodation which meets an identified need and helps to support community balance by reducing pressure on the existing housing stock, as well as delivering essential improvements to St. James Park and securing a viable future for the Football Club.

Members recognised and praised the work of the St. James Neighbourhood Forum. They recognised that this was a difficult decision that required them to decide on a planning balance by weighing a number of policies in the development plan and the material considerations. Some Members questioned the conversion of 20 Old Tiverton Road and suggested that an alternative use, such as private residential, might be more appropriate. Some Members asked for limited opening hours for the proposed retail unit (condition 12).

The recommendation was for approval subject to a Section 106 Agreement under the Town and Country Planning Act 1990 and conditions as set out in the report.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 in respect of the essential works (Core Works) required for the football club, potential for additional funding of the temporary away stand and a Student Management Plan, the Assistant Director of City Development in consultation with the Chair of Planning Committee be authorised to **APPROVE** planning permission for the demolition of the demolition of existing and replacement with new grandstand and away stand with associated spectator facilities; improved facilities for players/managers/referees under the main stand and new wc facilities for Big Bank stand; removal of car storage and existing buildings and replacement with new purpose built student accommodation blocks up to a maximum height of 6 storeys comprising 312 cluster/studio/disabled rooms with associated facilities including parking, cycle storage, landscaping, new internal road and pedestrian access between 20 & 21 Old Tiverton Road with the Assistant Director and Chair also authorised to negotiate an alternative proposal in respect of the building at 20 Old Tiverton Road than use for student accommodation with shared facilities, 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 dated 25 November 2015 (dwg nos. 1213 PL01.01 rev A; PL01.02 rev A; PL02.01 rev A; PL02.02 rev A; PL02.03 rev A; PL02.04 rev A; PL02.05 rev A; PL03.01 rev A; PL03.02 rev A; PL04.01 rev A; PL04.02 rev A; PL04.03 rev A; PL04.04 rev A; PL04.05 rev A & PL04.06 rev A) and 25 January 2016 (dwg nos. 14024 SA L 01.10 rev PA2; 01.20 rev PA2; 02.01 rev PA2; 02.02 rev PA1; 02.03 rev PA1; 02.04 rev PA1; 02.05 rev PA1; 02.06 rev PA1; 02.07 rev PA1; 03.01 rev PA1; 03.02 rev PA1; 03.03 rev PA1; 03.05 rev PA1; 04.00 rev PA1; 04.01 rev PA1; 04.02 rev PA2 & 04.03 rev PA2) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) C57 - Archaeological Recording
- 7) C70 - Contaminated Land
- 8) No development shall take place, including any works of demolition and any earthworks, 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) include details of access arrangements and timings and management of arrivals and departures of vehicles
 - b) There shall be no burning on site during demolition, construction or site preparation works;
 - c) 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;
 - d) 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 highway safety and public amenity.

- 9) No part of the student block hereby approved shall be brought into its intended use until the vehicular parking facilities as indicated on Drawing Hardworks Plan Rev P2 have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing, by the Local Planning Authority and retained for that purpose at all times:
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 10) No part of the student block shall be provided until the pedestrian routes to the development at 31-35 Old Tiverton Road to the north east and to Old Tiverton Road in south east on the Hardworks Plan Rev P2 have been provided and maintained for these purposes at all times.
Reason: To provide safe and suitable access for the pedestrians attracted ensure that adequate facilities are available for the traffic attracted to the site.
- 11) No part of the student block shall be brought into its intended use until the secure cycle parking facilities have been provided with the submitted details and maintained for these purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 12) Notwithstanding the description of development hereby approved, there shall be no change of use of 20 Old Tiverton Road to six student rooms with shared facilities, and 20 Old Tiverton Road shall remain in Class C3 residential use. A scheme for the detailed layout, hard and soft landscaping, boundary treatment and design of the pedestrian access between 20/21 Old Tiverton Road shall be submitted to and agreed by the Local Planning Authority prior to the occupation of the student accommodation hereby approved. The said scheme shall be implemented in accordance with the approved details.
Reason: To clarify the property is no longer part of the application.
- 13) Travel Plan measures including the provision of sustainable transport welcome packs, shall be provided in accordance with details agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development.
Reason: To promote the use of sustainable transport modes, in accordance with paragraphs 32 and 36 of the NPPF.
- 14) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.
Reason: In the interests of the preservation and enhancement of biodiversity in the locality.
- 15) The development shall proceed in accordance with the Flood Risk Assessment produced by AWP dated 12 November 2015.
Reason: In the interests of flood mitigation and protection.
- 16) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of specified buildings, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details

Reason: In the interests of the visual amenities of the area and the residential amenities of existing neighbouring occupants.

- 17) No development shall commence until details of the restoration and rebuilding of the existing boundary wall (including where necessary structural repairs) and additional boundary treatments/means of enclosure fronting onto St James Road and Well Street have been submitted to and approved in writing by the Local Planning Authority and thereafter be completed and maintained in accordance with the agreed plans.

Reason: In the interest of visual amenity and highway safety.

- 18) No development shall commence until details of the security gates and lighting to be installed alongside 20 Old Tiverton Road has been submitted to and approved in writing by the Local Planning Authority and adhered to at all times thereafter.

Reason: In the interests of residential amenity.

- 19) The specification for maximum mechanical plant noise included in the Noise Assessment prepared by Peter Ashford dated 6 November 2015 shall not be exceeded.

Reason: In the interests of residential amenity.

- 20) The new stand shall not be used until a scheme for the installation of equipment to control the emission of smoke, fumes and smell from cooking at that part of the development has been submitted to, and approved in writing, the Local Planning Authority and the approved scheme has been implemented. All equipment installed as part of the scheme shall be operated and maintained in accordance with the manufacturer's instructions thereafter.

Reason: In the interests of residential amenity.

- 21) The development shall proceed in accordance with mitigation and enhancement issues identified within the Ecological Impact Assessment prepared by EAD Ecology dated November 2015.

Reason: In the interests of environmental issues identified within the site.

- 22) The student accommodation hereby approved shall not be occupied until the practical completion of the identified stadium works have been achieved.

Reason: To ensure that the necessary identified improvement works in connection with the football club are carried out.

- 23) The football stadium works hereby approved shall not be used until details of any new public announcement system have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented at all times in accordance with the approved details.

Reason: In the interest of residential amenity.

- 24) The football stadium works hereby approved shall not be used until details of the floodlights to be installed on the replacement stand have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented at all times in accordance with the approved details.

Reason: To avoid the potential for light spillage and in the interest of residential amenity.

- 25) the Assistant Director City Development and the Chair of the Planning Committee be authorised to ensure that the development achieves a sustainable design.

**PLANNING APPLICATION NO. 15/1275/03 - 31-35 OLD TIVERTON ROAD,
EXETER**

The Assistant Director City Development and the Principal Project Manager (Development) presented the application for the demolition of existing structures and erection of new three storey building comprising ground floor retail use and student accommodation for nine studio flats with associated vehicular/cycle parking and bin storage.

Details of their presentations, together with the views of the two Councillors speaking under Standing Orders and those of the public speakers are set out in Min. No. 9 above.

Members were circulated with an update sheet - attached to minutes together with an additional update (also attached) provided by the applicant in response to the issues raised by the St. James Neighbourhood Forum.

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

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 in respect of a Student Management Plan, the Assistant Director of City Development in consultation with the Chair of Planning Committee be authorised to **APPROVE** planning permission for the demolition of existing structures and erection of new three storey building comprising ground floor retail use and student accommodation for nine studio flats with associated vehicular/cycle parking and bin storage, 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 16 November 2015 (dwg nos 14024 MU L.01.03 rev PA; L.01.30 rev PA1; L.02.30 rev PA; L.02.31 rev PA; L.03.20 rev PA; L.04.50 rev PA & L.04.51 rev PA), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) No part of the A1 retail use hereby approved shall be brought into its intended use until the onsite loading bay, a new heavy duty dropped kerb crossing onto Old Tiverton Road and on site vehicular and secure cycle parking facilities, as indicated on Drawing Proposed Site Plan Rev PA1, have been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority. Such facilities shall be maintained for this purpose at all times.
Reason: To provide a safe and suitable access for all users and ensure that adequate facilities are available for the traffic attracted to the site.
- 7) No part of the residential use hereby approved shall be brought into its intended use until the secure cycle parking facilities have been provided and maintained in accordance with the submitted details and retained for that purpose at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

- 8) C70 - Contaminated Land
- 9) No development shall take place, including any works of demolition and any earthworks, 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) include details of access arrangements and timings and management of arrivals and departures of vehicles
 - b) there shall be no burning on site during demolition, construction or site preparation works;
 - c) 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;
 - d) dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance;
 - e) adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and material;
 - f) details of access arrangements, measures to minimise the impact on the adjacent footpath and timings of the proposed works.
- The approved CEMP shall be adhered to throughout the construction period.
- Reason:** In the interests of highway safety and public amenity.
- 10) The development hereby approved shall comply with the specifications as stated with the Noise Assessment report prepared by Peter Ashford dated 6 November 2015 in respect of maximum plant noise and minimum specification for glazing unless otherwise agreed in writing by the Local Planning Authority.
- Reason:** In the interests of residential amenity.
- 11) C57 - Archaeological Recording
- 12) The retail use hereby approved shall not be open to customers other than between the hours of 7am and 11pm.
- Reason:** So as not to detract from the amenities of the near-by residential property.
- 13) No development shall commence until a delivery management plan in respect of the retail use, specifically identifying timing of vehicles servicing the unit has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with these details thereafter.
- Reason:** In the interest of residential amenity.
- 14) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.
- Reason:** In the interests of the preservation and enhancement of biodiversity in the locality.

11

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

12

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

13

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 1 March 2016 at 9.30 a.m. The Councillors attending will be Denham, Buswell and Lyons.

(The meeting commenced at 5.30 pm and closed at 7.41 pm)

Chair

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LICENSING COMMITTEE

2 February 2016

Present:

Councillor Greg Sheldon (Chair)

Councillors Brimble, George, Hannan, Harvey, Henson, Holland, Pearson, Shiel and Spackman

Apologies:

Councillors Laws, Choules and Crew

Also present:

Acting Principal Licensing Officer and Democratic Services Officer (Committees) (HB)

1 **Minutes**

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

2 **Declarations of Interest**

The following Member declared a disclosable personal interest and left the meeting during consideration of the item.

COUNCILLOR	MINUTE
Councillor George	33 (knew the applicant)

3 **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 Paragraphs 1 and 2 of Part I, Schedule 12A of the Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

4 **Application for Consent to Street Trade (Mr RD)**

The Acting Principal Licensing Officer presented an application for consent to street trade for a period of twelve months in Castle Street (adjacent to High Street), Exeter, which was a designated Consent Street under the provisions of the Local Government Act 1982.

Mr D was seeking to trade from Monday to Sunday between 09.00hrs until 17.00hrs as a continuation by 12 months of the consent granted by this Committee on 22 September but which had been limited to a period up to and including 2 February for the suitability of the operator to be determined. He proposed to continue to sell Tibetan Food, cooked to order on site using a gas powered ring system from a catering tent 2.2m long by 1.8m deep located to the side of Castle Street, leaving sufficient space for vehicular access.

Mr D attended and spoke in support of his application. He confirmed that he wished to continue trading and that since he had commenced operating he was building a regular trade and that customers liked the food he sold.

An objection had been received from the franchise holder of the Hot Sausage Company. As the barrow was located to the rear of the catering tent it was now only partially visible from the High Street and it was maintained that as a result potential customers and even regulars were sometimes unaware of its presence. The actual operator of the stall however did not object.

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.

