



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 17 OCTOBER 2017**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

	Pages
1 Minutes	
To sign the minutes of the Ordinary and Extraordinary Meetings held on 25 July 2017.	3 - 8
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 24 July 2017	9 - 24
4 Planning Committee - 31 July 2017	25 - 28
5 Planning Committee - 4 September 2017	29 - 34
6 Planning Committee - 2 October 2017	35 - 46
7 Licensing Committee - 19 September 2017	47 - 50
8 People Scrutiny Committee - 7 September 2017	51 - 54
9 Place Scrutiny Committee - 14 September 2017	55 - 70
10 Corporate Services Scrutiny Committee - 28 September 2017	71 - 76
11 Audit and Governance Committee - 20 September 2017	77 - 80
12 Strata Joint Scrutiny Committee - 6 September 2017	81 - 86
13 Strata Joint Executive Committee - 26 September 2017	87 - 88

Office of Corporate Manager Democratic & Civic Support

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14 Executive - 12 September 2017

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15 Executive - 10 October 2017 - To Follow

16 Notice of Motion by Councillor Newby under Standing Order No. 6

This Council support bestowing Freedom of the City status on the Devon and Cornwall Constabulary, Devon and Somerset Fire and Rescue Service and the Southwest Ambulance Service Trust who have, over the years, gone above and beyond the call of duty for the citizens of this great City 24/7, 365 days a year without thought for themselves.

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

Date: Monday 9 October 2017

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register

Office of Corporate Manager Democratic & Civic Support			
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THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 25 July 2017

The Right Worshipful the Lord Mayor (Cllr Robson)
The Deputy Lord Mayor (Cllr Hannan)
Councillors Bialyk, Branston, Brimble, Denham, Edwards, Foale, Gottschalk, Hannaford, Harvey, Mrs Henson, Holland, Lamb, Lyons, Mitchell, Morse, Newby, Owen, Packham, Prowse, Sheldon, Spackman, Sutton, Thompson, Vizard, Wardle, Warwick and Wood

33 APOLOGIES

Apologies for absence were received from Councillors Baldwin, Foggin, Henson D, Keen, Morris, Leadbetter and Sills.

34 MINUTES

The minutes of the Ordinary Meeting held on the 25 April 2017 and the Annual Meeting held on the 16 May 2017 were moved by the Leader and seconded by Councillor Sutton, taken as read and signed as correct.

35 OFFICIAL COMMUNICATIONS

The Lord Mayor announced that the live broadcasting of last week's Extraordinary Council meeting had reached more than 27,000 people with 7,900 having watched all/part of it and 1,600 watching it live on the night. This reflected the level of interest of the general public in Council meetings and the decisions making process.

The Lord Mayor drew Members attention to the successful application for the continuation of funding for a number of arts organisations in the City, including RAMM. The level of support from the Arts Council clearly showed that it accepted the importance the City placed on the provision of arts.

On behalf of the Council, the Lord Mayor thanked all those involved in the success of the recent Mitsubishi Rugby Sevens and congratulated the Exeter Chiefs on being crowned Aviva Premiership champions, after a nail-biting final at Twickenham at the end of May.

The Lord Mayor congratulated Councillor Foggin on her appointment last week as a County Alderman which was a much deserved honour recognising the service she had given Devon County Council, as well as the residents of Exeter.

36 PLANNING COMMITTEE - 24 APRIL 2017

The minutes of the Planning Committee of 24 April 2017 were presented by the Deputy Chair, Councillor Lyons, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 24 April 2017 be received

37

PLANNING COMMITTEE - 22 MAY 2017

The minutes of the Planning Committee of 22 May 2017 were presented by the Chair, Councillor Gottschalk, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 22 May 2017 be received.

38

PLANNING COMMITTEE - 26 JUNE 2017

The minutes of the Planning Committee of 26 June were presented by the Deputy Chair, Councillor Lyons, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 26 June 2017 be received.

39

LICENSING COMMITTEE - 18 JULY 2017

The minutes of the Licensing Committee of 18 July 2017 were presented by the Chair, Councillor Spackman, and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 18 July 2017 be received.

40

PEOPLE SCRUTINY COMMITTEE - 1 JUNE 2017

The minutes of the People Scrutiny Committee of 1 June 2017 were presented by the Chair, Councillor Wardle, and taken as read.

RESOLVED that the minutes of the People Scrutiny Committee held on 1 June 2017 be received.

41

PLACE SCRUTINY COMMITTEE - 12 JUNE 2017

The minutes of the Place Scrutiny Committee of 12 June 2017 were presented by the Deputy Chair, Councillor Lyons, and taken as read.

In respect of Minute 24 (Scrutiny Committee Portfolio Holders' Year End – June 2017) and in response to a Member, the Portfolio Holder for Place clarified that a Recycling Advisor had been appointed to work with local residents to improve the recycling rates; the signs for the Public Spaces Protection Order (PSPO) would be put up in August and enforcement of the order would commence; and he had been invited on a walking tour with Local Councillors around the St James Ward to view the issues with cleansing and recycling and he was happy to meet with Local Ward Councillors to address issues that they may have with cleansing.

RESOLVED that the minutes of the Place Scrutiny Committee held on 12 June 2017 be received.

42

CORPORATE SERVICES SCRUTINY COMMITTEE - 22 JUNE 2017

The minutes of the Corporate Services Scrutiny Committee of 22 June 2017 were presented by the Chair, Councillor Sheldon, and taken as read.

RESOLVED that the minutes of the Corporate Services Scrutiny Committee held on 22 June 2017 be received.

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AUDIT AND GOVERNANCE COMMITTEE - 21 JUNE 2017

The minutes of the Audit and Governance Committee of 21 June 2017 were presented by the Chair, Councillor Vizard, and taken as read.

In respect of Minute 20 (Review of the Corporate Governance Risk Register) and in response to a Member, the Chair clarified the risk assessments for Legionella were on target.

RESOLVED that the minutes of the Audit and Governance Committee held on 21 June 2017 be received.

44

STRATA JOINT SCRUTINY COMMITTEE - 15 JUNE 2017

The minutes of the Strata Joint Scrutiny Committee of 15 June 2017 were presented by Councillor Lyons and taken as read.

In respect of Minute 30 (Strata IT Director Report) and in response to a Member, Councillor Lyons clarified that Strata were very diligent in constantly monitoring any possible cyber threats.

RESOLVED that the minutes of the Strata Joint Scrutiny Committee held on 15 June 2017 be received.

45

STRATA JOINT EXECUTIVE COMMITTEE - 20 JUNE 2017

The minutes of the Strata Joint Executive Committee of 20 June 2017 were presented by Councillor Edwards, and taken as read.

RESOLVED that the minutes of the Strata Joint Executive Committee held on 20 June 2017 be received and, where appropriate, any recommendations contained therein approved.

46

EXECUTIVE - 13 JUNE 2017

The minutes of the Executive of 13 June 2017 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of Minute 60 (Purchase and Conversion for a Property for Temporary Accommodation) and in response to a Member, the Portfolio Holder for People confirmed this property would be managed along with other units in the area.

RESOLVED that the minutes of Executive held on 13 June 2017 be received and, where appropriate, adopted.

47

EXECUTIVE - 11 JULY 2017

The minutes of the Executive of 11 July 2017, with the exception of minutes 71 and 73 which had already been considered at Extraordinary Council on 19 July 2017, were presented by the Leader, Councillor Edwards, and taken as read.

In respect of Minute 67 (Community Builders roles and Neighbourhood portion of CIL/ Grants Roots Grants), the Portfolio Holder for Health & Wellbeing, Sport and Communities welcomed this Community Infra-Structure Levy (CIL) funding of £3.75 million over 10 years to engage with local communities and to support the introduction of Community Builders. £610,000 of New Homes Bonus (NHB) monies

had been set aside for community activities with communities in Topsham and Alphington already benefiting from some of these funds. In response to a Member, he clarified that there was scrutiny of the grants process through the Exeter Community Forum and the Grass Roots Panel with recommendations coming back to Executive and Council.

The Leader welcomed use of CIL and NHB monies to support, engage and build communities in the City.

In relation to Minute 69 (Appointment to Outside Bodies):-

RESOLVED that the following appointments be agreed:-

Exeter Dispensary and Aid in Sickness Fund - Councillor Edwards and Leadbetter

RESOLVED that, with the exception of minutes 71 and 73 (Proposals to commence the Leisure Complex and Swimming Pool and Bus Station), which had been considered and approved at the Extraordinary Council Meeting on 19 July 2017, the minutes of Executive held on 11 July 2017 be received and, where appropriate, adopted.

(The meeting commenced at 6.02 pm and closed at 6.29 pm)

Chair

THE EXTRAORDINARY MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 25 July 2017

The Right Worshipful the Lord Mayor (Cllr Robson)
The Deputy Lord Mayor (Cllr Hannan)
Councillors Bialyk, Branston, Brimble, Denham, Edwards, Foale, Gottschalk, Hannaford, Harvey, Mrs Henson, Holland, Lamb, Lyons, Mitchell, Morse, Newby, Owen, Packham, Prowse, Sheldon, Spackman, Sutton, Thompson, Vizard, Wardle, Warwick and Wood

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APOLOGIES

Apologies for absence were received from Councillors Baldwin, Foggin, Henson D. Keen, Morris, Leadbetter and Sills.