5 **Licensing Fees and Charges**

The Acting Principal Licensing Officer presented the report on the proposed licensing fees and charges for 2016/17, for those activities where the Council has discretion.

RESOLVED that the proposed Fees and Charges for 2016/17 be approved as set out in the report and, where appropriate, advertised.

The meeting commenced at 5.30 pm and closed at 5.41 pm

Chair

SCRUTINY COMMITTEE - COMMUNITY

19 January 2016

Present:

Councillor Emma Morse (Chair)

Councillors Brimble, Bull, Buswell, George, Hannan, Holland, Packham, Raybould, Shiel, Vizard and Wardle

Apologies:

Councillor Newby

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Housing, Assistant Director Customer Access, Service Lead Housing, Service Lead Performance, Strategy and Resources, Technical Accounting Manager, Principal Accountant Corporate and Democratic Services Officer (Committees) (HB)

In attendance:

Councillor Rob Hannaford	- Portfolio Holder Housing Revenue Account
Councillor Keith Owen	- Portfolio Holder Health and Place
Councillor Rachel Sutton	- Portfolio Holder City Development

1 Minutes

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

2 Declaration of Interests

No declarations of interest were made by Members.

3 Development of the Council's Homelessness Strategy - Draft for Consultation

The Assistant Director Customer Access presented the report setting out the draft Homelessness Strategy for Exeter and Teignbridge which had been developed from the findings and recommendations of the Task and Finish Group convened to review homelessness in the City and to help form and shape the new Homelessness Strategy and action plan. The group had been chaired by Councillor Harvey and involved representatives from both Councils.

The System Lead - Housing spoke on the following themes set out within the strategy including the aims summary for each and the proposed action points:-

- A Place to Live
- Access to Services
- Health and Protection; and
- Money Matters

The Chair welcomed the report which had been identified by the Portfolio Holder for Customer Access as a priority.

The System Lead - Housing responded to Members queries:-

- the Safe Sleep Exeter facility was 65-70% occupied with seven individuals identified for longer term accommodation with three pending, the scheme to be evaluated at the end of March. Working closely with the Police and local providers to look at options for rough sleepers whose behaviour and substance misuse was not manageable in a shelter setting;
- regarding the distribution of sleeping bags and food from various sources, there was an increased desire to work with providers to work towards a co-ordinated response with a consistent message of encouraging the homeless to engage with statutory services and seek solutions to their situations;
- in the face of increasing budget cuts, the need for smarter working was acknowledged to eliminate duplication and increase efficiencies. The Integrated Care Exeter initiative was key in this respect. Work was already in progress with regard to local engagement with the Community Rehabilitation Companies;
- an alternative model for housing victims of domestic abuse and violence was being piloted which differed from the traditional refuge model;
- although a number of partners were involved in the development of the strategy, there was no clear framework catering for volunteering. The first step would be to establish closer links with agencies and provide a forum for all those involved in working with the homeless; and
- no direct support from private sector investors had materialised to date.

Scrutiny Committee - Community agreed the content and aims of the draft Homelessness Strategy 2016-2021 as a draft for consultation and supported a public consultation to gain feedback from stake-holders and other interested parties.

4 Reports of Portfolio Holders

Councillors Owen and Hannaford presented the progress reports on priorities within the Health and Place and Housing Revenue Account Portfolios respectively. Apologies had been received from Councillor Morris, the Portfolio Holder for Customer Access. Responses to Members' queries are set out below:-

Health and Place

The Portfolio Holder reported that the period for the public consultation on the proposed Public Spaces Protection Order had been extended from 22 January to 29 February. Because of the purdah period, the reporting through the Committee cycle would therefore take place after the May Elections. The report was therefore scheduled for consideration during the June/July cycle which would be at the same timescale proposed for the consideration and adoption of the Homelessness Strategy. He emphasised that no decision had been taken in respect of the Order and that consideration would be given to suggestions and remedies to identified problems for inclusion in any Order.

With regard to the cleansing of the City Centre and implementing ways of Keeping the City Looking Good, he referred to the public consultation undertaken on the prioritisation of resources when the public had expressed a preference for ensuring high standards of cleanliness for the City Centre. He was seeking to discuss this aspect with the Business Improvement District Chief Executive.

Customer Access

In the absence of the Portfolio Holder for Customer Access, the Deputy Chief Executive undertook to respond to queries relating to the timescale for the tendering process relating to working in conjunction with a Credit Union and on personnel issues relating to the new Assertive Homeless Outreach Service. An update provided after the meeting by the Portfolio Holder is attached as an appendix.

Housing Revenue Account

The Portfolio Holder spoke on all five points within his update.

The Assistant Director Housing responded to a Member who expressed concern over incidents of anti-social behaviour on Council housing estates. With regard to the Housing Strategy, which was scheduled for submission to the next Scrutiny Committee in March, he advised that it was a high level policy document and would not detail operational matters such as responses to anti-social behaviour. However, the anti-social behaviour policy, as well as policies relating to tenancy agreements, were being reviewed, with reports to be brought to this Committee later in the year. They incorporated proposals to tighten procedures relating to reported problems of anti-social behaviour. He also referred to protocols followed by Environmental Health Officers, with Police presence if necessary, when visiting families affected by this behaviour, including those households with disabled individuals.

As the Committee would have the opportunity to review the above policies, a suggestion of establishing a Task and Finish Group in respect of anti-social behaviour was not supported.

The Chair invited the Portfolio Holder for City Development to the table to respond to a query from a Member on working with the University on student accommodation issues. The Portfolio Holder advised that both the Planning Member Working Group and the University Task and Finish Working Group were to consider a commissioned report on these issues, the report providing background information relevant to current and expected planning applications and the evolution of Council planning policies. There were concerns that recent purpose built student developments were increasingly focussed on “high end, luxury” accommodation which might not attract students from privately rented houses which otherwise could help ease the wider housing need.

Scrutiny Committee - Community noted the reports.

ESTIMATES, CAPITAL PROGRAMME AND FEES AND CHARGES

5 Community - Housing Revenue Account - Estimates/New Capital Bids/Fees : 2016/17

The Technical Accounting Manager presented the report on the Housing Revenue Account Estimates and Fees and Charges, which outlined the strategic framework within which the estimates had been prepared, changes in accounting practices which affected all budgets and gave detailed reasons for major changes in the Management Unit estimates. A detailed schedule of the capital programme for Housing was also attached to the report together with details of the Council Own Build programme.

A Member highlighted the two year LAINGS refurbishment programme and the St Loyes Extracare Scheme set out in the Capital Programme for 2016/17 and future years. The latter represented some 20% of the total programme and his suggestion that a Programme Board involving City Council Members and with County Council representation be established was supported.

Scrutiny Committee – Community:-

- (1) supported the draft Revenue Estimates for 2016/17, the proposed Capital Programme, Fees and Charges and Council Own Build for further consideration by Executive on 10 February 2016 and Council on 23 February 2016; and
- (2) supported an appropriate governance structure in respect of the St Loyes Extracare Scheme.

6 Community - General Fund - Estimates/New Capital Bids/Fees and Charges : 2016/17

The Principal Accountant presented the report on the Community Revenue Account Estimates and Fees and Charges, which outlined the strategic framework within which the estimates had been prepared; changes in accounting practices which affected all budgets and gave detailed reasons for major changes in the Management Unit estimates. A detailed schedule of the capital programme for Community was also attached to the report.

The Government had announced the provisional Local Government Settlement on 17 December 2015. The Council was to receive £2.022 million Revenue Support Grant in 2016/17 and had been set a Business Rates Baseline of £3.780 million, which overall was £156k lower than predicted within the Medium Term Financial Plan. At this stage, there was no intention to revisit the budgets set. The final settlement was expected in late January but the initial figures were very close to those anticipated.

Scrutiny Committee - Community supported the draft Revenue Estimates for 2016/17, the proposed Capital Programme and Fees and Charges for further consideration by Executive on 10 February 2016 and Council on 23 February 2016.

ITEMS FOR CONSIDERATION BY THE EXECUTIVE

7 Housing Rents and Services Charges : 2016/17

The Technical Accounting Manager presented the report recommending a 1% rent decrease for council dwellings from 1 April 2016.

Until the Government's Summer Budget announcement, social housing rents had been expected to increase by Consumer Price Index inflation plus 1% annually for ten years; 2015-16 to 2024-25. This was intended to give landlords certainty in order to help them plan for future investment. The 10 year inflation linked rent settlement had been replaced with a new rent reduction policy announced in July, requiring social landlords to reduce rents by 1% annually for each of the next four years.

Members remarked on the difficulties resulting from the Government's policy changes and, in particular, the challenging nature of the Welfare Reform and Work Bill which was scheduled for enactment in April 2016. Allied to the 1% reduction in rental income, the welfare reforms were a further risk to council dwelling rents, in

particular the move to Universal Credit and the reduction in the benefit cap. Management techniques were being developed to support and encourage customer behaviour towards rent payment in order to help mitigate this risk.

Further erosion of local authority control of its housing stock would result from the enactment of the Housing and Planning Bill which required Councils to make payments to the Government in respect of their high-value vacant housing. The payments would be used to extend the Right-to-Buy to housing associations and to pay off debt attached to the sold properties. The Assistant Director Housing explained the implications of the proposals including a reduction in stock numbers in the event that the Council is required to sell vacant homes to recoup sufficient capital receipts. He stated that legal advice obtained was that the proposals could not be challenged on grounds of reasonableness. Again, mitigating measures were being put in place.

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

- (1) a reduction in rents for Council dwellings of 1% from 1 April 2016;
- (2) garage rents remaining at their 2015/16 level from 1 April 2016; and
- (3) service charges to remain at their 2015/16 level, with the exception of the charges specified below from 1 April 2016:-
 - (a) 1.2% increase in respect of cleaning communal areas in line with anticipated rises in cleaning contract costs;
 - (b) 3.5% increase in respect of fire alarm testing in line with rises in maintenance and monitoring contract costs; and
 - (e) 5% increase in respect of repair costs in line with Building Cost Information Service (BCIS) rates.

8 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 4 of Part 1, Schedule 12A of the Act.

9 Future of Older Persons' Housing Services

The Assistant Director Housing presented the report recommending on how best to provide housing and housing-related services to tenants in the City Council's older persons' accommodation in the coming financial year.

It was the intention to continue the current arrangements for this service for a further year and, in the meantime, develop an alternative model for supporting these tenants, which would be reported to Members for approval in due course.

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

- (1) no major changes to be made to the provision of the warden service in 2016/17. The HRA would continue to fund both the warden service and the emergency alarm system as it had been doing this year. The cost would not

exceed £131,000 which included £51,000 for supporting the emergency alarms. These arrangements would apply to existing tenants only;

- (2) new tenancies would only be offered to people over 60 years old who would not receive the warden service;
- (3) new tenants would have the use of a dispersed emergency alarm (paid for by themselves and provided through Home Call). Any hard-wired alarm would be removed prior to their moving in;
- (4) the contract for the maintenance of the current hard-wired system would be extended from April 2016 to March 2017. This would cost no more than £20,000 and was necessary to maintain the system; and
- (5) the part time Housing Community Partnerships Officer would start to explore initiatives for combating loneliness and isolation among older residents, with particular emphasis on social activities in the communal rooms which are currently under-utilised, with a view to moving to an alternative model of service delivery from 1 April 2017, subject to further consideration and approval by Members.

The meeting commenced at 5.30 pm and closed at 6.55 pm

Chair

Points 1-2-7 are linked so I will expand on them collectively.

First I wish to thank Nicola and the team, Anne Marie and all members of the task and finish group for all their input into the strategy. It has been time well spent over the last few months.

Outside of the meetings I have continued to build relationships and links with organisations.

Nicola and I attended a networking day at the Armed Forces Hub in December, at the invite of the Transitions Coordinator at St Loyes Foundation, and through this we now have links with the Royal British Legion and SAFFA (the Armed Forces Charity) to ensure that we continue to honour and fulfil our responsibilities under the Armed Forces Covenant. We have also invited them to the customer service centre to meet front line staff and have discussed with them how we can help support veterans.

I also had an informal meeting with Jacinta Wainwright Chief Executive of SAFE, again, to build relationships and links between ECC and organisations who provide assistance to those who are homeless or are in danger of becoming homeless. Key to the success of the strategy is partnership working.

It's essential that we listen to them and work with them.

The strategy does state that the action plan will be reviewed twice a year and whilst we don't know what will happen at the elections in May, I do hope there will be some continuity with regards to who sits on the steering group, and that we will continue to ask for input from organisations so as to ensure the plan remains current, effective and serves its purpose.

Some homeless people living on the streets, have complex needs and are in need of assistance from i.e. mental health services. The well-being hub, and the MEAM coordinator is key to being able to help vulnerable people most in need.

Also ICE will be a vital key to ensuring that vulnerable people receive the help they need as its aim is to work together to design and deliver new and better ways of working.

The targeted families programme continues and enters phase two. We will be more engaged with phase two and a report back will be given to Executive as to the effectiveness of the programme later in the year.

Priority 3

We are continuing to identify properties that need to be licensed due to additional licensing measures introduced earlier in 2015. We are doing this through adverts in the media and by officers actively seeking properties. The private rented forum is a very useful forum for engaging with letting agents, individual landlords as well as the CAB and individual tenants.

The landlord's handbook has been developed, some copies have been printed and it's available on line through the Council's website. Work is currently underway to develop a tenant's handbook. Both handbooks will help provide information on tenants/ landlords rights but also responsibilities.

Councillor Bull and I both attended the forums tenant information day in Princesshay which was successful.

We are also discussing the possibility of introducing an Exeter rental standard designed to assist tenants in finding good quality, well managed accommodation. The concept is for us to set a minimum standard that we say we would expect from landlords and letting agents.

This would fit together with another initiative that the forum discussed which is Homefinder. Homefinder is a software programme that can assist tenants with finding suitable properties. The idea is that landlords advertise via homefinder, which is a programme we would monitor and be responsible for, and anyone looking to rent in Exeter could access the site via a link on our website. Tenants would then know that all properties advertised have met a certain standard, as we would be able to set the criteria in order to rate the properties.

This is currently being discussed via the forum and is a very interesting concept.

Priority 4

Because a review of the council tax support scheme is being undertaken by DCLG it was agreed by Executive and Subsequently Full Council to retain the current scheme as it is for this year. However before making a decision on next year, I would suggest members seek information and figures on how residents are managing with contributing towards council tax where previously they have not been required to do so.

Priority 5

I am very pleased the CAB have been successful in obtaining funding so the excellent work of the money advice partnership has been able to continue.

Priority 6

This policy was agreed several months ago, no further update required.

Kind regards

Heather

Cllr Heather Morris
Labour City Cllr for Cowick ward
Portfolio Holder for Customer Access

SCRUTINY COMMITTEE - ECONOMY

21 January 2016

Present:

Councillor Brimble (Chair)

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

Apologies:

Councillor Crew

Also present:

Chief Executive & Growth Director, Economy and Tourism Manager, Leisure Facilities Manager, Principal Accountant Service (PM), Audience Development Lead RAMM, Digital Media Officer RAMM and Democratic Services Officer (Committees) (SLS)

In attendance:

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

1 Minutes

The minutes of the meeting held on 12 November 2015 were taken as read and signed by the Chair as correct.

2 Declarations of Interest

Councillor Branston declared a disclosable pecuniary interest in respect of Minute No 9 as he is employed as a market researcher and withdrew from the meeting. No other declarations of interest were made.

3 Portfolio Holder Updates

Councillors Sutton and Denham presented progress reports on priorities within the City Development and the Economy and Culture Portfolios respectively. Responses to Members' comments and queries are set out below:-

Councillor Sutton - City Development

- Ikea had outline planning consent and continued to work on their application for reserved matters which will come back to Planning Committee. She understood that Exeter was scheduled to be next after the current store in Reading, but unfortunately, it was down to the company when they progressed this application.
- a new Sport and Leisure Strategy was being drafted. Although desirable, it was not necessary for the Strategy to be in place to draw down funding from Sport England. The Strategy will be presented to a Scrutiny Committee and offer Members the opportunity to scrutinise and comment. This document may also be used to inform public consultation. Councillor Denham added

that the Strategy was also important to identify strategic need in the city, and to ensure that the appropriate consultation with sports groups was carried out. It was important to ensure that there was active engagement with partners.

- she undertook to respond to the Member in relation to his enquiry on the likely progress of the Morrison development at Middlemoor. She appreciated that planning consent had been gained, but that the time limit was nearly up. It was important for the site to be delivered.
- a copy of the report by Professor Darren Smith exploring the options and implications for accommodating the future growth of students in Exeter was considered by the Planning Member Working Group, and was also available to Members. The report offered a comment on the ratio of houses compared with purpose built accommodation through to 2021. The findings of the University Task and Finish group would also be reported to the Scrutiny Committee.

Councillor Sutton congratulated all those involved in the support for the Exeter Community Forum and particularly to the sterling work of Diane Moore and Christine Fraser around the city, as well as the City Council's Community Involvement and Inclusion Officer and other officers.

Councillor Denham - Economy and Culture

- a Canal and River Trust stakeholder's meeting had been arranged for 4 February, and invitees from a wide range of user groups had been invited to meet representatives of the Exeter Canal and Quay Trust. It was hoped that the meeting with the Trust would help to develop a better working relationship. The Assistant Director Public Realm would be in attendance.
- she would write to Councillor Henson and Members of the Scrutiny Committee and detail the package relating to the forthcoming Rugby 7's event. They had entered into a contractual arrangement following negotiations by the Assistant Director Finance.
- there had been a huge increase in the number of visitors and an increase in the shop revenue since the Visitor Centre moved into the Custom House. There were also regular opportunities for a range of events and promotions. She would arrange for the data relating to the visitor increase to be sent to Members.
- the Exeter City Futures work was on line from 11 January, as part of a soft launch. The main media launch has been booked for 28 February. The Exeter City Futures Programme Manager was in the process of arranging presentations to the Member Groups. There had also been a whole series of communications and events put in place to raise public awareness and she would ensure an update on its progress was provided.
- a report on the Parking Strategy had been delayed, but the Assistant Director Public Realm would be presenting a report to the March meeting of Scrutiny Committee Economy, as well as reporting the cost implications and more information as part of a Parking Spotlight Review.

Scrutiny Committee – Economy noted the achievements and priorities presented for both City Development and the Economy and Culture Portfolios.

4 Estimates/ New Capital Bids/Fees and Charges

The Principal Accountant presented the report on the Estimates and Fees and Charges, which outlined the strategic framework, within which the estimates had been prepared; changes in accounting practices which affected all budgets and gave detailed reasons for major changes in the Management Unit estimates. The budget framework, a detailed schedule of the Capital Programme and proposed new schemes for the areas covered by the Scrutiny Committee – Economy and proposed 2016/17 Fees and Charges were included as an appendix.

A Member referred to the coach parking offer in Exeter and asked if, as part of the resurfacing programme at Haven Banks car park, at least two additional coach parking bays could be added to the existing coach park space. The Chief Executive & Growth Director would request a response through the Assistant Director Public Realm.

Scrutiny Committee – Economy noted the draft Revenue Estimates for 2016/17, the proposed Capital Programme and Fees and Charges for further consideration by Executive.

5 Annual Review of Support for Small Businesses

The Economy and Tourism Manager presented a report which outlined the progress made in supporting businesses through Exeter Business Support and the Exeter Pop Up Shop format. She referred to the progress made to expand the contract for this service for the 2016 financial year to cover the Exeter and the Heart of Devon area. It was important to ensure that a fit for purpose business support service is provided offering free advice and guidance on setting up a new business, and improving the prospects of existing businesses. It was noted that Peninsula Innovations Limited had indicated they would no longer be tendering for the contract, which will result in a new supplier for the Exeter & Heart of Devon Business Advice and Support Contract for 2016/17. The details had been advertised on the City Council's web site, neighbouring websites as well as the Government's free procurement portal. The costs for the service would be shared equally between the neighbouring local authorities. It was anticipated that a successful candidate would be appointed to enable the new contract to commence on 1 April 2016. It was also anticipated that the City Council's Economy colleagues would continue to use the existing client information and data so that the support would continue in the interim period. A list of the support offered to date had been included in an appendix to the report. The Economy and Tourism Manager responded to a Member's question on the take up of workshops, which offered an opportunity for concept development. She would also take up an issue raised by two Members relating to a high street shop and pass on the details to one of the BID ambassadors.

The Economy and Tourism Manager provided an update on the Exeter Pop Up Shop format, which had provided an opportunity for fledgling companies to test their business model. They had been working with Estates to develop this further and were set to introduce a new structure from April onwards to widen the appeal. A Member also referred to the Pop-Up Shop Scheme and whilst the format was used in South Street, there seemed to be a growing number of vacant shops in Sidwell Street, which was damaging to the overall street scene. The Economy and Tourism Manager advised that the initiative would be widened to include such areas.

Scrutiny Committee - Economy noted the report and recommended Executive to:-

- (1) support the City Council in continuing to fund business support for embryonic, new and existing businesses in providing opportunities for individuals to secure the means of improving their financial position and promoting job creation, at a cost of £25,000, and
- (2) officers within Economy & Tourism be authorised to negotiate a contract for £100,000 for the financial year 2016 – 2017, following an advertisement for the continued delivery of services outlined in this report under the banner of Exeter Business Support. It was noted that £25,000 had been secured from each of the neighbouring local authority areas of East Devon, Mid Devon and Teignbridge to contribute to Exeter Business Support.

6 Rugby World Cup 2015

The Economy and Tourism Manager presented a final report on the activities undertaken as part of the City Council's support for Exeter being a successful Host City for the Rugby World Cup 2015 tournament which took place between 18 September and 31 October 2015, including an update on the extensive legacy activities encouraged and developed as a result of being involved. The city's participation in the Rugby World Cup tournament had provided the city with the opportunity to be involved in a sporting activity on the local, regional and world stage with all of the consequential benefits from raising its profile, demonstrating its pride and ambition, and gaining confidence and experience from delivering such a wide ranging and high calibre event. Tribute was also paid to the effective way the partner agencies contributed to the event, together with the enthusiasm and support given by the well organised volunteers together with long hours from key staff should also be recognised. Copies of correspondence from England Rugby 2015 and Tracy Crouch, Minister for Sport were attached to the circulated report and whole heartedly supported this view. The Economy and Tourism Manager referred to Exeter's involvement in the observer programme, which had been set up to assist countries bidding to host the RWC 2019, and representatives from the Tokyo Metropolitan Government and the Japan Local Government Centre in London had visited Exeter on a fact finding mission.

The Economy and Tourism Manager also referred to the Legacy programme, which had far and long lasting benefits including the contribution to the promotion of health and well-being of its citizens. Other successes have been the My First Rugby Ball initiative, which had enabled a tag rugby training initiative to be developed in local schools. Work continued apace to continue to develop the partnership with Sandy Park and take forward the European Rugby 7's event over the summer months.