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FREEDOM OF THE CITY - MR ROB BAXTER

The Leader moved the recommendation that Mr Rob Baxter be awarded the honour of Freedom of the City in recognition of his outstanding service as a player and Head Coach of Exeter Chiefs, coaching the club to a historic victory at The Aviva Premiership Final on Saturday 27 May 2017 at Twickenham.

Councillor Newby seconded the recommendation.

RESOLVED that, in pursuance of its powers under Section 249 of the Local Government Act 1972, the Council do confer on Mr Rob Baxter Freedom of the City Status in recognition of his outstanding service as a player and Head Coach of Exeter Chiefs, coaching the club to a historic victory at The Aviva Premiership Final which has further enhanced Exeter's reputation as a City which supports sport.

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

[The foregoing resolution was passed unanimously]

(The meeting commenced at 6.29 pm and closed at 6.31 pm)

Chair

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PLANNING COMMITTEE

Monday 24 July 2017

Present:

Councillor Gottschalk (Chair)
Councillors Lyons, Bialyk, Denham, Edwards, Foale, Harvey, Mrs Henson, Morse, Newby, Prowse, Sutton and Spackman

Also Present:

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

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DECLARATIONS OF INTEREST

Councillor Sutton declared a disclosable pecuniary interests as an employee of the University of Exeter and withdrew from the room whilst Minute 58 was discussed.

57

PLANNING APPLICATION NO. 17/0006/02 - EXETER GOLF AND COUNTRY CLUB PRACTICE, NEWCOURT DRIVE

The City Development Manager presented the application for the construction of 82 dwellings, access, estate roads, landscaping and associated infrastructure. He set out revisions proposed by the applicant to address concerns regarding the impact the development would have on Old Rydon Lane and also referred to late representations received from residents which did not raise any new issues and to a traffic consultant's report produced on behalf of an objector who was also a potential developer in the area. He stated that it was unknown if the two different developers had been in discussion on the matter of a potential access onto Admiral Way.

Responding to Members, the County Highways Development Manager stated that the proposed changes along Old Rydon Lane would undergo a safety audit prior to implementation. He stated that, should there be any incidents or traffic difficulties, the Police had the power to suspend the proposed Traffic Regulation Order.

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

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

- object to proposal as owners of the adjacent land;
- no recent contact by either the County Council nor the Exeter Golf and Country Club regarding the ransom strip;
- prepared to seek an agreement to allow the access to be formalised;
- believe that access from Admiral Way is more suitable and options should be explored due to concerns relating to additional traffic generation in the area;
- the development will result in dangerous traffic road conditions particularly on Old Rydon Lane where a traffic assessment shows a potential increase in traffic of between 23%-48% which is not considered sustainable and, will result in a rat run; and

- only access to this area from the A379 is from Old Rydon Lane and during severe traffic congestion in the area or an incident blocking the road, emergency vehicles could face obstruction and delay.

In response to Members' queries, he confirmed that the ransom strip was in the ownership of Persimmon and that it was the thin area of land, covered in shrubs, between the fence and the pavement at Admiral Way and that if the County Council placed a Compulsory Purchase Order on the land a decision would have to be taken as to whether to appeal against it.

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

- the access road already built into Holland Park. Phase 1, was specifically built as a 5.5m. wide, Type R2 road to serve not only Phase 1 but also the proposed development of Phase 3;
- there are just two existing houses in Holland Park, Phase 1, which face the Access Road. The rest all come off subservient estate roads within the development. There are therefore no highway safety or capacity issues with the existing access, as it is capable of serving far more homes than the number proposed;
- Devon County Council have already given their full support and approval to the use of Old Rydon Lane for the modest number of dwellings proposed and work has been undertaken to provide a number of very significant improvements. The latest proposals enable Devon County Council to immediately implement a large section of the Strategic R9 Cycle Route in Old Rydon Lane which is Local Plan Policy. It will provide a dedicated Cycle Lane as set out in the Newcourt Masterplan all the way along Old Rydon Lane from Newcourt Drive to the entrance to Holland Park, Phase 1 and down through Phase 3. This will make Old Rydon Lane an attractive route, safe for cyclists;
- Devon County Council have been provided with an adoptable standard highway and a three metre cycleway to the southern boundary of the site. Once the roads have been built, they will enable the County Council to open up the highway access to Admiral Way in order to implement the rest of the Strategic Cycle Route up to the western end of Old Rydon Lane. This would not be possible without a highway link from Phase 1 to Phase 3 of Holland Park. Without approval of the application there is no Plan B;
- the Exeter Golf and Country Club state that Persimmon Homes refused to discuss a separate ransom payment for access and insisted that the Club had to sell the land only to them. But the Club can only release this land for development if it can relocate to the replacement Driving Range Site which is only available with the Heritage scheme. There is no other suitable site available. Unless this application is approved, as proposed, it is very unlikely that this site can ever be released for development and the Strategic R9 Cycle Route will never be delivered. Far from making traffic worse, this proposal allows Devon County Council to bring forward major safety improvements to Old Rydon Lane now, and to deliver a major Strategic Cycle connection approved in the Local Plan; and
- the application will deliver 82 new high quality homes, including quality rented homes delivered directly to the City Council for just £1.00 as well as a new sporting facility for the City, As the site is allocated and has formal approval from Devon County Highways, approval is requested.

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

Responding to a Member, he confirmed that Persimmon had not discussed an offer for the ransom strip. Members welcomed the improvement to the cycle network and the additional measures for Old Rydon Lane. They hoped that the provision of a link into Admiral Way would one day come to fruition.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 in respect of affordable housing and open spaces - provision of play equipment to an agreed scheme, public access and maintenance agreements, planning permission for the construction of 82 dwellings, access, estate roads, landscaping and associated infrastructure be **APPROVED**, subject also to the following conditions:-

- (1) A01 – Time Limit – full
- (2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 21st December 2016, 5th April, 24th May and 5th June 2017 (including dwg. nos. EGCC-10-LOC rev 2.0B, EGCC-01- SITE PLAN Rev 24.0B, EGCC-01-SITE Plan Rev 24.0 - CIL & Construction Phasing Plan, EGCC-02-SITE PLAN Rev 24 - proposed Hard Landscaping layout (1 of 3), EGCC-03-SITE PLAN Rev 24 - proposed Hard Landscaping layout (2 of 3), EGCC-04-SITE PLAN Rev 24 - proposed Hard Landscaping layout (3 of 3), EGCC.KNS.01, EGCC.RDB.01 Rev A, EGCC.RDB.02 Rev A, EGCC.13-21.01 Rev A, EGCC.HAR.01, EGCC.BMT.01 Rev A, EGCC.PET.01, EGCC.BRLY.01, EGCC.APP2.01, EGCC.APP3.01, EGCC.APP3.02, EGCC.HRLY.01, EGCC.ELS.01, EGCC.BRM.01 Rev A, EGCC.BLY.01 Rev A, EGCC.BLY.02, EGCC.OKM.01 Rev C, and EGCC-DG) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) **Pre-commencement condition:** Before commencement of phase of the development the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved for the dwellings contained within that phase. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of any dwelling the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.
Reason for pre-commencement condition: In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15. This information is required before development commences to ensure that a sustainable design is finalised before any irreversible element of the construction process takes place.
- (4) A38 – Archaeology
- (5) No development (other than archaeological investigation works) shall take place within the application site until the means of construction of foundations, and levels (including formation levels for the dwellings, roads and parking areas) have been agreed in writing by the Local Planning Authority. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that disturbance to important archaeological remains is minimised.
- (6) A23 – Contamination (no info submitted)

- (7) A13 – Tree protection
- (8) A16 – Construction (CEMP 2)
- (9) A18 – Construction (site layout)
- (10) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no dwelling shall be occupied 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.
- (11) A12 - Landscape and trees - replacement planting
- (12) No building hereby permitted shall be occupied until the off-site surface water attenuation feature indicated on drawing no. EGCC-01-SITE PLAN Rev 24.0B has been completed and brought into use to serve the development. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed Drainage & SuDS (Sustainable Drainage Systems) Maintenance Plan prepared by TWP Consulting Structural and Civil Engineers (Project Ref:16.342 Rev R02 dated November 2016).
Reason: To ensure the satisfactory drainage of the development.
- (13) The development hereby approved shall be implemented in accordance with the drainage strategy set out in the submitted Flood Risk and Drainage Strategy (Project Ref:16.342 Rev: R01-A) dated November 2016 and Construction Management Plan (Project Ref:16.342 Rev R01) dated May 2017 prepared by TWP Consulting Structural and Civil Engineers .
Reason: To ensure the satisfactory drainage of the development.
- (14) A19 – Travel Plan
- (15) No more than 50% of the development hereby approved shall be occupied until the footway/cycle path running adjacent to the Golf Club from Old Rydon Lane to the Newcourt Spine Road has been constructed up to the site boundary of the applicant's ownership in accordance with plans to be approved in writing by the Local Planning Authority.
Reason: To facilitate provision of a safe and suitable access for pedestrians and cyclists in accordance with paragraphs 32 of the National Planning Policy Framework.
- (16) No more than 50% of the dwellings contained within Phase 4 of the development (as indicated on drawing nos. EGCC-01-SITE PLAN Rev 24.0) shall be occupied until the foot/cycle path running between plots 33-43 and plot 44 has been constructed up to the site boundary of the applicant's ownership with the Newcourt spine road.
Reason: To facilitate provision of a safe and suitable access for pedestrians and cyclists in accordance with paragraphs 32 of the National Planning Policy Framework.