The Chief Executive & Growth Director responded to a Member's comment on the numbers in the Fanzone. He referred to England's early exit from the games and the effect on the Fanzone, despite the capacity numbers of the earlier matches. Exeter's Fanzone had been one of the few to remain open, apart from London, for the duration of the games. Despite England's untimely exit, Exeter as a city was a success, and every part of the city had performed to the best of their ability, and been behind the whole tournament. Members wished to pass on their thanks for all of the volunteers and also the legacy programme that helped to contribute to such a successful event for the city.

Scrutiny Committee – Economy noted the report, and requested that Executive welcome the wide-ranging benefits resulting from the tournament including those anticipated from the programme of legacy activities in contributing to the well-being of residents and the positive profile of the city, and express their appreciation to all the

agencies and especially the volunteers and staff for all their commitment and hard work to make the event such a success.

7 RAMM Digital Media Road Map and Progress

The Digital Media Officer for the Royal Albert Memorial Museum (RAMM) presented a report which focused on RAMM's digital roadmap for the period 2015-18. The period is set by the major funding coming from RAMM's Major Partner Museum Funding (in partnership with Plymouth Museum & Art Gallery) from Arts Council England (ACE), and the roadmap would provide a structure to digital development and allow progress to be tracked against agreed timescales.

RAMM had a track record of innovation and success with its digital work, and included recognition from the Museums Association, Museum Next International Museums Conference, UK Museums on the Web, National Museum Directors Council and the Arts and Humanities Research Council. RAMM had sought to make its digital products sustainable and build on this success, rather than creating sequential projects with limited lifespan or no lasting value or identity. The digital landscape was constantly changing both in terms of how different technologies work and how they are used, and such partnerships could help to better deliver the visitor experience online, add a fresh perspective and help unlock future funding.

The Digital Media Officer responded to a Member's question on ensuring the data was kept up to date and of a good standard. He agreed that it was a challenge to keep the online information up to date and current, and he referred to colleague's efforts to look at one another's work critically as well as using a publishing 'buddy' system. He also responded to a Member who commented on the RAMM's print on demand web site, confirming that the details of popular searches were tracked and analysed through the web site.

Scrutiny Committee - Economy requested Executive to approve the following:-

- (1) implementation of the RAMM digital road map as extant at December 2015 (as detailed in an annexe 1 circulated with the report);
- (2) delegated authority be given to the Museum Manager to decide to apply any necessary adjustments to the road map as necessitated by changes in resources or funding from external factors;
- (3) a follow up report for Members will enable the position of the results and findings around the implementation of the road map. Regular reporting to the Arts Council England and Exeter City Council will capture changes to existing digital products; and
- (4) the outcomes of the work that deliver both Exeter City Council objectives and those of its partner, Arts Council England be noted.

8 RAMM's Market Research and Data Capture Programme Update

The Audience Development Lead for the Royal Memorial Museum (RAMM) presented a report which informed Members of the visitor research and data capture programme and for the forthcoming plans to be noted. This would provide a better understanding of who uses the museums service in person and online (and consequently who does not); their views of the visitor experience and their preferences, is information that helps the RAMM team monitor satisfaction rates; identify trends; shape forward planning and informs its audience development and

digital activities and income generation initiatives. Research of this kind provided the user context for RAMM and its services. The report also set out the key findings from the research in relation to views, attitudes and motivations. As part of the programme for the period 2016 – 2018, they would carry out regular surveys both on site and on line to identify trends, analyse data relating to tickets sales and buying behaviour and giving, and also continue to gather visitor numbers, attitudes and views relating to charges for exhibitions to inform future planning.

The Audience Development Lead responded to Members' questions on the classification of children, and advised that the data would include gender and age. She would provide that information to the Member. She confirmed that more regular data collection would be possible, with staff using tablets using a number of scripted questions as well as additional topical questions; additional piece of work to promote RAMM as a tourist attraction would be funded by the Arts Council.

Scrutiny Committee – Economy noted the report.

9 Update on the Exeter Visitor Strategy 2012 - 2016

Councillor Branston declared a disclosable pecuniary interest in respect of Minute No 9 as he is employed as a market researcher and withdrew from the room.

The Economy and Tourism Manager presented an update to Members on progress with implementing the Exeter Visitor Strategy 2012 – 2016, and also to develop a timeframe to research and consult with business on a new Visitor Strategy for the city. She referred to the overview of progress made and outputs achieved during 2015, against the priorities as well as a selection of achievements made. A set of the key performance indicators were included in the visitor strategy as a basis for monitoring trends and effectiveness of the actions implemented. The main aim of achieving a 5% increase in visitor spend had been increased to 8%. The focus on delivery for 2016 to 2017 would be on delivering outstanding actions from the Visitor Strategy as a result of the Rugby World Cup 2015 events programming, by developing the Exeter & the Heart of Devon Tourism Partnership and to continue to promote Exeter for rugby breaks in the run up to the city hosting the European Rugby 7's in the summer.

The Economy and Tourism Manager responded to a Member's comment on the coach parking drop off and charges, as he was aware of some instances when coaches have parked in residential areas rather than pay the parking fee. She was currently in discussion with Exeter College to arrange for tourism students to carry out some project work collating data on the number of coaches visiting the city both in the Bus Station and South Street locations, seeking details on their visit including their spend. The Economy and Tourism Manager also agreed to send the latest figures of inbound visitors to Exeter airport. A Member welcomed the development of hotels in recent years and hoped that the city's balance in the range of hotels on offer would continue. The Economy and Tourism Manager referred to a report from the East Devon Growth Point and agreed that they were mindful of retaining the right balance of accommodation to suit all visitors. She also agreed to check with colleagues in Environmental Health if there were any parking tickets given to visitors residing out of the U. K. that remained unpaid.

Scrutiny Committee – Economy noted the following:-

- (1) progress made with implementing the Exeter Visitor Strategy 2012 – 2016 and supported the actions proposed to be undertaken for the final year of the Visitor Strategy; and

- (2) way forward to develop a new visitor strategy for Exeter, taking into account the newly emerged Exeter BID and the Exeter Cultural Partnership.

10 **Growth and Marketing Task and Finish Group**

The Chair of the Growth and Marketing Task and Finish Group, Councillor Lyons presented the findings and recommendations to the Scrutiny Economy Committee. She referred to the unprecedented increase in the number of enquiries received from companies wishing to relocate to Exeter. There had been an issue over resources and staffing levels within the Economy and Tourism Department and Exeter has the highest number of enquiries in respect of relocation amongst its contemporary Authorities. A detailed review of the budget available to the Economy and Tourism Department was both timely and necessary and should identify what additional resources are available; explore what could be achieved for different levels of available funding; and understand the implications of an increase in additional funding/resources for both the Economy and Tourism Department and the Council as a whole. It should be noted that the Economic Development Teams at Exeter, East Devon, Mid Devon and Teignbridge had a mutually beneficial and good working relationship. Consideration of formalising arrangements in this respect would support a continued approach to combined Authority working and provide a level of security to the existing.

Councillor Lyons also referred to the suggestion of a conference aimed at new businesses involving other Local Authorities, key stakeholders and organisations to raise the profile of Exeter and the Heart of the South West. It would reinforce the commitment to growth and inward investment and would highlight what Exeter and the wider area had to offer including the benefits of the location, infrastructure and key support. Attracting new business to Exeter and the wider area together with encouraging new businesses was essential, as was promoting links between businesses, both existing and new with both key services and organisations.

Members were very supportive of this work and Councillor Lyons wished to thank the Scrutiny Programme Officer and also the members of the Task and Finish Group for their hard work and efforts.

Scrutiny Committee – Economy supported the following:-

- (1) a review of the current staffing levels and budget available for the Economy and Tourism Department is undertaken by Senior Management in conjunction with the Economy and Tourism Team;
- (2) a business case in respect of (i) is to be submitted to the Scrutiny Economy Committee for consideration;
- (3) the sharing of Economic Development expertise between neighbouring local authorities across the wider areas of East Devon, Mid Devon and Teignbridge is formalised by way of an agreement; and
- (4) an Economic Development conference is held, led by Exeter City Council's Economic Development Team, also involving East Devon District Council, Mid Devon District Council and Teignbridge District Council, Exeter University and Exeter College to include combined presentations aimed specifically at new businesses.

11 Exeter Highways and Traffic Order Committee Minutes

The minutes of Devon County Council's Exeter Highways and Traffic Order Committee held on 9 November 2015, which had been circulated for information were noted.

12 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 for the following items, on the grounds that they involved the likely discussion of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of the Act.

13 Parkwood Leisure Management Contract - Annual Report

The Leisure Facilities Manager presented the report which set out the performance of the Parkwood Leisure Legacy Leisure Management Contract for year five of the contract from October 2014 to September 2015.

The Leisure Facilities Manager responded to an enquiry about the level of patrons and whether these were comparable to other facilities. A Members' Briefing for Exeter City Councillors would be held on the 10 March 2016 to provide an opportunity to explore any issues or comments on the day to day operation of the sites with representatives from Legacy Leisure.

Scrutiny Committee – Economy noted the report.

14 Exeter and Heart of Devon Growth Board Minutes

The minutes of the Exeter and Heart of Devon Growth Board held on 17 December 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 7.10 pm

Chair

SCRUTINY COMMITTEE - RESOURCES

27 January 2016

Present:

Councillor Bull (Chair)

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

Apologies:

Councillor Mottram

Also present:

Assistant Director Finance, Assistant Director City Development, Human Resources Transactional Services Manager, Principal Project Manager (Development) and Principal Project Manager (Strategic Infrastructure) and Democratic Services Officer (Committees) (SLS)

In attendance:

Councillor Peter Edwards	- Leader
Councillor Ollie Pearson	- Portfolio Holder Enabling Services
Councillor Emma Morse	- Portfolio Holder Customer Access
Jamie Hulland	- Transportation Manager, Devon County Council

6 Minutes

The minutes of the meetings held on 18 November 2015 and 7 January 2016 were taken as read and signed by the Chair as correct.

7 Declarations of Interest

Councillor Thompson wished to declare an interest relating to the principle of District Heating Schemes, and following reassurance from the Principal Project Manager (Development) she confirmed she had no disclosable pecuniary interest in the proposed scheme.

Members made no declarations of disclosable pecuniary interest.

8 Portfolio Holder Update

Councillors Pearson and Morse presented their individual progress reports on the respective Enabling Services and Customer Access Portfolios.

Responses to Members' comments and queries were set out below:-

Enabling Services

- the City Council's new web site, which was relaunched on 22 January 2016, and offered a more concise and rewritten content which could now be viewed on mobile devices. He thanked the Council's Digital Media Officer and his colleagues for their endeavours. He suggested the formation of a working

group to receive any comment or feedback as officers continued to review the design and content. A Member commented on the new layout, which made it much easier to navigate the site.

- a procurement officer had not been appointed. The Assistant Director Finance would update Members on the position as soon as possible.
- the sentiments of the Christian Aid report, which encouraged responsible financial and tax practices was acknowledged. He reiterated his commitment to ensure that there was close risk monitoring of all projects.
- officers would be asked to provide information on the number of external tenants, allocated space and scope for future tenants in the Civic Centre. An Asset Management Review would consider further opportunities to yield more space.

Customer Access

Councillor Morse provided an update for the Portfolio previously held by Councillor Morris and thanked the Member for overseeing the priorities as detailed in the comprehensive update:-

- an email response from the Deputy Chief Executive would be forwarded to Members, relating to greater support for the Credit Union in Exeter and to explore ways to raise awareness.
- she would take up a Member's comment regarding consideration for the wellbeing of clients to ensure an integrated approach in communications with more vulnerable tenants.
- following an update at the Scrutiny Committee - Community meeting, it was noted that the consultation period for the Public Spaces Protection Order would end on the 29 February 2016, and a report would be made to the June meeting of Scrutiny Committee – Community.

Councillor Morse also undertook to seek a response from Councillor Denham the Portfolio Holder for Economy and Culture regarding an update of the governance arrangements of the RAMM, with a suggestion that this be considered at a future meeting of the appropriate Scrutiny Committee or Task and Finish Group.

Scrutiny Committee – Resources noted the achievements and priorities presented for Enabling Services and Customer Access Portfolios, respectively.

9 Estimates/ New Capital Bids/Fees and Charges

The Assistant Director Finance presented the report on the Estimates and Fees and Charges, which outlined the strategic framework within which the estimates had been prepared; changes in accounting practices which affected all budgets and gave detailed reasons for major changes in the Management Unit estimates. The budget framework, Capital Programme and proposed new schemes for the areas covered by the Scrutiny Committee – Resources and proposed 2016/17 Fees and Charges were included as an appendix to the report. The Government had announced the provisional Local Government Settlement on 17 December 2015, and the Council was set to receive £2.022 million Revenue Support Grant in 2016/17. This set a

Business Rates Baseline of £3.780 million. The final settlement detail was anticipated in late January.

The Assistant Director Finance responded to Members' questions and confirmed that Central Government would pay for any future referendum on the European Union; the challenges to meet the costs associated with the upkeep of cemeteries was ongoing. He also undertook to seek a response from the Democratic and Civic Support Manager relating to the cost of the hire of the Council's Committee rooms to ensure they remained at a competitive level. The Member acknowledged that the Guildhall, which could be hired for weddings, represented very good value in comparison with the local market.

Scrutiny Committee – Resources noted the draft Revenue Estimates for 2016/17, the proposed Capital Programme and Fees and Charges for further consideration by Executive.

10 Community Infrastructure Levy Funding for Sandy Park A379 Junction

The Principal Project Manager (Strategic Infrastructure) presented a report which sought Members' approval to enter into a legal agreement with Devon County Council to provide £1.025 million in Community Infrastructure Levy funding to match fund the delivery of a newly configured junction on the A379 at Sandy Park to facilitate right turns for vehicles entering Sandy Park from the west and exiting Sandy Park to the east. He provided an updated cost for the reconfigured junction of £2.68 million. It was noted that £1.0 million had been secured through Heart of the South West Local Enterprise Partnership Growth Deal funding, with the remaining £0.655million being contributed by Devon County Council through Local Transport Plan finances.

The Principal Project Manager (Strategic Infrastructure) offered background information on the Newcourt Link Road. Distinct from the Sandy Park A379 Junction, the Newcourt Link Road was intended to link Old Rydon Lane to the existing roundabout on the existing spur road off the A379 that provides access to Sandy Park. He provided an update on the Newcourt link road and confirmed that he had met with the landowner to discuss the expression of intent and discuss Section 106 funding. He responded to a Member's comment and confirmed that it was still possible to negotiate Section 106 agreements outside of the CIL regime on a case by case viability basis.

Jamie Hulland, Transportation Manager at Devon County Council, attended the meeting and outlined the benefits of this scheme, which he considered to be critical in facilitating the housing and retail development as that moved forward, as well as alleviating the congestion pressure off Junction 30 of the M5. He also responded to a Member's enquiry on the changing priorities following the reduction in the Local Transport Plan (LTP) funding from £9.5 million to £3.6 million, to focus the limited funding to forward design schemes. He reminded Members that not all of LTP funding was for Exeter, but nevertheless, this scheme was crucial for Exeter.

Scrutiny Committee – Resources noted and requested that Executive recommend that Council approve making available £1.025 million in Community Infrastructure Levy (CIL) funding available for investment in a newly configured junction on the A379 at Sandy Park on the following basis:-

- (1) no funds to be made available until adequate CIL had been collected or the end/long-stop repayment date in the legal agreement with Devon County Council has been reached, and funding for city centre major infrastructure

investments has been secured in line with the resolution of Executive on 10th February 2015;

- (2) interest that becomes payable in the event that the City Council does not pay the £1.025 million before the end of the long-stop repayment date in the legal agreement with Devon County Council has been reached to be payable from the City Council's General Fund;
- (3) Exeter City Council CIL funding for the newly configured junction to be conditional upon 'claw-back' provisions whereby the City Council would be an equal-proportion recipient of any project cost savings;
- (4) Exeter City Council CIL funding for the newly configured junction to be conditional upon the outcome of an as yet undetermined bid for funds from Highways England's new 'Housing and Growth Fund', with 'claw-back' provisions whereby the City Council would be an equal-proportion recipient of any potential reduction in the overall project costs in the event that the bid is successful; and,
- (5) authority to be delegated to the Assistant Director City Development to finalise a legal agreement with Devon County Council that accords with these recommendations, (based upon the model provided by the agreement developed in relation to funding Marsh Barton Railway Station subsequent to approval by Executive on 11 August 2015).

11 **Exeter City Futures Community Interest Company**

The Assistant Director Finance presented a report which sought support for Executive's endorsement of Exeter City Futures, as a vehicle for better understanding and addressing the transportation, energy and health challenges as opportunities facing the city. The report provided the rationale for Exeter City Council to become a member of a Community Interest Company (CIC), which was a business with primarily social objectives to facilitate the delivery of the Exeter City futures vision. In order to work towards delivery of these ambitious aims, the Council would need to be part of Exeter City Futures Community Interest Company.

The focus of Exeter City Futures could be defined in the following statements:-

- Make Exeter smarter
Focusing on a combination of pioneering technology and intelligent analytics, Exeter will have a better view of where it currently stands and what problems it is facing.
- Make Exeter more sustainable
Using the insights generated from a smarter Exeter, a number of solutions and initiatives can be introduced that will ensure both the economic and environmental sustainability of the city.
- Make Exeter more successful
Ultimately, these solutions would make a significant contribution to Exeter being even more successful with a thriving knowledge economy, a protected natural environment and a better quality of life for its residents.

Members were asked to agree the allocation of £50,000 as a one off payment as a working budget to facilitate the start-up and promotion of the Exeter City Futures (ECF) programme.

A Member welcomed the report and considered this to be an exciting project. The Assistant Director clarified the request for a contribution for funding which would be used to help pump prime a number of projects. Work had commenced to set in place clear governance arrangements, but he would ensure that a further report was made to Members on how the performance of the company was monitored.

Scrutiny Committee – Resources supported and requested that Executive recommend that:-

- (1) Exeter City Council becomes a member of the Community Interest Company (CIC);
- (2) a sum of £50,000 is allocated as a working budget to facilitate the start-up and promotion of the Exeter City Futures Programme; and
- (3) the Council takes up membership of the Community Interest Company with delegated authority given to the Chief Executive & Growth Director to identify two directors on the Board.

12 Revenue Budget Proposals 2016/17

The Assistant Director Finance presented the outline strategic framework within which the estimates had been prepared and highlighted the issues that would affect the actual setting of the overall level of council tax. The report also summarised the overall budget position arising from the current cycle of Scrutiny Committee meetings. The Government had announced the provisional Local Government Settlement in December 2015, and confirmed that the Council would receive £5.802 million in 2016/17, which was £110,000 lower than predicted as a part of the Medium Term Financial Plan. A copy of the formula grant decrease for Devon was attached as an appendix to the report. Over a four year period, the Revenue Support grant for the Council would reduce from £2.022 million in 2016/17 to £0.365 million in 2019/20. The report also outlined the Council Tax requirement which set the referendum for District Councils in the lowest quartile of council tax rates, at not more than £5 rate, rather than 1.99%. Exeter falls into this category and therefore the opportunity to increase its council tax by £5 or (3.7%). A report would be made to the forthcoming Extraordinary Meeting of Council on 23 February.

A Member referred to a study by the Empty Commercial Properties Task and Finish Group to establish how many business premises were empty, and to investigate the opportunities to obtain further revenue from rents or business rates. She asked if Members were aware of any empty business premises in their wards to contact her. The Member also commented on the key assumption relating to energy and the anticipated rate of 1.5%. The Assistant Director Finance stated that the introduction of solar panels and LED lighting were identified savings and although the Feed-In Tariff had been outperforming, the 1.5% rate was part of a fixed term contract. It was anticipated that this figure would change when the contract ended. He also responded to a Member's comment on the future proofing of business rates and confirmed that local government as a whole had lobbied hard to retain the business rates. He did not wish to pre-empt the outcome of the current consultation on the reform of business rates, but would report back to Members once the consultation had ended.

Scrutiny Committee – Resources noted the report and recommended that Executive approve the draft Revenue Budget proposals for 2016/17 and also recommended that the minimum level for the General Fund Working Balance remains at £2 million.

13 Capital Programme 2016/17 - 2018/19

The Assistant Director Finance presented a report and requested Members' approval of the General Fund and Housing Revenue Account Capital Programmes for 2016/17, along with a number of schemes identified for the following two years. He responded to a Member's question and confirmed that the funding for Alphington Village Hall had been rolled forward and was included in the capital programme for 2016/17. He also confirmed that the City Council was responsible, under Government legislation, for the retaining wall of the cemetery at Heavitree Church. He would forward details of the Laing's refurbishment programme for 2016/17 to Members and had noted the enquiry on the governance arrangements for the St Loyes Extra Care Scheme.

Scrutiny Committee – Resources supported the following for approval by Executive:-

- (1) the General Fund Capital Programme for 2016/17 as set out in Appendix 3 of the report; and
- (2) the HRA Capital Programme for 2016/17 as set out in Appendix 4 of the report.

14 Treasury Management Strategy 2016/17

The Assistant Director Finance presented a report which sought Members' approval for the adoption of the Treasury Management Strategy Report, which also incorporated the Annual Investment Strategy 2016/17, as required under Section 15(1) (a) of the Local Government Act 2003. The key sections were set out in paragraph 8.2, and the strategy for 2016/17, would include approval to allow investments to be made in property funds as a long term commitment with the Local Properties Fund (Managed by the CCLA investment which specialised in investment management for local authorities).

Scrutiny Committee - Resources noted the report, requesting that Executive recommend the adoption by Council of the new Treasury Management Strategy and delegations contained therein.

15 Prudential Code for Capital Finance in Local Authorities/Incorporating the Annual Statement of Minimum Revenue Provision

The Assistant Director Finance presented the report, which set out the proposed 2016/17 prudential indicators for capital finance for adoption by the Council and set the annual statement of Minimum Revenue Provision (MRP). The prudential indicators covering a period of the next three years were set out in Appendices A to C. The report confirmed that the requirement to produce an annual strategy of minimum revenue provision for repayment of debt had been met.

Scrutiny Committee – Resources noted the report and recommended that Executive approve the adoption by Council, of the following:-

- (1) Prudential Indicators set out in Appendix A-C of the report, and,
- (2) Annual Statement of Minimum Revenue Provision for the City Council.

16 **Annual Pay Policy Statement**

The Human Resources Transactional Services Manager presented a report which set out the Council's Annual Pay Policy Statement 2016/17, and the legal requirement for approval by Council each financial year. Section 38 (1) of the Localism Act 2011 required English and Welsh Authorities to produce a statutory Pay Policy Statement each financial year. There had been no significant changes, but he confirmed that the revised policy and appendix circulated with the report had taken account of the increase in the nationally determined living wage (Grades 1 and 2) in November 2015, which comes into effect at Exeter City Council on 1 April 2016. The implementation of the nationally negotiated pay award for employees on Spinal Column Points 12 – 52 inclusive and Chief Officers and Chief Executives for 2016/17 was still subject to national agreement.