- (17) The development hereby approved shall be implemented in accordance with the provisions and recommendations set out in the submitted Biodiversity Mitigation & Enhancement Plan dated march 2017 prepared by Sunflower International Ecological Consultancy, and include the provision of integral nesting boxes as specified in the email from David Lovell dated 31st May 2017.
Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- (18) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and no development above damp-proof course level shall take place before their approval is obtained in writing. The materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: In the interests of character and appearance of the development and the visual amenity of the area.
- (19) Prior to the occupation of each dwelling hereby approved, ducting or equivalent service routes should be installed capable of accommodating at least 6 separate fibre-optic cables that enable electronic communications services network suppliers to freely connect between the boundary of the site and the inside of each dwelling for the purposes electronic communications.
Reason: To contribute to the development of high speed broadband communication networks and to ensure that adequate provision is made to meet the needs of future occupants of the dwellings for high speed internet access in line with paragraph 42 of the NPPF.

58

PLANNING APPLICATION NO. 17/0724/03 - MOBERLY HOUSE, LOWER ARGYLL ROAD

The City Development Manager presented the application for the demolition of the existing halls of residence building (139 bedrooms) and a replacement building providing 251 student bedrooms arranged in 26 cluster flats including reception and common rooms, bike and refuse storage, repositioning of existing access with Lower Argyll Road, associated infrastructure and landscaping works.

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

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

- area was initially for residential purposes but is now dominated by student housing;
- Members are still awaiting information on the number of students in the City in order to assess residential requirements and the annual report on student issues to the Planning Member Working Group is overdue due to staffing pressures. This further information should be provided before the Planning Committee considers further applications for student accommodation;
- the University's Deputy Vice Chancellor has commented that, resulting from Brexit, the number of EU students has dropped by 10% for Russell Group Universities, of which Exeter is one and that there is uncertainty on the level of non EU students seeking to come to Exeter in the future;
- the development is 80% larger than the present block which will lead to 80% increase in noise, disturbance etc.;

- Glenthorne Road is the main route into the campus which already suffers from noise which will increase with the growth in student number;
- existing problems and those likely to be caused by this development will be exacerbated with the development of a further 254 units, also on Glenthorne Road;
- the statement that because of self-catering facilities students will no longer need to go to Bilks Hall for meals is a red herring;
- a seven storey development will be detrimental to the area as well as impacting adversely on Duryard Lodge;
- the development conflicts with Policy H5B of the Exeter Local Plan First Review which requires that a planning proposal should not create an over concentration of student housing which would unacceptably change the character of the area;
- unnecessary to fell the proposed number of trees on Lower Argyll Road. The road looks very good with trees as they are now;
- inadequate transport infrastructure in the area - the increased number of students will lead to increased danger generally through students using the desire line rather than the pelican crossing to access the Subway shop opposite the bus stop, queuing at the bus stop itself leading to dangerous conditions as cars seek to pass the stationary buses and from vehicles passing between Cowley Bridge Road and Lower Argyll Road;
- the Duryard Trust, who own adjacent land, object to the development and refer to dangerous traffic conditions. The Trust suggests that a new access may be needed;
- the Exeter Civic Society believe that the development is excessive for this small site;
- weak carbon mitigation measures - a reduction in height could enable provision of solar panels; and
- application should be refused to address residents' concerns.

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

- echo views of Councillor Owen;
- local residents do not object to the principle of student housing but there is great concern that the development will be 80% larger than present and two to three storeys higher;
- the development will be detrimental to neighbouring properties, particularly Duryard Lodge;
- the removal of red cedar trees is regrettable and it is hoped that the replacement Scott Pines will be mature as far as possible;
- another block is due in the future in Glenthorne Road with 254 units which will further increase problems;
- surprised the highway authority have not investigated issues relating to the bus stop and pedestrian crossing in view of safety concerns raised which will become more apparent as student numbers increase in this area. It is therefore a missed opportunity to improve the inadequate infrastructure in the area;
- more information is required on student numbers in general before future applications are discussed, especially in respect of Policy H5B; and
- the overall Master Plan for student provision is not being adhered to.

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

- Moberly House is 30 of my paces from my cottage. From the grass above the cottage anyone can see into my dining room, kitchen and bathroom. Most of the south facing windows at Moberly House look directly onto my garden. My privacy will suffer further invasion should five storeys give way to seven;

- if the development does go ahead there will be 80% more students able to throw stuff onto my roof and into the garden; 80% more noise; 80% more light at nights; 80% more people queueing for the bus; 80% more taxis waiting outside my door; 80% more rubbish and rubbish vans and 80% more visits of Deliveroo;
- is there a need, given that student numbers are falling by 4-5% ?;
- the developers are suggesting an impactful entrance with a double height, lit-up glass reception frontage. A new building should settle subtly into the existing environment and not soar seven storeys high, nor spread to a wider footprint;
- Lower Argyll Road is unique with the towering red cedar trees making a fine feature and this scene and the trees should be preserved; and
- Moberly should be demolished and any building should be erected north of Lower Argyll Road alongside the other student accommodation.

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

- the application relates to the demolition of an existing University student halls of residence that has reached the end of its useful life and become something of an eyesore. The proposal is for a new improved, fit-for-purpose building in terms of both overall design and the type of accommodation offered to students;
- a key benefit to this site is its location in an area of the University campus already used for student accommodation. This brownfield site is therefore a suitable and sustainable location for continued student accommodation and reduces pressure to provide such accommodation elsewhere in the City, for example, in additional Houses in Multiple Occupation;
- the development makes efficient use of the site by increasing the total number of bedspaces for viability reasons given the cost of removing the existing building. This accords with Core Strategy Policy CP4 that supports residential development at the highest density compatible with the site;
- the provision of high quality accommodation is also a key factor in attracting students to study in Exeter that, in turn, contributes toward the vibrant economy of the City as a whole;
- the impact of the development has been mitigated. There will be less windows facing Duryard Lodge than the existing building, the building doesn't encroach any nearer to Duryard Lodge and additional fruit tree planting will reinforce screening between the two. The design has been amended to relocate the proposed escape stair away from the boundary and the lowest parts of the proposed building would be located on the boundary with Duryard Lodge;
- student activity is encouraged towards the centre of the site with no circulation space near Duryard Lodge;
- there is no change to the existing access points on to Glenthorne Road;
- pedestrian usage should be less as the building provides kitchens for each flat, whereas the existing building only provided catering at Birks Hall to the south;
- the original intention was to replace all of the site frontage trees on Lower Argyll Road. In response to comments received, the proposals have been amended to retain some of the trees on Lower Argyll Road that currently offer some screening between the development and Duryard Lodge and Cowley Bridge Road;
- contributions will be made towards extending permit parking areas on identified streets and to provide improvements to pedestrian facilities on Lower Argyll Road; and
- the development accords with Core Strategy Policy CP5 that supports student accommodation at the University campus. The development provides an appropriate balance between the need to make efficient use of sustainable

brownfield sites such as this, whilst having careful regard to the amenity of local residents and the character of the area.

He responded as follows to Members' queries:-

- there will not be a bank of windows facing Duryard Lodge;
- the block of flats accords with Approved Document B of building regulations. At present, there is no requirement to provide sprinklers but, if Government policy changes, sprinklers will be added
- one in two cycle spaces will be provided which meets the BREEAM excellent category. Both cycle provision and landscaping is included within the development;
- the units do not cater for wheelchair users because of the steep nature of the overall area, but ground floor units could be adapted if necessary. Provision is made elsewhere on the campus for accommodating wheelchair users;
- suitability of bus stop has been examined and, through the Section 106 Agreement, a contribution will be made to improve the railings along the raised footway above Cowley Bridge Road; and
- "heavy standard" trees will be provided in place of the Red Cedar Trees.

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

Members acknowledged the value of on campus provision of student accommodation given the need to release private properties and Houses in Multiple Occupation for non-student use. They supported the suggestion that an informative be added referring to fire prevention works under building regulations.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 securing a Student Management Plan and a financial contribution towards a Traffic Regulation Order (£15,000) and off-site pedestrian enhancement in the area (£25,000), planning permission for the demolition of existing halls of residence building (139 bedrooms) and a replacement building providing 251 student bedrooms arranged in 26 cluster flats including reception and common rooms, bike and refuse storage, repositioning of existing access with Lower Argyll Road, associated infrastructure and landscaping works be **APPROVED**, subject also to the following conditions:-

- (1) A01 – Time Limit – full
- (2) A06 – Details and drawings compliance
- (3) A09 – Materials (1)
- (4) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and the building shall be occupied 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.
- (5) A12 - Landscape and trees - replacement planting.

- (6) No development shall take place until a Detailed Arboricultural Method Statement in association with the Tree Protection Plan for the demolition and construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant shall proceed in accordance with the measures described in the Arboricultural Method Statement throughout the duration of the works.
Reason: To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality.
- (7) Prior to occupation of the development hereby permitted, a Travel Pack for each dwelling shall be provided informing all residents of walking and cycling routes and facilities, and public transport routes and timetables, car sharing schemes, and the location of local and central shopping and leisure facilities, the form and content of which shall have previously been approved in writing by the Local Planning Authority.
Reason: To ensure that all occupants of the development are aware of the available sustainable travel options.
- (8) A15 – Construction (CEMP 1)
- (9) **Pre-commencement condition:** No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
a) There shall be no burning on site during demolition, construction or site preparation works;
b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays and not at all on Sundays and Public Holidays;
c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.
The approved CEMP shall be adhered to throughout the construction period.
Reason for pre-commencement condition: In the interests of the occupants of nearby buildings. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.
- (10) A33 – BREEAM (commercial only)
- (11) A36 – Swifts
- (12) No part of the development hereby approved shall be brought into its intended use until secure cycle and vehicular parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- (13) No part of the development shall be brought into its intended use until the amendments to the Lower Argyll Road access as indicated on the

“Proposed Site Access Drawing A098304 - SK01 RevA”, have been provided and maintained in accordance with details approved in writing by the Local Planning Authority and retained for that purpose at all time.
Reason: To provide safe and suitable access and ensure that adequate facilities are available for the traffic attracted to the site.

- (14) Prior to commencement of the development, excluding demolition and ground re-profiling work, the applicant shall undertake a noise impact assessment for this application, which shall be submitted and approved in writing by the LPA. This report shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment as well as noise from deliveries, communal areas, residents and events. If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity. These measures shall be agreed in writing by the LPA and shall be implemented prior to and throughout the occupation of the development.

Reason: In the interests of residential amenity.

- (15) Prior to the commencement of the development, excluding demolition and ground re-profiling work, an assessment of the impact of all external lighting associated with the development shall be submitted to and approved in writing by the Local Planning Authority. The assessment should address the impact of the lights (including hours of use) on the nearest receptors. Thereafter the lighting shall be installed and maintained in accordance with the specifications within the assessment.

Reason: In the interests of residential amenity.

- (16) Prior to occupation of the building hereby approved details of the pedestrian access onto Glenthorne Road shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details.

Reason: In the interests of pedestrian safety.

- (17) A23 – Contamination (no info submitted)

- (18) No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes and quality of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues to the surrounding area.

The City Development Manager presented the application for the construction of ground floor Retail Unit (218m² gross internal floor area) and 20 residential apartments with associated amenity space, parking and associated works and provision of an additional 20 parking spaces for use in conjunction with Newcourt Community Centre.

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

- I, and local residents of Jack Sadler Way, believe that, because of the proximity of the development to our properties, we will be "goldfished bowled in" particularly as the number of units have been increased from eight to 20 and the balconies will overlook our properties;
- the development will result in problems of noise, excessive traffic and dust during construction;
- lack of green space for youngsters to play ball etc.;
- significant difficulty in and danger to children crossing the road because of the increase in traffic the development will bring and traffic chaos will result with the opening of the primary school; and
- little room for delivery vehicles to turn.

The City Development Manager advised that the objector's property boundary was 14 metres from the development and that the distance to the property itself was 21 metres. He stated that specifying the hours of delivery was more relevant for the larger supermarkets than for the smaller retail outlet proposed as part of this development. The Highways Development Manager stated that the condition relating to a construction environment management plan would ensure that deliveries avoided school opening and closing times.

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

- existing consent was for a larger, more imposing development than the one now proposed;
- the development helped address the need for additional parking in the area;
- a turning area and parking spaces for delivery vehicles were included in the parking area which is acceptable to the Highways Engineer;
- balconies are provided to accord with policy requirements for private amenity space;
- tried to reduce impact on neighbouring properties as much as possible. The overall size has been reduced and the flats on the top floor do not have balconies;
- a Construction Environment Management Plan is included as a condition which is standard for developments of this nature; and
- already in discussion with a potential occupier of the retail unit.

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 to secure the affordable housing provision (4 apartments for social rent), public availability and maintenance of the extra 18 parking spaces between the retail unit and Omaha Drive, and a contribution of £3,000 from the developer towards a Traffic Regulation Order relating to the works within the public highway to provide a raised pedestrian/cycle crossing over Omaha Drive, planning permission for the construction of ground floor Retail Unit (218m² gross internal floor area) and 20 residential apartments with associated amenity space, parking and associated works and provision of an additional 20 parking spaces for use in conjunction with Newcourt Community Centre be **APPROVED**, subject also to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- (2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 14th March and 26th June 2017 (including dwg. Nos. 001, RNSD-SK00 Rev P8, RNSD-SK201 Rev P8, RNSD-SK202 Rev P8, RNSD-SK203 Rev P8, sk1200 Rev P02 and sk1300 Rev P02) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) **Pre-commencement condition:** No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
Reason for pre-commencement condition: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.
- (4) **Pre-commencement condition:** A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and traffic routing, the effects of piling, emissions of noise and dust and arrangements in respect of site compound to serve the development and accommodation of construction workers vehicles on site during the course of the works. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.
Reason for pre-commencement condition: In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.
- (6) **Pre-commencement condition:** The applicant shall undertake a noise impact assessment for this application, which shall be submitted and approved in writing prior to commencement of the development. This report shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment, noise from deliveries and collections, and noise transmission through the structure of the building as well as air-borne noise.
If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to

ensure that the development does not have a significant negative impact on local amenity. These measures shall be agreed in writing by the LPA and shall be implemented prior to and throughout the occupation of the development.

Reason for pre-commencement condition: In the interests of the residential amenities of the occupants of the proposed apartments and surrounding residential properties.

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

Reason for pre-commencement condition: To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

- (8) In the event of failure of any trees or shrubs planted in accordance with the approved scheme of landscaping indicated on drawing no. RNSD-SK203 Rev P8 to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

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

- (9) No part of the development shall be occupied until a travel plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the recommendations of the travel plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.

Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF.

- (10) No construction /demolition work shall take place outside the following times: 8am to 6pm (Mondays to Fridays) 8am to 1 pm (Saturdays) nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of residential amenity.

- (11) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority

has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.

Reason: To ensure that the materials used are appropriate in the interests of the visual amenity of the area.

- (12) Prior to occupation of the development hereby approved a Wildlife Plan which demonstrates how the proposed development has been designed to enhance the ecological interest of the site, and how it will be managed in perpetuity to enhance wildlife shall be submitted to and approved by the Local Planning Authority. The Wildlife Plan shall include the incorporation of a minimum of 20 integral bird/bat bricks within the fabric of the building. Thereafter the development shall be carried out and managed strictly in accordance with the approved measures and provisions of the Wildlife Plan.

Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.

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PLANNING APPLICATION NO. 17/0440/02 - PHASE 2, LAND NORTH, WEST AND SOUTH OF MET OFFICE, HILL BARTON ROAD

The City Development Manager presented the application for the construction of 116 dwellings and associated works (Phase 2 development area). He explained that an acoustic fence would be required on the southern side as the site was adjacent to the consented commercial development at Moor Exchange. In addition the Highway Authority required that a connection through the southern boundary to the Moor Exchange site to the south would be available to buses, pedestrians and cyclist with private motorised vehicles prohibited. A number of small open spaces would be provided within the development but the main area of open space to serve the Hill Barton development would be delivered as part of the Ridge Line Park in a later phase with a contribution towards the much larger Ridge Line Open Space to which other developments would also be asked to/had contributed.

The Highways Development Manager explained that the bus only route would be signage only because of longstanding problems across the County with a bollard system. The County did not wish to enable access for cars as it was believed that this would result in a "rat-run" from Hill Barton and Monkerton through onto Honiton Road causing capacity issues at the Moor Lane roundabout.

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

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

- do not object to the housing and only seek clarity on condition three for the bus link and condition five, the acoustic fence, changes needed to protect the commercial scheme;
- the layout is driven by higher density and less internal roads but the opportunity has been missed for the main road to run along the hedge to act as a further buffer from the noisy commercial scheme, instead housing now directly borders the hedge;
- in return for greater density, Persimmon have proposed an acoustic fence to solve all the problems, but this is unclear. It is likely that a five/six metre plus acoustic fence is required. The worst case noise scenario from commercial operators needs to be defined so the specification can be appropriately agreed. If the specification of the fence is not sufficient to counteract the proposed noise from commercial operators, then it achieves little. Could condition five require the specification to reflect the proposed/likely noise via commissioned

assessments from the commercial scheme and likely operators - at present it does not;

- could Persimmon negate condition five and not install any fence at all as, at present, the site next door is a field, pending a revised commercial application and is not currently producing any noise;
- lack of enforcement for the bus link into the Moor Exchange land before it reaches highway at Fitzroy Road. Any grey area on highway performance at the entrance of the site concerns potential occupiers. The Highways Engineer has confirmed the concern that the link will be a heavily used rat run and the concern over the junction performance, Honiton Road and Moor Roundabout, yet a bus only link is sought with only signage as enforcement which is unacceptable;
- support the offer of a bus link in the future if an operator serves this route, however, the bus only link must be enforced via a bollard mechanism not just signage. It is common sense that, with only signage, this link will be utilised by private cars - uncertainty for potential Moor Exchange occupiers is unacceptable
- the "build out" proposed will be ineffectual and potentially dangerous and is within the Moor Exchange site and not within the red line of the application;
- there is no suitable control or enforcement delivered within this application; and
- a bollard mechanism is required to ensure this link is used as a bus link only and a barrier mechanism is delivered and secured within the red line of this application via a redrafted condition three.