Scrutiny Committee - Resources recommended that:-

- (1) the Council's annual Pay Policy Statement for 2016/17, be adopted and published following approval by Council in accordance with the legislation; and
- (2) delegated authority be given to the Head of Human Resources - currently the HR Transactional Services Manager to make necessary amendments to the pay policy statement following any changes in legislation or subsequent increases in pay.

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

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

18 **ECC Energy Services Company and District Heating Procurement**

Councillor Thompson wished to declare an interest relating to the principle of District Heating Schemes, and following reassurance from the Principal Project Manager (Development) she confirmed she had no disclosable pecuniary interest in the proposed scheme.

The Principal Project Manager (Development) presented a report which proposed the formation of an Energy Service Company (ESCo) in partnership with the Royal Devon & Exeter NHS Trust, University of Exeter, Devon County Council, Teignbridge District Council and East Devon District Council for the purpose of procuring private sector partner(s) and funding to deliver District Heating Networks in Exeter (city centre to Wonford) and to the south west part of Exeter (connecting Energy from Waste facility at Marsh Barton to the south west area of Exeter) (SW Exeter). A copy of the draft Heads of Terms for Public Sector ESCo was attached as an appendix to the report.

A Member sought further clarification on the legal advice received, and the Principal Project Manager stated that the six public sector partners had collective legal, financial and technical advice and that ECC legal team would review the agreements once finally drafted and before they are entered into. He also clarified that the ESCo shares would be held by the individual partners and would clarify the position in terms of registration at Companies House.

Scrutiny Committee - Resources noted the report and requested that Executive recommend Council to approve delegated power to the Chief Executive & Growth Director of Exeter City Council for the following:-

- (1) for Exeter City Council to become a shareholder of the public sector Energy Service Company (ESCo) when it is formed in spring 2016;
- (2) the appointment of Directors to the Public Sector ESCo Board;
- (3) subject to successful procurement, that the long term purchase of competitively priced low carbon heat from the network for the Civic Centre and Exeter Active be made; and
- (4) subject to successful procurement, that an investment of £147,000 be made in the city centre and South West Exeter Joint Venture companies.

Councillor Thompson wished to be recorded as abstaining from the vote.

The meeting commenced at 5.30 pm and closed at 7.15 pm

Chair

EXECUTIVE

Tuesday 26 January 2016

Present:

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

Apologies:

Councillor Owen, Chief Executive & Growth Director and Deputy Chief Executive

Also present:

Assistant Director Finance, System Lead - Finance, Service Improvement Lead (Payments), Economy and Tourism Manager, Service Lead Performance, Strategy and Resources, Senior Housing Development Officer, Digital Media Officer and Democratic Services Manager (Committees)

6

MINUTES

The minutes of the meetings held on 17 November, 1 December and 8 December 2015 were taken as read and signed by the Chair as correct.

7

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

8

DEVELOPMENT OF COUNCIL'S HOMELESSNESS STRATEGY - DRAFT FOR CONSULTATION

The report of the Assistant Director Customer Access was submitted introducing the draft Homelessness Strategy for Exeter and Teignbridge which had been developed from the findings and recommendations of the Task and Finish Group. The group had been convened to review homelessness in the city and to help form and shape the new Homelessness Strategy and action plan.

The Systems Lead – Housing advised Members of the work of the Task and Finish Group and of the themes of a Place to Live; Access to Services; Health and Protection; Money Matter set out within the draft strategy.

The consultation would run from 12 February 2016 until 25 March 2016 with respondents asked to consider the themes, aims and actions. Stakeholders would be asked how they can help the Council to deliver a better offer for local residents facing homelessness in the area.

The Portfolio Holder for Customer Access thanked the officers for all their hard work on the draft strategy.

Members thanked Councillor Morris for her work in driving the strategy forward.

Scrutiny Committee – Community considered the report at its meeting on 19 January 2016 and its comments were reported.

RESOLVED that:-

- (1) the content and aims of the draft Homelessness Strategy 2016 – 2021 as a draft for Consultation, be agreed; and
- (2) a public consultation be undertaken to gain feedback from stakeholders and other interested parties.

9

HOUSING RENTS AND SERVICE CHARGES 2016/17

The joint report of the Assistant Director Finance and Assistant Director Housing was submitted recommending a 1% rent decrease for council dwellings from 1 April 2016.

The Service Lead Performance Strategy and Resources advised that the 10 year inflation linked rent settlement had been replaced with a new rent reduction policy announced in July, requiring social landlords to reduce rents by 1% annually for each of the next four years. This would result in an expected loss in income to the Housing Revenue account of £7.9 million.

The Leader commented that, whilst this reduction was good news for tenants, it would result in a loss of income for the Council.

Scrutiny Committee – Community considered the report at its meeting on 19 January 2016 and its comments were reported.

RESOLVED that:-

- (1) rents of Council dwellings are reduced by 1% from 1 April 2016;
- (2) garage rents remain at their existing levels from 1 April 2016; and
- (3) service charges remain at their existing levels, with the exception of charges specified below from 1 April 2016
 - (a) 1.2% increase in respect of cleaning communal areas in line with anticipated rises in cleaning contract costs;
 - (b) 3.5% increase in respect of fire alarm testing in line with rises in maintenance and monitoring contract costs; and
 - (c) 5% increase in respect of repair costs in line with Building Cost Information Service (BCIS) rates.

ANNUAL REVIEW OF SUPPORT FOR SMALL BUSINESSES

The report of the Economy and Tourism Manager was submitted advising Members of the progress made in supporting businesses through Exeter Business Support and the Exeter Pop Up Shop and in expanding the contract for this service for the 2016 financial year to cover the Exeter and Heart of Devon area.

Members were advised that the Council had previously invested £42,000 in Exeter Business Support and that the proposal was now to invest £25,000 together with £25,000 from each of the neighbouring local authorities East Devon, Mid Devon and Teignbridge District Councils. The new contract to manage business support was currently being put out to tender.

The Portfolio Holder for Economy and Culture welcomed the partnership which would work for the benefit of the Greater Exeter Area.

Scrutiny Committee – Economy considered the report at its meeting on 21 January 2016 and its comments were reported.

RESOLVED that:-

- (1) continuing to fund business support for embryonic, new and existing businesses in providing opportunities for individuals to secure the means of improving their financial position and promoting job creation, at a cost of £25,000, be supported; and
- (2) following an advertisement for the continued delivery of services outlined in this report under the banner of Exeter Business Support with £25,000 secured from each of the neighbouring local authority areas of East Devon, Mid Devon and Teignbridge to match that of the Exeter Contribution also of £25,000, officers within Economy & Tourism be authorised to negotiate a contract for £100,000 for 2016/17.

RUGBY WORLD CUP 2015

The report of the Chief Executive & Growth Director was submitted updating Members on the activities undertaken as part of the City Council's support for Exeter being a successful Host City for the Rugby World Cup 2015 tournament which took place between 18 September and 31 October 2015, including an update on the extensive legacy activities encouraged and developed as a result of being involved.

The Economy and Tourism Manager referred to England's early exit from the games and the effect on the Fanzone, despite the capacity numbers of the earlier matches. The promotional benefit to the city had been very significant in that advertising value of more than £1.5 million was achieved through press and media coverage.

Scrutiny Committee – Economy considered the report at its meeting on 21 January 2016 and its comments were reported.

RESOLVED that:-

- (1) the wide-ranging benefits resulting from the tournament including those anticipated from the programme of legacy activities in contributing to the well-being of residents and the positive profile of the city, be welcomed; and

- (2) appreciation be expressed to all the agencies and especially the volunteers and staff for all their commitment and hard work to make the event such a success.

12

RAMM DIGITAL MEDIA ROAD MAP AND PROGRESS

The report of the Museums Manager and Culture Lead was submitted advising Members on RAMM's digital roadmap for the period 2015-18, this timescale having being set by RAMM's Major Partner in Museum Funding (in partnership with Plymouth Museum & Art Gallery) and from the Arts Council England (ACE). The road map was to provide a structure to digital development and allow progress to be tracked against timescales.

The Digital Media Officer advised that the digital roadmap would build on RAMM's innovation and success with its digital work.

In response to a Member, the Digital Media Officer clarified that work was planned to develop the RAMM website and good practice was being shared with Strata.

Scrutiny Committee – Economy considered the report at its meeting on 21 January 2016 and its comments were reported.

RESOLVED that:-

- (1) the RAMM digital road map as set out in the report as extant at December 2015, be implemented;
- (2) the Museum Manager be given delegated authority to apply any necessary adjustments to the road map as necessitated by changes in resources or funding from external factors;
- (3) a follow up report is produced for Members to present the results and findings around the implementation of the road map with regular reporting to ACE and the Council to capture changes to existing digital products; and
- (4) outcomes of the work that deliver both Exeter City Council objectives and those of its partner, Arts Council England, be noted.

13

2016/17 COUNCIL TAX BASE AND NNDR1

The report of the Assistant Director Finance was submitted looking to set the 2016/17 Council Tax base in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012. The report also sought approval to delegate to the Assistant Director Finance (Section 151 Officer) the Council's estimate of Business Rate Income (NNDR1) for the next financial year.

Members were advised that that the net Council Tax base for 2016/17 would be 35,429 being an increase of 679 over the 2015/16 figure. Under the new Business Rates Retention funding, the Council had to provide Department of Communities and Local Government (DCLG) with an estimate of its Business Rate Income for the forthcoming year. However, due to the changes in the funding and the local/central share, DCLG required the estimate to be compiled and formally submitted by 31 January. The Council must also share this information with Devon County Council and Devon and Somerset Fire and Rescue Service who were also affected. DCLG had stated that, in their view, the decision to approve the NNDR1 could be delegated to the Section 151 Officer.

In response to Members, the Assistant Director Finance commented that the Government had yet to consult on the retention of Business Rates, and that once the Council had further information the impact upon the Council could be assessed.

RESOLVED that:-

- (1) in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amount calculated by Exeter City Council as its tax base for the year 2016/17 shall be 35,429; and
- (2) responsibility to approve the Council's NNDR1 return by 31 January 2016 be delegated to the Assistant Director Finance (Section 151 Officer).

14

DEBT COLLECTION POLICY IN RESPECT OF COUNCIL TAX RECOVERY, RENT AND FORMER TENANCY ARREARS RECOVERY, HOUSING BENEFIT OVERPAYMENT RECOVERY AND RECHARGEABLE REPAIRS RECOVERY

The report of the Assistant Director Customer Access was submitted to propose a policy for the collection of debts owed to the Council with respect to Council Tax Recovery, Rent and Related Charges Recovery, Housing Benefit Overpayment Recovery and Rechargeable Repairs Recovery. This policy proposed a transparent and consistent way to collect these debts.

In response to Members, the Service Improvement Lead (Payments) clarified that each customer that came through 'one view of debt' was dealt with on a case by case basis.

RECOMMENDED that Council approves the Debt Collection Policy.

15

COUNCIL TAX PENALTY POLICY

The report of the Assistant Director Customer Access was submitted to seek Member's approval for a Council Tax Penalty Policy that allows the Council to impose financial penalties, under legislation, where a person fails to supply information or provides false information in respect of Council Tax discounts, exemptions and liability.

The System Lead – Finance advised that the aim of the policy was to give clear guidance regarding the responsibility of residents to provide accurate information and information regarding discounts and exemptions which would affect their Council Tax. The Council could impose a penalty where a person fails to provide information requested and with regards to changes within 21 days.

In response to a Member, the System Lead – Finance clarified with regard to the proposed single occupier discount review, that the Council already undertake checks against the electoral register through the National Fraud data base, and that the administration of the review would be out sourced to 'Capita'.

Members welcomed the introduction of this policy to help prevent and detect fraud.

RECOMMENDED that Council approves the Council Tax Penalty Policy.