He responded to Members' queries as follows:-

- the height and nature of the acoustic fence will be determined by the nature of the commercial units which is unknown at present;
- further clarity is required on build-out for a bus only construction to discourage private motorised vehicular use as currently proposed;
- the Moor Exchange scheme is fixed and will react to the operational requirements of commercial occupiers and not reflect the additional 900 homes planned for the area;
- no dialogue to date with the housing applicant nor Devon County Council in respect of the proposed link;
- parking spaces for shoppers are provided for in the Moor Lane development; and
- right hand turns into the site of this proposal as well as into Fitzroy Road is a concern.

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

- outline consent already given and the scheme fits in with the approved Monkerton Masterplan;
- have accepted advice of the Highways Engineer that the link should be bus only but will also support opening the link to all vehicles;
- no objection to "build out" to facilitate the link;
- will comply with Section 106 Agreement for provision of open space which will be provided at the appropriate trigger point.

Responding to a Member, he stated that there had been no discussions yet with bus providers regarding the possible locations of bus stops. Also in response to a Member, he advised that the provision of open space as part of the Ridge Line open space area would be in response to a trigger, the City Development Manager advising that this was related to a numerical number of houses provided which was some time away and was in accordance with outline consent.

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

Members expressed their concerns around the decision to provide a bus link controlled by signage rather than bollards, thus preventing access by motor vehicles, as they believed that this would cause considerable difficulty for the residents of this development and the wider area to access the proposed local shopping centre that was a likely occupier of the Moor Exchange Lane. It was also suggested that vehicles visiting Moor Exchange from Monkerton would cause added pressure on the by-pass and other roads.

The City Development Manager stated that, if the site was to fulfil a role as a local centre, it should be well served by appropriate accesses to the surrounding residential areas. There was also concern regarding the impact of extra traffic on the Moor Exchange roundabout.

Suggestions were made of alternative access points into the Moor Exchange site from this development. There were difficulties associated with the suggestions and, although the developer could re-design the residential layout, the preferred siting of a service road for the commercial development would be adjacent to the southern boundary which would result in traffic conflict with any access from the residential development. It was noted that, at present, no bus provision had been identified.

Members asked for clarification on the highway traffic implications for the area as this and other developments were brought forward and for a clear strategy to be developed for the benefit of local residents. Further consideration was needed regarding access to the site. They urged collaboration between the two developers and the County Council.

RESOLVED that the application be deferred for a report back to this Committee on the strategic access issues relating to the residential and other developments across the whole Monkerton Master Plan area.

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ADJOURNMENT OF MEETING

The meeting was adjourned for the following items to be considered at a further meeting of this Committee to be held on Monday 31 July 2017 at 5.30pm.

Planning Application No 17/0862/03 - Land off Exeter Road, Topsham
Planning Application No 17/0946/03 - The Quay Bridge, The Quay, Exeter Flood Defence Scheme
List of Decisions Made and Withdrawn Applications
Appeals Report
Site Inspection Party

(The meeting commenced at 5.30 pm and closed at 9.00 pm)

Chair

PLANNING COMMITTEE

Monday 31 July 2017

Present:

Councillor Gottschalk (Chair)
Councillors Lyons, Bialyk, Denham, Edwards, Foale, Harvey, Morse, Newby, Prowse,
Sutton and Spackman

Apologies:

Councillor Mrs Henson

Also Present:

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

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

63

PLANNING APPLICATION NO. 17/0862/03 - LAND OFF EXETER ROAD, TOPSHAM

The Principal Project Manager (Development) (HS) presented the application for a re-orientation of car park, revised landscaping and vehicle/pedestrian access to plots 23-28 as amended to The Retreat Drive.

In response to Members, he confirmed that part of Retreat Drive was in the ownership of Devon County Council following transfer from Highways England, although not adopted, and clarified the access arrangements from the car park onto Exeter Road which would be cycle/pedestrian only. One Member expressed concern that the new access onto Retreat Road and then onto Exeter Road could create dangerous traffic conditions.

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

RESOLVED that planning permission for a re-orientation of car park, revised landscaping and vehicle/pedestrian access to plots 23-28 as amended to The Retreat Drive be **APPROVED**, subject to the following conditions:-

- (1) A01 – Time Limit – full
- (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 31st May 2016 (including drawing nos. EXRD-012-SITE PLAN & EXRD-020-LOC PLAN) as modified by other conditions of this consent.

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

PLANNING APPLICATION NO. 17/0946/03 - THE QUAY BRIDGE, THE QUAY, EXETER

The Principal Project Manager (Development) (HS) presented the application for the Exeter Flood Defence Scheme. Variation to approved scheme at Quay Bridge (ref. 15/0172/03): Introduction of a headwall to leat downstream of Quay Bridge. Masonry-clad headwall with bottom-hinged flap gate, glass parapet and access walkway, together with a connecting demountable flood defence barrier system.

The previously approved wider flood relief works included a barrier upstream of Quay Bridge. Furthermore, the original proposals were made to provide 1 in 100 year probability but the Environment Agency were stating that, following detailed surveys and design work, the parapet walls of the Quay Bridge could not withstand an event of greater than 1 in 75 year probability and issues arising from the location of services.

Alternative options including sliding/rolling floodgates to be provided on the western side of Quay Bridge to act as part of the flood defence system had been explored but it was not felt that the Environment Agency had demonstrated that no alternative option was feasible.

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

- planning permission granted in 2015 for the wider flood defence scheme funded by local and national money and delivered by the Environment Agency, Exeter City Council and Devon County Council to provide a common standard of flood protection 1 in 100 chance of occurring in any one year;
- scheme is 60% complete but in the area of Quay Bridge there is need to change the currently consented design due to the dense arrangement and condition of existing services and the fragility of the existing bridge;
- the Environment Agency needs to balance many, sometimes conflicting factors when designing schemes. At Quay Bridge such matters include; engineering practicalities, the interests of local people, heritage and other environmental impacts and value of public money. It understands and shares the need to protect the valuable heritage of the Quay and has spent 11 months and considerable funds fully investigating options. The alternative option of roller gates has been considered and rejected on technical grounds;
- the only viable option which achieves the necessary balance is building the new defence structure across the Leat just south of the existing Quay Bridge. It provides a 1 in 100 year standard for the people, property and infrastructure of Shillhay in common with the rest of the City;
- it will be built to a high-quality specification (inc masonry-cladding, glass parapets and timber decking) as developed by landscape and heritage experts in collaboration with Council's Heritage/Landscape Staff and Historic England;
- it incorporates pedestrian and cycle access to allow future use as an alternative to the current Quay Bridge road bridge and minimises the disruption to residents, businesses and visitors during construction and means Quay Bridge can stay open;
- refusal or deferral would mean proceeding with constructing those parts of the currently consented design that are practical to build and omit those parts that are not. This would result in reduced flood protection (1 in 75 year or 1.33% of happening in any one year) and would leave this community disadvantaged in relation to the remainder of the City. It would have the disadvantages of extensive disruption to people and businesses from the temporary closure of Quay Bridge as access to the constricted area would be from the bridge; and

- eager to provide the best long-term standard for all. Climate change will erode this standard such that it will fall below the 'insurable' level in a matter of a few years;

He responded as follows to Members' queries:-

- the overall cost of the flood prevention works was £32 million;
- service water flooding in the leat upstream of Quay Bridge was pumped out during periods of flooding;
- statutory service providers would not permit works detrimental to their services which were too close to the original proposed scheme;
- a number of meetings had been held with interested parties but there are insurmountable technical problems associated with the original scheme so it was not an issue of seeking cost savings;
- a one in 100 year solution will, with further global warming, reduce to 1 in 75 by 2060/2065 and a scheme that would provide a 1 in 75 year solution would result in insurers revising standards leading to increases in premiums; and
- the new flood control structure will be two metres away and not touch the Bridge;
- the Environment Agency cannot enter in to a period of prolonged further option consideration as this would cause delays (third winter on the Quay), cost more money and is unlikely to reach a different conclusion;
- the Environment Agency is of the view that the public benefits of the application significantly out-weigh the 'harm' of moving the defence from one side of Quay Bridge to the other; and
- the new structure will provide a valuable additional vantage point with glass parapets from which to view the historic buildings. The Quay Bridge remains fully visible.

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

Members felt that the introduction of a new 'bridge' structure ahead of the existing historic bridge would detract from the grouping of the existing bridge with the Grade I Listed Custom House, to the detriment of the character and appearance of the Conservation Area. It was also believed that all options had not been properly assessed and that a more satisfactory scheme would help protect the legacy of the area better.

RESOLVED that planning permission for the Exeter Flood Defence Scheme. Variation to approved scheme at Quay Bridge (ref. 15/0172/03): Introduction of a headwall to leat downstream of Quay Bridge. Masonry-clad headwall with bottom-hinged flap gate, glass parapet and access walkway, together with a connecting demountable flood defence barrier system be **REFUSED** for the following reasons:-.

- (1) it has not been demonstrated in the application that alternative means of protecting residential properties in this area to a 1 in 100 standard, if desired, cannot be achieved by alternative means that result in significantly less harm to the setting of listed buildings or to the desirability of preserving or enhancing the character or appearance of the Riverside Conservation Area;
- (2) it has not been demonstrated in the application that the benefits of an increase from 1 in 75 year (1% annual probability) to 1 in 100 year (1.3% annual probability) standard of flood protection outweighs the harm to the setting of listed buildings or to the desirability of preserving or enhancing the character or appearance of the Riverside Conservation Area; and

- (3) on balance, the proposals are considered to be contrary to the aims of Exeter Local Plan First Review 1995-2011 Policies C1 and C2, Exeter Core Strategy Policy CP17 and Paragraph 132 of the NPPF.

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

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

66 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

67 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party will be held on Tuesday 22 August at 9.30 a.m. The Councillors attending will be Foale, Newby and Spackman.

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

Chair

PLANNING COMMITTEE

Monday 4 September 2017

Present:

Councillor Gottschalk (Chair)
Councillors Bialyk, Denham, Edwards, Harvey, Mrs Henson, Morse, Newby, Prowse, Sutton and Spackman

Apologies:

Councillors Lyons and Foale

Also Present:

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

68

MINUTES

The minutes of the meetings held on 24 April, 22 May and 26 June 2017 were taken as read and signed by the Chair as correct.

69

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

70

PLANNING APPLICATION NO. 17/0440/02 - PHASE 2, LAND NORTH, WEST AND SOUTH OF MET OFFICE, HILL BARTON ROAD

The Principal Project Manager (Development) (MH) presented the application for the reserved matters application for construction of 116 dwellings and associated works (Phase 2 development area).

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

The Principal Project Manager advised that, following consideration by the Planning Member Working of the wider access issues in the area, Members had sought clarification on the legal/planning position in respect of the future composition of the commercial land in relation to access arrangements. He advised that this was purely a matter for planning judgement. In addition to information on the update sheet he reported that the agent for the developer of the commercial land had reiterated concerns in respect of the proposed layout, removal of the hedgerow, the nature of the acoustic fence, landscaping details and the need for a physical barrier for the proposed bus link. The agent had sought further information on the three road layout options put forward through a revised unilateral undertaking and the need for technical drawings to be provided on connections between the developments

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

- do not object to the housing, but only seek clarity on three key boundary matters and request deferral for more consideration;

- the layout is driven by higher density and do not object to this principle, however the opportunity has been missed for the main road to run along the hedge boundary to act as a further buffer from the noisy commercial scheme, instead housing now directly borders the boundary hedge, in some cases within 10 metres from a consented noisy service yard. The outline consent proposed to retain the 200m length of hedge, yet the commercial developer was only advised on 1 September that the hedge will be removed to ensure adequate parking and gardens are provided with the new boundary being the acoustic fence;
- the photos show this 150 year hedge to be in a very healthy condition, acting as a 7 metre screen between residential and commercial sites, yet for its own convenience the applicant wishes to ignore their outline consent and ecology assessment and remove this hedge out. There is no justification to remove and the hedge should remain and the acoustic fence delivered on the northern side of the hedge line, at present it is not. Together they would make an effective boundary between residential and commercial;
- an acoustic fence is proposed to solve all the noise concerns and this matter is put sharply into focus if the hedge is now being ripped out. This was not clarified at the last committee meeting. But will the fence solve the problems? To serve the purpose it is likely a 5-6metre acoustic fence is required. This would be a high unsightly fence. Planning should be secured for this fence as part of this application To ensure this application is sound, deliverable and provides the comfort of ripping out this historic 200m hedge;
- no landscaping details have been included and it is not felt that the application can be determined absent of those details;
- a tighter drafting of the acoustic condition has been requested, with the specification reflecting the proposed/likely noise via commissioned assessments from the commercial operators, but this has not been agreed by officers;
- some junction designs have been secured via an undertaking, yet no documents have been provided since the last committee meeting and fair representation can not therefore be made. Working drawings have been requested to understand how road links/levels may work between the two schemes but not provided. A deferral is therefore sought;
- support highways in offering the bus link in the future, however, the bus only link must be enforced via a control mechanism not just signage. A signage only link will be utilised by private cars and condition three needs to drafted to reflect this;
- at the last meeting the highways officer confirmed the concern that a full vehicular link would be a heavily used rat run and lead to issues with junction performance. Sight of the junction layouts are required; and
- clarity and a deferral to understand the above issues is requested.

He responded to Members' queries as follows:-

- the retention of the hedge is important to act as an additional acoustic barrier to the fence as it will be next to the service yard of the commercial development which is likely to be noisy. This may impact on the ability of the commercial developer to attract interest in the site;
- Persimmon have put forward the road layout in order to maximise the number of units that can be included in the development;
- the commercial developer, having maintained the hedge for some 65 years, can continue to do so if it is retained;
- the suggestion of a bus link only may discourage access to the commercial site by residents of the new development but this is the County Council's suggestion and detailed plans have not been made available.

Members welcomed the proposals contained in the unilateral undertaking and the retention of the link between the two sites. Greater co-operation between developers was required in general terms and it was suggested that future land allocation, particularly through the Greater Exeter Strategic Partnership process, was one way of helping to facilitate this.

The recommendation was for approval, subject to an appropriate Unilateral Undertaking and 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 regarding the construction of a road link up to the ownership boundary and the payment of a required financial contribution to the County Council of £75,000 towards potential means of control over use of the highway connection to the adjoining land planning permission for the reserved matters application for construction of 116 dwellings and associated works (Phase 2 development area) be **APPROVED**, subject to the following conditions:-

- (1) All conditions imposed on application number 14/0832/03 are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- (2) 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 22nd & 26th June and 6th July 2017 (including dwg. nos. Location Plan, 120 Rev P7, 121 Rev P4, GA-02 Rev P1, 122 Rev P2, 123 Rev P3, PL500-1 Rev P2, PL500-2 Rev P2, PL500-3 Rev P2, PL501-1 Rev P2, PL501-2 Rev P2, PL501-3 Rev P2, PL501-4 Rev P2, PL501-5 Rev P2, PL501-6 Rev P2, PL501-7 Rev P2, PL502-1 Rev P2, PL502-2 Rev P2, PL502-3 Rev P2, PL503-1 Rev P1, PL503-2 Rev P1, PL503-3 Rev P1, PL503-4 Rev P1, PL504-1 Rev P2, PL504-2 Rev P2, PL504-3 Rev P2, PL504-4 Rev P2, PL504-5 Rev P2, PL504-6 Rev P2, PL505-1 Rev P2, PL505-2 Rev P2, PL505-3 Rev P2, PL506-1 Rev P3, PL506-2 Rev P3, PL506-3 Rev P3, PL506-4 Rev P3, PL506-5 Rev P3, PL506-6 Rev P3, PL507-1 Rev P2, PL507-2 Rev P2, PL507-3 Rev P2, PL507-4 Rev P2, PL507-5 Rev P2, PL508-1 Rev P2, PL509-1 Rev P2, PL509-2 Rev P2, PL509-3 Rev P2, PL509-4 Rev P2, PL510-1 Rev P2, PL510-2 Rev P2, PL510-3 Rev P2, and PL510-4 Rev P2) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) No more than 65 of the dwellings included within this application shall be occupied until the road outside plot 246 has been constructed up to the boundary of the applicant's land ownership with the adjoining land to the south (safeguarding a potential bus route), as indicated on Drawing Number 120 Rev P7, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the full extent of the road up to the said boundary shall be included within any Highway Adoption agreement in respect of this development.
Reason: To provide adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.
- (4) The pedestrian/cycle connections from the development to the adjoining combined foot/cycle path, located adjacent to plot 247 and between plots 262 & 263, shall be constructed and made available for use by the public in accordance with details (including a timeframe) that shall be submitted to

and approved in writing by the Local Planning Authority prior to occupation of 50% of the dwellings included within this application.

Reason: In the interests of permeability and maximisation of opportunities for the adoption of sustainable transport choices in connection with both travel to work and recreation by residents of the development and their visitors.

- (5) The acoustic fence along south-east boundary of the site between plots 205 and 246, as indicated on drawing no. 121 Rev P4 (Materials & Boundary Treatment Plan), shall be constructed prior to occupation of any dwellings bordering it in accordance with further details/specification which shall previously have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the residential amenities of the potential occupants of those properties bordering the adjoining commercial land, and to protect the interests of the adjoining land owner in relation to the carrying out of lawful operations associated with the commercial use of the adjoining land.

- (6) No part of the development hereby approved shall be commenced until details (including timeframe for delivery) of a proposed pedestrian/cycle connection of a minimum 3 metre width between the Met Office path and the southern boundary of the site between the parking for plots 227/228 have been submitted to and approved in writing by the Local Planning Authority. Thereafter the said connection shall be constructed in accordance with those details up to the boundary of the applicant's land ownership with the adjoining land to the south prior to the first occupation of more than 65 dwellings included within this application, or such other trigger agreed in writing by the Local Planning Authority as part of the details to discharge this condition.

Reason: In the interests of permeability and encouragement of the use of sustainable modes of transport.

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PLANNING APPLICATION NO.17/0946/03 - THE QUAY BRIDGE, EXETER FLOOD DEFENCE SCHEME

The City Development Manager presented the application for Exeter's Flood Defence Scheme. Variation to approved scheme at Quay Bridge (ref. 15/0172/03): Introduction of a headwall to leat downstream of Quay Bridge. Masonry-clad headwall with bottom-hinged flap gate, glass parapet and access walkway, together with a connecting demountable flood defence barrier system.