STAFFING WITHIN THE HOUSING DEVELOPMENT TEAM

The report of the Assistant Director Housing was submitted requesting an increase to the staffing establishment within the Housing Development Team for an additional full time post to assist with reducing the number of empty homes. This post would be working on a shared basis for the Council and for Mid Devon District Council.

The Portfolio Holder for Housing Revenue Account highlighted that the Council benefited from New Homes Bonus monies when empty homes were brought back into use.

RECOMMENDED that Council approve the increase in the establishment of the Housing Development Team; the contract term to be in accordance with the legal agreement with Mid Devon District Council.

DELEGATED DECISION - WAIVER OF CONTRACT REGULATIONS

RESOLVED that the Delegated Decision – Waiver of Contract Regulations be noted.

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.

FUTURE OF OLDER PERSONS' HOUSING SERVICES

The report of the Assistant Director Housing was submitted recommending on how best to provide housing and housing-related services to tenants in the City Council's older persons' accommodation in the coming financial year.

It was the intention to continue the current arrangements for this service for a further year and, in the meantime, develop an alternative model for supporting these tenants, which would be reported to Members for approval in due course.

Members discussed how many people could be affected by the proposal to only offer new tenancies in older persons accommodation without the warden service to those age 60 and over.

Scrutiny Committee – Community considered the report at its meeting on 19 January 2016 and its comments were reported.

RESOLVED that:-

- (1) no major changes to be made to the provision of the warden service in 2016/17. The HRA will continue to fund both the warden service and the emergency alarm system as it has been doing this year. The cost will not exceed £131,000 which includes £51,000 for supporting the emergency alarms. These arrangements will apply to existing tenants only;

- (2) new tenancies will only be offered to people over 60 years old who will not receive the warden service;
- (3) new tenants will have the use of a dispersed emergency alarm (paid for by themselves and provided through Home Call). Any hard-wired alarm will be removed prior to their moving in;
- (4) the contract for the maintenance of the current hard-wired system will be extended from April 2016 to March 2017. This will cost no more than £20,000 and is necessary to maintain the system; and
- (5) the part-time Housing Community Partnerships Officer will start to explore initiatives for combating loneliness and isolation among older residents, with particular emphasis on social activities in the communal rooms which are currently under-utilised, with a view to moving to an alternative model of service delivery from 1 April 2017, subject to further consideration and approval by Members.

20 **EXETER HEART OF DEVON GROWTH BOARD MINUTES - 17 DECEMBER 2015**

Scrutiny Committee – Economy considered the minutes at its meeting on 21 January 2016 and its comments were reported.

RESOLVED that the minutes of the Exeter Heart of Devon Growth Board meeting held on 17 December 2015 be noted.

(The meeting commenced at 5.30 pm and closed at 6.32 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 23 February 2015.

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EXECUTIVE

Tuesday 9 February 2016

Present:

Councillor Edwards (Chair)

Councillors Denham, Hannaford, Leadbetter, Morse, Owen, Pearson and Sutton

Apologies:

Deputy Chief Executive

Also present:

Chief Executive & Growth Director, Assistant Director Finance, Assistant Director City Development, Corporate Manager Democratic and Civic Support, Corporate Manager Policy, Communications and Community Engagement, Service Manager, Principal Project Manager (Development) and Democratic Services Manager (Committees)

21

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

22

RIVERSIDE AND LUDWELL VALLEY PARKS MASTERPLAN

The report of the Assistant Director City Development and the Assistant Director Public Realm was submitted summarising the main projects and recommendations from a draft Master Plan for the Riverside and Ludwell Valley Parks for the period 2016-2026. The main goal of the Master Plan was to set out a 10 year investment plan for these two Parks, to be funded principally from the Community Infrastructure Levy (CIL). The investment plan needed to be endorsed by Executive and the Joint Habitats Committee before funding, collected via developer contributions, could be allocated.

Members were advised that the Council had a legal obligation to mitigate the growth in housing. One of the elements of the mitigation strategy was the enhancement of 'Suitable Alternative Natural Greenspace' (SANGS) and the Council had identified the Riverside and Ludwell Valley Parks for this purpose. The Master Plan set out where new areas of public recreational space could be created, and where improvements to existing space could be made, for example through planting orchards or providing shelter.

The Assistant Director City Development proposed an addition to the recommendation to delegate to the Executive Member with relevant Portfolio any minor amendments to appendix A. This was agreed.

Members welcomed this masterplan and thanked officers for their hard work in putting the plan together.

RESOLVED that the:-

- (1) draft Master Plan be approved; and

- (2) prioritisation and indicative budget for the purposes of allocating money collected via CIL for Habitats Regulations mitigation (as set out at Appendix A of the circulated report) be approved; and
- (3) the Executive Member with relevant Portfolio in association with the Assistant Director City Development be given delegated authority to make any minor amendments to appendix A.

23

DEVOLUTION FOR THE HEART OF THE SOUTH WEST

The report of the Chief Executive & Growth Director was submitted to update Members on progress with devolution discussions in the Heart of the South West and to present the prospectus that will inform negotiations with Government on a devolution deal. The report also explained the issues and risks for the council in pursuing a devolution deal.

The Chief Executive & Growth Director advised that the document before Members was a prospectus put together by 17 Local Authorities, two National Parks, the Local Enterprise Partnership and the three Clinical Commissioning Groups in Devon and Somerset.

The Statement of Intent set out three basic ambitions:-

- To unlock productivity
- To improve health, care and wellbeing
- To improve connectivity and resilience.

Whilst Exeter productivity is above the national average, the Heart of the South West continued to lag behind national productivity and to redress this the Heart of South West required more and better jobs, a healthier, higher skilled labour market and new homes for a growing population.

Members were updated on the productivity plan, the vision and goals and the Golden Opportunities including the Data Analytics which would build on the work already being progressed in Exeter. It was recognised that there were risk associated with early commitment to a combined authority and governance review. It was also noted that the Secretary of State could impose a Combined Authority on an area even if an individual authority did not consent.

The Leader stated that it was important that the Council stayed on board and started to talk to Government now about the way forward.

Members recognised the importance of Exeter being involved at every stage of any devolution proposals which could help to grow the city whilst having regards to the risks and challenges that it could bring and the need to still keep decisions at a local level.

The Chief Executive & Growth Director commented that the South West generally had low productivity and low wages and that whilst the growth of small business was important there was need to build on the Golden Opportunities like 'Hinkley Point' and data analytics.

RESOLVED that:-

- (1) the progress with securing devolution for the Heart of the South West be noted;
- (2) implications of not participating in devolution negotiations be noted;
- (3) the Council's continued participation in devolution discussions and the preparation of a draft devolution deal be endorsed, subject to:
 - a) Exeter and the wider growth area being recognised as a fundamental contributor to improving productivity and this being given due prominence in any proposed devolution deal;
 - b) Appropriate, place-based decision making arrangements that reflect sub-regional geographies (i.e. the Greater Exeter area), with powers and flexibilities to agree and oversee the programmes addressing productivity and economic development, including investment in skills and business development;
 - c) Exeter being represented directly in negotiations with Government about a devolution deal;
- (4) regular updates on devolution negotiations with the Government be received;
- (5) the longer-term implications of relevant legislation, particularly in relation to devolution and governance, be noted; and
- (6) the Chief Executive & Growth Director be authorised, in consultation with the Leader of the Council, to put in place appropriate management arrangements to ensure the council participates effectively in the various work streams that will prepare the detail of a devolution deal.

24

COMMUNITY INFRASTRUCTURE LEVY FUNDING FOR SANDY PARK A379 JUNCTION

The report of the Assistant Director City Development was submitted which sought Members' approval to enter into a legal agreement with Devon County Council to provide £1.025 million in Community Infrastructure Levy (CIL) funding to match fund the delivery of a newly configured junction on the A379 at Sandy Park to facilitate right turns for vehicles entering Sandy Park from the west and exiting Sandy Park to the east.

Members were advised that the revised total cost estimate for the new junction was £2.680 million which would include a projected contribution from CIL of £1.025 million, £1.0 million having been secured through Heart of the South West Local Enterprise Partnership Growth Deal funding, with the remaining £0.655 million being contributed by Devon County Council through Local Transport Plan finances.

Members welcomed this investment in the road infrastructure which would bring forward development in the city.

Scrutiny Committee – Resources considered the report at its meeting on 27 January 2016 and its comments were reported.

RECOMMENDED that Council makes £1.025 million in Community Infrastructure Levy (CIL) funding available for investment in a newly configured junction on the A379 at Sandy Park on the following basis:-

- (1) No funds to be made available until adequate CIL has been collected or the end/long-stop repayment date in the legal agreement with Devon County Council has been reached, and funding for city centre major infrastructure investments has been secured in line with the resolution of Executive on 10th February 2015;
- (2) Interest that becomes payable in the event that the City Council does not pay the £1.025 million before the end long-stop repayment date in the legal agreement with Devon County Council has been reached, to be payable from the City Council's General Fund;
- (3) City Council CIL funding for the newly configured junction to be conditional upon 'claw-back' provisions whereby the City Council would be an equal-proportion recipient of any project cost savings;
- (4) City Council CIL funding for the newly configured junction to also be conditional upon the outcome of an as yet undetermined bid for funds from Highways England's new 'Housing and Growth Fund', with 'claw-back' provisions whereby the City Council would be an equal-proportion recipient of any potential reduction in the overall project costs in the event that the bid is successful; and,
- (5) Authority to be delegated to the Assistant Director City Development to finalise a legal agreement with Devon County Council that accords with these recommendations, (based upon the model provided by the agreement developed in relation to funding Marsh Barton Railway Station subsequent to approval by Executive on 11th August 2015).

25

EXETER CITY FUTURE COMMUNITY INTEREST COMPANY

The report of the Chief Executive & Growth Director was submitted updating the Members on the rationale for Exeter City Council to become a member of a Community Interest Company (CIC) to facilitate the delivery of the Exeter City Futures vision. In order to work towards delivery of these ambitious aims, the Council would need to be part of Exeter City Futures Community Interest Company. Members were also asked to recommend that Council agree to the allocation of £50,000 as a one off payment as a working budget to facilitate the start-up and promotion of the Exeter City Futures (ECF) programme.

The Chief Executive & Growth Director advised that this project would focus on making Exeter smarter, more sustainable and more successful by using a combination of pioneering technology and intelligent analytics.

The Leader stated that this project was an important way forward of looking to, amongst other things, tackle congestion in the city and improve sustainability.

The Portfolio Holder for Economy and Culture commented that this proposal set up the governance arrangements for the important partnership with the private sector to establish a Community Limited Company.

Members welcomed this exciting project and the way forward proposed.

Scrutiny Committee – Resources considered the report at its meeting on 27 January 2016 and its comments were reported.

RECOMMENDED that Council approve that:-

- (1) Exeter City Council become a member of the Community Interest Company;
- (2) a sum of £50,000 be allocated as a working budget to facilitate the start-up and promotion of the Exeter City Futures Programme; and
- (3) membership of the Community Interest Company be taken up and for delegated authority to be given to the Chief Executive & Growth Director to identify two Board Directors.

26

TREASURY MANAGEMENT STRATEGY REPORT 2016/17

The report of the Assistant Director Finance was submitted which sought adoption by the Council of the Treasury Management Strategy Report, incorporating the Annual Investment Strategy 2016/17, as required under section 15(1)(a) of the Local Government Act 2003.

The Assistant Director Finance advised of the key issues for Members to consider which included approval to allow investments to be made in property funds as a long term commitment with the Local Properties Fund which was managed by the Churches, Charities and Local Authorities investment. There were no proposed amendments to the lending limits for UK owned banks or building societies or foreign owned banks that deal in sterling.