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

The City Development Manager advised that, following consideration at the Planning Committee meeting on 31 July when permission had been refused as it had not been demonstrated that the benefits of an increase from 1 in 75 year to 1 in 100 year standard of flood protection outweighs the harm to the setting of listed buildings or to the desirability of preserving or enhancing the character or appearance of the Riverside Conservation Area, Members had met with Environment Agency representatives on site on 22 August 2017.

It had been recognised on site that alternative options were not feasible and that, although there would be some impact on the valuable heritage of the Quay, the need to protect homes in the event of flooding was paramount.

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

- the project is to reduce flood risk to families and businesses and allow Exeter to thrive and the proposal was the only opportunity to reduce flood risk for this iconic location and prevent an excess of 100 homes and businesses being put at greater risk of flooding;
- the design is the result of nearly a year's discussions and compromise between officers from the Environment Agency, Exeter City Council and Devon County Council and from outside experts, representing heritage and engineering. It is the best design that can be submitted; and
- the defences proposed will sit sensitively within the Quay and will help frame the historic Quay Bridge and Custom House but will not draw attention away from their architectural features, apart from, perhaps, the gas pipework across the bridge).

Members recognised the need to avoid flooding problems in the area, similar to those experienced elsewhere in the country during adverse weather conditions, and therefore supported the application.

The recommendation was for approval.

RESOLVED that planning permission for Exeter's Flood Defence Scheme. Variation to approved scheme at Quay Bridge (ref. 15/0172/03): Introduction of a headwall to leat downstream of Quay Bridge. Masonry-clad headwall with bottom-hinged flap gate, glass parapet and access walkway, together with a connecting demountable flood defence barrier system be **APPROVED**, subject to conditions, the wording of which to be delegated to the City Development Manager, subject to prior consultation with the Chair of this Committee.

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

73

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

74

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 19 September 2017 at 9.30 a.m. The Councillors attending will be Prowse, Morse and Gottschalk.

(The meeting commenced at 5.30 pm and closed at 6.17 pm)

Chair

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PLANNING COMMITTEE

Monday 2 October 2017

Present:

Councillors Lyons, Bialyk, Foale, Mrs Henson, Newby, Prowse, Sutton and Spackman

Apologies:

Councillors Gottschalk, Denham, Edwards, Harvey and Morse

Also Present:

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

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CHAIR

In the absence of Councillor Gottschalk, the meeting was chaired by Councillor Lyons.

76

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

77

PLANNING APPLICATION NO. 17/1091/RES - LAND NORTH OF EXETER ROAD AND ADJACENT TO TOPSHAM RUGBY CLUB, EXETER ROAD

The Principal Project Manager (Development) (MH) presented the application for the approval of details for 54 dwellings, public open space, landscaping and associated highways and drainage infrastructure, i.e. for reserved matters of layout, scale, appearance and landscaping (Pursuant to outline planning permission granted on 27th April 2016, reference 14/2066/01).

The Principal Project Manager reported that details of the surface water drainage scheme would need to be submitted for approval in line with a condition of the outline consent and that cycle storage would be provided for either within garden sheds or garages of those units which had them.

The City Development Manager set out the background to the Inspector's decision upholding the appeal over the original committee refusal at outline stage and the implications for the City's overall housing supply and on the assessment of the impact on the "Topsham Gap".

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

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

- objectors are concerned with what precisely Topsham will end up with in the field next to the Rugby Club. Please reject and back up with rock-solid reasons why it is not an appropriate development for this site;
- the original outline application was approved on the basis of the housing element being age-restricted with small, one or two bedroomed houses suitable for single elderly people or elderly couples. Even if all 55 houses had subsequently been occupied by couples, the total number of new Topsham residents would have been only 110;

- the total number of bedrooms proposed for all the housing on this site is now 171, and many of these will be double bedrooms. This represents an increase in the head count of future residents of at least 50% than that originally outlined;
- if luxury family homes are provided the number of cars per household will also go up;
- the Planning Inspector noted in his report that the “mix of Care Home and Assisted Living and age-restricted dwellings, together with 19 affordable housing units” carried significant weight with him when he decided to uphold the appeal. If the applicant does propose such a fundamental change in basis, should this matter be processed under the Reserved Matters procedure? The original basis of the approval should be robustly implemented;
- the amount of affordable housing included in this proposal appears to be insufficient. Of the 54 dwellings applied for, only 11 dwellings are now designated as “affordable units” (although the Design and Access Statement mentions 13). Exeter City Council normally recommends that 35% of a development be devoted to affordable housing and therefore the figure should be 18 or 19 dwellings;
- Topsham has a particularly acute housing affordability issue. Any developments undertaken in the town should concentrate on affordability for the benefit of local people; and
- the developers should not be permitted to minimise their responsibility to provide policy-compliant levels of Affordable Housing.

She responded as follows to Members’ queries:-

- representing the Topsham Society and some 650 members of the Save Topsham Gap group all of whom are very concerned about this development;
- the surface water system has insufficient capacity to serve the proposals without risk of overspillage onto Exeter Road, the applicant having failed to address this deficiency referring to surface water being discharged to ground (soakaway) or, if this is not practical, being discharged to public sewer - these are not viable. Any approval should require either that surface water should be retained on site or that a Planning Obligation is made for the developers to contribute to an upgrade of the existing infrastructure; and
- although a sum of £850,000 will be provided by the developer which will potentially lead to additional social housing City wide this may not necessarily benefit Topsham residents.

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

- Burrington Estates Ltd. are an Exeter based property company recently having won an NHBC quality award;
- development will provide two, three and four bedroom homes and a community of varying tenure and social groups. A social rented element will provide 13 affordable homes. There will be a financial contribution towards off-site provision in lieu of the shared ownership element of the affordable housing;
- the development will cater for a variety of people as the age restriction has been removed which will also facilitate first time buyers;
- parking and garage provision exceeds standards;
- widespread consultation was undertaken held at the Topsham Rugby Club and included local Councillors;

- should ground conditions be unsuitable for soakaways, the contingency approach would be to substitute the soakaway crates with underground surface water attenuation tanks incorporating a controlled discharge rate to the public surface water sewer. This approach is in accordance with the approved Flood Risk Assessment. Foul sewage will be connected to the public foul sewer network. South West Water have confirmed that there is sufficient capacity in the network to accommodate the drainage associated with this development.

He responded, as follows, to Members' queries:-

- no longer pursuing the age restricted option as the market would be unfavourable as certain individuals would be unable to secure mortgages; and
- houses will be a mix of two and two and a half storey, that is, with a room in the roof.

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

RESOLVED that, subject to the completion of a Deed of Variation to the existing legal agreement covering the matters of the age restriction on occupancy and affordable housing matters, planning permission for details for 54 dwellings, public open space, landscaping and associated highways and drainage infrastructure, i.e. for reserved matters of layout, scale, appearance and landscaping (Pursuant to outline planning permission granted on 27th April 2016, reference 14/2066/01) be **APPROVED**, subject to the following conditions:-

- (1) All conditions imposed on application number 14/2066/01 are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason - To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- (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 23rd June and 14th September 2017 including drawing nos. PL01, PL03 Rev A, PL04 Rev B, PL05 Rev A, PL06 Rev A, PL07 Rev A, PL08 Rev A, PL10 Rev A, PL17 Rev B, PL18 Rev A, PL12, PL14, PL15, PL20, PL21, PL22, PL23, PL24, PL25, PL26, PL27, PL28, PL29, PL50, 450/01, 450/02 Rev A, 450/03, 450/04 Rev A and 450/05 Rev A as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) Samples of the proposed bricks to be used in the construction of the dwellings hereby approved shall be submitted to the Local Planning Authority. No brick shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason – in the interests of the visual amenities of the area.
- (4) The development hereby approved shall be completed in accordance with detailed information demonstrating the finished floor levels and overall ridge heights of the proposed dwellings in relation to existing ground levels and properties surrounding the site.

Reason: To ensure that the relative heights of the proposed dwellings in relation to prevailing surrounding land levels and existing properties is acceptable in terms of visual and amenity impact.

- (5) Prior to the commencement of the construction of any individual dwelling comprised in this application details of proposed bat/bird bricks to be incorporated into the building fabric of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.
Reason: To enhance the ecological interest of the site in line with guidelines set out in the Council's adopted Residential Design SPD.

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PLANNING APPLICATION NO. 17/1106/RES - LAND NORTH OF EXETER ROAD AND ADJACENT TO TOPSHAM RUGBY CLUB, EXETER ROAD

The Principal Project Manager (Development) (MH) presented the application for the reserved matters application (pursuant to outline permission granted on 27th April 2016, ref 14/2066/01) for approval of the layout, scale, appearance and landscaping of the Care Home and Assisted Living Apartments.

The Principal Project Manager (Development) stated that the height of the Care Home facing Exeter Road from ground to roof ridge was approximately 11 metres and that it was nine metres from the road side. He confirmed that the drainage would feed into the system provided within the adjoining residential scheme. He also advised that the standard condition to minimise disruption during the construction phase was included in the outline consent and would be in conjunction with that of the residential development.