In response to a Member, the Assistant Director Finance stated that the Council had Financial Advisors who daily monitor the markets and would notify the Council should they have any concerns regarding the financial money markets. The Council's investments were spread across a number of the highest rated banks.

Scrutiny Committee – Resources considered the report at its meeting on 27 January 2016 and its comments were reported.

RECOMMENDED that Council adopt the new Treasury Management Strategy and delegations contained therein.

27

THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES (INCORPORATING THE ANNUAL STATEMENT OF MINIMUM REVENUE PROVISION)

The report of the Assistant Director Finance was submitted setting out the proposed 2016/17 prudential indicators for capital finance for adoption by the Council and annual statement of Minimum Revenue Provision (MRP). The prudential indicators covering a period of the next three years were set out in Appendices A to C. The report confirmed that the requirement to produce an annual strategy of minimum revenue provision for repayment of debt had been met.

In response to a Member, the Assistant Director Finance clarified that an Asset Life (Equal Instalment) Method was where the repayment of the expenditure would be the same every year. Asset Life (Annuity) Method was generally an accounting method used for assets that were anticipated to generate more income after a few years rather than providing a constant stream of revenue over its lifetime.

Scrutiny Committee – Resources considered the report at its meeting on 27 January 2016 and its comments were reported.

RECOMMENDED that Council adopt the:-

- (1) Prudential Indicators set out in Appendix A-C of the report as presented; and
- (2) Annual Statement of Minimum Revenue Provision for the Council.

28

ANNUAL PAY POLICY STATEMENT

The report of the Transactional Services Manager was submitted setting out the Council's annual Pay Policy Statement 2016/17 which must be approved by Council each financial year in line with legislation.

Scrutiny Committee – Resources considered the report at its meeting on 27 January 2016 and its comments were reported.

RECOMMENDED to Council that the:-

- (1) Pay Policy Statement and Appendix be adopted and published in accordance with the legislation; and
- (2) Head of Human Resources - currently HR Transactional Services Manager, be given delegated authority to make necessary amendments to the pay policy statement following any changes in legislation or subsequent increases in pay.

29

GENERAL FUND/HOUSING REVENUE ACCOUNT ESTIMATES AND CAPITAL PROGRAMME 2016/17

The report of the Assistant Director Finance was submitted seeking approval of the General Fund revenue estimates for 2016/17 and to recommend the Band D level of Council Tax for 2016/17. This report also included the proposed Capital Programme for 2016/17 and future years, and the proposals in respect of the Housing Revenue Account.

Members were advised that the Council had now received the final Local Government settlement which was the same as the provisional settlement of £5.802 million which was £110,000 lower than predicted in the Medium term Financial Plan. The Council had the opportunity to increase its tax base by £5 which would equate to a 3.7% increase which, with the increase in the taxbase, would raise an additional £269,000 per annum. The Devon Business Rates pool would continue for another year with a benefit to the Council of approximately £200,000.

RECOMMENDED to Council:-

- (1) the overall spending proposals in respect of both its revenue and capital budget be approved;
- (2) to approve the council tax for each Band as set out in section 8.19.3 of the report as presented, subject to Devon County Council, Office of Police and Crime Commissioners Devon and Cornwall and the Devon and Somerset Fire Authority confirming their Band D levels respectively;
- (3) that when the actual council tax amounts for Devon County Council, Devon and Cornwall Police and Crime Commissioner and the Devon and Somerset

Fire Authority are set, then the revised council tax levels be submitted to Council on 23 February 2016 for approval;

- (4) that the Statement given by the chief finance officer as required under Section 25 of the Local Government Act 2003 be noted; and
- (5) that the new distribution methodology for the New Homes Bonus set out in paragraph 8.7.2 of the report be approved.

30

ADOPTION OF POWERS TO MAKE HARBOUR DIRECTIONS

The report of the Assistant Director Public Realm was submitted advising Members on enabling the City Council as the Harbour Authority to adopt new powers under the Harbours Act 1964 to make Harbour Directions.

The Portfolio Holder for Economy and Culture welcomed these powers to enable improved management of the Estuary and Canal.

In response to a Member, the Service Manager commented that the Powers of Direction would enable the Council as the Harbour Authority to issue general and specific instructions to the Masters of 'ships' regarding movement, mooring, equipment and manning. He advised that, because of the tight timescales involved, the Council would need to undertake some consultation on these Harbour Directions before the Council meeting on 23 February 2016.

RECOMMENDED that Council:-

- (1) agree to an application being made to the Department for Transport for Exeter City Council as harbour authority to be designated with power to issue harbour directions in accordance with the provisions of the Harbours Act 1964; and
- (2) in the event that the application for designation is successful, the Service Manager (Business & Commercial Operations) is authorised to make Harbour Directions on behalf of the Harbour Authority within the Port of Exeter.

31

REVIEW OF THE CONSTITUTION

The report of the Corporate Manager Democratic and Civic Support was submitted setting out the recent work and recommendations of the Review of the Constitution Working Group for consideration by Council.

Members were advised of the proposed changes including the alignment of Scrutiny Committees with Portfolio Holders, the number of Scrutiny Committee Members and the revised call in arrangements where any seven members, irrespective of the Scrutiny Committee on which they serve, could trigger a call in.

In response to a Member, the Corporate Manager Democratic and Civic Support clarified that there was no statutory authority to compel Planning and Licensing Committee Members to attend training although Group Leaders should ensure that their group members attend the relevant training.

RECOMMENDED that Council approves the:-

- (1) proposed changes to the Scrutiny Committees and Call-In procedures;
- (2) proposed changes to the Scheme of Delegation to Officers and deputies;
- (3) revision of the Committee schedule: and
- (4) amended version of the Council's Constitution.

32

FREEDOM OF THE CITY

The report of the Corporate Manager Democratic and Civic Support was submitted setting out a proposal to offer the Freedom of the City to Mr Richard Atkins in recognition of his outstanding services to the field of college education in Exeter and the wider area, which has led to Exeter's name being known nationally as one which delivers an excellent college education to a very high standard.

RECOMMENDED to Council that:-

- (1) the title of Honorary Freeman of the City Status be conferred on Mr Richard Atkins; and
- (2) the Right Worshipful the Lord Mayor be requested to convene an Extraordinary Meeting of the Council to be held on the rising of the ordinary meeting on 23 February 2016, for the purpose of passing the appropriate resolution under Section 249 of the Local Government Act 1972.

33

SOUTH EAST DEVON JOINT MITIGATION EXECUTIVE COMMITTEE

The report of the Assistant Director City Development was submitted seeking to obtain authority to establish the terms of reference and rules of procedure for the South East Devon Joint Habitats Mitigation Executive Committee (HMEC), the establishment of which was approved, in principle, by the Executive on the 7 October 2014 and then formally on 23 June 2015. This was subsequently approved by full Council on 28 July 2015.

The Assistant Director City Development advised that East Devon District Council had agreed to establish a joint Scrutiny Committee. This proposal had not been accepted by Teignbridge District Council who would maintain their own scrutiny arrangements in line with the proposals set out in the original report. The recommendation was that Exeter City Council follow the original report to maintain its own independent scrutiny of the activities of the HMEC and included delegated authority to the Corporate Manager Legal Services to make any further amendments to the terms of reference and rules of procedure for the HMEC.

Members, whilst supporting the way forward, proposed that the delegation to the Corporate Manager Legal Services regarding the governance arrangements in recommendation 2.1.5 should be in consultation with the Portfolio Holder for City Development. This was agreed.

RECOMMENDED that Council:-

- (1) agrees to the establishment of a Joint Habitats Mitigation Executive Committee (HMEC) with East Devon District Council and Teignbridge District Council for the purpose of delivering habitat mitigation measures and which shall be governed in accordance with the Terms of Reference and Rules of Procedure attached in Appendix 1;
- (2) agrees that all necessary powers (save for decisions relating to the compulsory purchase of land) are delegated to the HMEC to enable delivery of mitigation measures in accordance with the Conservation of Habitats and Species Regulations 2010;
- (3) agrees that each authority operates its own scrutiny arrangements in order to scrutinise decisions of the HMEC. In Exeter, the Scrutiny Economy Committee (or appropriate successor body) will scrutinise decisions of the HMEC;
- (4) appoints the Portfolio Holder - City Development as Exeter City Council's nominated member of the HMEC;
- (5) delegates authority to the Corporate Manager - Legal Services, in consultation with Portfolio Holder for City Development, to make any further amendments to the Terms of Reference and Rules of Procedure for the HMEC, as necessary, to ensure effective working of the HMEC provided that the Solicitor to the Council of Teignbridge District Council and the Strategic Lead - Legal, Licensing and Democratic Services of East Devon District Council are in agreement with the proposed amendments;
- (6) delegates authority to Exeter City Council's Section 151 Officer to agree how and when and to whom payment of Exeter's share of the contribution to carry out the HMEC's resolutions is made;
- (7) agrees that East Devon District Council will be responsible for administering the finances to support the implementation of the decisions of the HMEC (or to any officer taking delegated decisions on its behalf);
- (8) delegates authority to Exeter City Council's Section 151 Officer to make arrangements for the Council to transfer funds obtained for mitigation measures from CIL and Section 106 Agreements for expenditure approved by the HMEC; and
- (9) agrees that the administration of the HMEC shall rotate with the Chair and that East Devon District Council will Chair the HMEC during the first year. After the first year the Chairmanship will move to Exeter City Council and then Teignbridge District Council, returning to East Devon in the fourth year.

34

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.

ECC ENERGY SERVICES COMPANY AND DISTRICT HEATING PROCUREMENT

The report of the Principal Project Manager (Development) City Development was submitted updating Members on the formation of an Energy Service Company (ESCo) in partnership with the Royal Devon & Exeter NHS Trust, University of Exeter, Devon County Council, Teignbridge District Council and East Devon District Council for the purpose of procuring private sector partner(s) and funding to deliver District Heating Networks in Exeter (city centre to Wonford) and at SW Exeter (connecting Energy from Waste facility at Marsh Barton to SW Exeter).

The Principal Project Manager commented that the six public sector partners had received collective legal advice.

In response to a Member, the Chief Executive & Growth Director clarified that the procurement would be in accordance with legal advice. He also proposed an additional recommendation 'to explore the opportunities of working with a Strategic Partner, if appropriate, to include as a project the proposals contained in the report.'

This additional recommendation was moved by the Leader and seconded by Councillor Sutton.

Scrutiny Committee – Resources considered the report at its meeting on 27 January 2016 and its comments were reported.

RECOMMEND to Council that delegated power is given to the Chief Executive & Growth Director for the following:-

- (1) Exeter City Council to become a shareholder of the public sector ESCo when it is formed in Spring 2016;
- (2) the appointment of Directors to the Public Sector ESCo Board;
- (3) Exeter City Council, subject to successful procurement, approves the long term purchase of competitively priced low carbon heat from the network for the Civic Centre and Exeter Active;
- (4) Exeter City Council, subject to successful procurement, commits to invest £147,000 in the city centre and SW Exeter Joint Venture companies; and
- (5) to explore the opportunities of working with a Strategic Partner, if appropriate, to include as a project the proposals contained in the report.

(The meeting commenced at 5.30 pm and closed at 6.50 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 23 February 2016.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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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)	Hannaford (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)	Morse (L)		Harvey (C)	
		Denham (L)			

Cllr Vizard (L)	Cllr Buswell (L)	Cllr Hannan (L)	Cllr Morris (L)	Cllr Brimble (L)	Cllr Wardle (L)		Cllr Bialyk (L)
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L: Labour : 28
 C: Conservative : 10
 LD: Liberal Democrat : 1

Portfolio Holders

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

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