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

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

- urge refusal with reasons given;
- the Planning Inspector's report after the Public Inquiry focused principally on strategic issues, and as the proposal under consideration was an outline application, little attention was given to the form, massing or scale of the development;
- the Topsham Society has urged this committee not to be steamrolled into "rubber stamping" this application, simply because the original outline application appeal was lost, and to give it full and proper scrutiny;
- the frontage of the Care Home onto Exeter Road, which is the back of the building, is large and continuous with only uncharacteristic broad gables to break up the monolithic form. It is wholly out of character with the scale and grain of the surrounding small individual houses and terraces. The architects have provided an "off-the-peg" Care Home designed in London by people who have never been to Topsham - or possibly even Exeter;
- the Assisted Living block behind is simply colossal, up to four storeys high, of proportions, scale and architectural detailing fundamentally at odds with that of the town, especially at its fringe. If approved it will blight the entrance to the town, not form a "gateway" as claimed by the applicant;
- the proposals should be significantly reduced in scale, but also any larger floorplate monolithic blocks moved to the core of the site so the site fringes may be mitigated by smaller scale general housing; and

- also under question is the fact that the Care Home frontage is now significantly closer to Exeter Road than shown in the outline application and the destruction of the Devon Bank which I believe has already been implemented.

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

- Octopus Healthcare (OH) believe this site provides the perfect location for a new care and assisted living development, OH being a long-term investor in all forms of healthcare related activities with three primary healthcare facilities in the wider south west area. Looking to invest approximately £25 million into the local economy with 100 jobs created during construction;
- Aura Care Living will operate and manage the development, seeking to deliver a market leading service through age appropriate design coupled with market leading customer service;
- the development will benefit the local area as the assisted living development could enable people to down size which will free-up a wide number of family sized houses. It will offer excellent accommodation for the residents of Topsham who require care and support in their old age;
- after consultation at the rugby club and following comments from local residents, the layout of the site was re-designed by locating the care home on the frontage, two storeys in height, thus mitigating the larger mass fronting onto Exeter Road;
- the care home is set back nine meters from the site boundary, 12 meters from the edge of Exeter Road and is located more than 30 meters away from the front of the dwellings on the opposite side of the road. This will serve to retain the wide and open nature along Exeter Road;
- privacy is further enhanced with the inclusion of a “buffer zone” and private garden along the edge of Exeter Road. A varied building line will also help to break up the façade and, combined with balconies, provides interest and activity to the building;
- the assisted living scheme is set behind the care home, much further into the site and, as such, creates a hierarchy in scale with the bigger part of the development set away from the frontage of Exeter Road and largely screened by the care home;
- the assisted living supports an active lifestyle with good levels of amenity, including private gardens and large balcony areas. There are also communal living spaces to improve social interaction amongst the residents;
- the design creates high quality living space and encourages social interaction; and
- the proposals are in line with the outline planning approval.

He responded, as follows, to Members’ queries:-

- it was not an “off the shelf” scheme and the London based architects had visited the site on a number of occasions and were familiar with the locale. The company had a wide portfolio of homes and the Exeter Road site will be of a very high standard;
- it was not considered that the floodlights on the adjoining rugby club site would be an issue as they were infrequently used and faced away from the development. Rugby activity on a Saturday will be of interest to some residents; and
- no advice had been received from any consultees that the Devon Hedge along the boundary was protected.

Members welcomed the provision of a high standard facility for the elderly offering a range of care options although it was remarked that the care home itself would be somewhat overbearing fronting onto Exeter Road. They noted the proposals in respect of drainage and it was commented that the scheme was very well designed. In light of the recent Grenfell Tower tragedy, Members raised issues relating to fire safety. In particular, they referred to the likely use of mobility scooters and the possibility that they would be left in the corridors creating a hazard should a fire occur causing people to fall on trying to leave as well as obstructing fire fighters. In some developments, mobility scooters were known to be charged within corridors, in some cases with leads trailing into flats themselves.

The Principal Project Manager (Development) reported that part of the scheme would include sprinklers. With regard to mobility scooters, both parking spaces and charging points were to be provided in the underground car park.

Members, whilst commenting that regulations would change after Grenfell, felt that any concerns over fire safety should be addressed as a priority. They particularly referred to the need to ensure that quick evacuation in the event of fire would not be compromised and that the highest standard of escape routes were provided. This was important for this development and should also be a paramount consideration as further schemes were brought forward.

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

RESOLVED that, planning permission for the reserved matters application (pursuant to outline permission granted on 27th April 2016, ref 14/2066/01) in respect of the layout, scale, appearance and landscaping of the Care Home and Assisted Living Apartments be **APPROVED**, subject to the following conditions:-

- (1) All conditions imposed on application number 14/2066/01 are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- (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 23rd June and 14th September 2017 including drawing nos. APL001 Rev B, APL 003 Rev B, APL004 Rev B, APL006 Rev B, APL007 Rev B, APL008 Rev B, APL009 Rev B, APL010 Rev B, APL011 Rev B, APL012 Rev B, APL013 Rev B, APL020 Rev A, APL021 Rev A, APL022 Rev A, APL023 Rev A, APL014 Rev A, APL015 Rev A, APL016 Rev A, APL017 Rev A, APL018 Rev A, APL019 Rev A, APL024 Rev A, APL025 Rev A and APL005 Rev B.
Reason: In order to ensure compliance with the approved drawings.
- (3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason - To ensure that the materials conform to the visual amenity requirements of the area.

- (4) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of the 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 completed in accordance with the approved details.
Reason: In the interests of the visual amenities of the area and the residential amenities of the occupants of surrounding properties.
- (5) Prior to the commencement of the construction of any of the buildings comprised in this application details of proposed bat/bird bricks to be incorporated into the building fabric shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.
Reason: To enhance the ecological interest of the site in line with guidelines set out in the Council's adopted Residential Design SPD.
- (6) Prior to the installation of any mechanical building services plant, details of the plant shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, design (including any compound) and noise specification. The plant shall not exceed 5dB below the existing background noise level at the site boundary. If the plant exceeds this level, mitigation measures shall be provided to achieve this in accordance with details to be submitted to and approved in writing by the Local Planning Authority. (All measurements shall be made in accordance with BS 4142:2014).
Reason: In the interests of the amenity of the area, especially nearby residential uses. These details are required pre-commencement as specified to ensure that the plant will not give rise to significant adverse impacts on the amenity of neighbouring receptors.
- (7) Before the development commences, a scheme for the installation of equipment to control the emission of fumes and smell from kitchens serving meals to residents and visitors at the premises shall be submitted to, and approved in writing by, the local planning authority and the approved scheme shall be implemented. All equipment installed as part of the scheme shall be operated and maintained in accordance with the manufacturer's instructions thereafter. (Further guidance on the required information is available in annex B of the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems').
Reason: In the interests of the residential amenities of the future occupants of the buildings.
- (8) Prior to commencement of the development, the applicant shall submit for approval in writing a scheme for the ventilation of the underground car park area. The approved scheme shall be implemented in full prior to first use of the car park, and maintained thereafter.
Reason: In the interests of the health and residential amenities of the occupants of the building and users of the associated underground parking facilities.
- (9) Prior to commencement of the construction of any buildings comprised in this development the applicant shall submit for approval in writing by the LPA an Acoustic Design Statement. Any mitigation measures required shall be implemented in full prior to occupation of the development and be maintained thereafter. (*The Professional Practice Guidance Note (ProPG): Planning and Noise for New Residential Development May 2017 (ANC, IoA*

and CIEH) describes the expected content and approach of an Acoustic Design Statement.)

Reason: In the interests of the residential amenities of potential occupants of the development.

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**PLANNING APPLICATION NO. 17/0750/FUL - THE KING BILLY, 26-28
LONGBROOK STREET, EXETER**

The Principal Project Manager (Development) (PJ) presented the application for Demolition of the King Billy pub to build a mixed use development scheme comprising of ground floor commercial units (Use Classes A1, A3 and A4) with 108 bed space student accommodation above over six and seven storeys.

The Principal Project Manager (Development) advised that the applicant had provided an access statement covering existing and future use of the area to the rear of the flats yard for deliveries and dropping off and picking up of students and that this had been developed in consultation with the adjoining commercial operators. He stated that the location of these student flats was appropriate in that it was both within the city centre so that students would not be passing through residential areas after nights out and was also close to the campus. He also advised that travel plans for student accommodation blocks were addressed by the County Council travel team and were unique to each site.

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

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

- the Inspector's decision that student housing cannot be included in the assessment of the five year housing supply placed the Council in a difficult position when considering planning applications for housing developments. Believe that sites such as this would more appropriately suit housing or flats for the general market;
- Policy H5 of the Local Plan states that there should not be an over concentration of use in one area such that the character of the neighbourhood is changed or an imbalance created - this development will change the balance of the community. The main thrust of the St. James Neighbourhood Plan is to maintain a community balance;
- there is no evidence that the provision of purpose built student accommodation frees up houses for family occupation. The number of houses in multiple occupation in St. James is increasing inspite of additional purpose built accommodation;
- the application should be considered with regard to policies within the St. James Neighbourhood Plan;
- a decision should not be made until up to date information on current student numbers are available and the University plans for accommodating them in the future are clear; and
- request deferral of the application for a report on student housing in the City.

The City Development Manager stated that it was not appropriate to defer applications for policies to be reviewed but that they should be considered on their merits. Furthermore, the existing policy was that a minimum of 75% of the student population should be accommodated in Purpose Built Student Accommodation (PBSA), with the inference that as much as possible should be accommodated in this way.

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

- Exeter St. James Neighbourhood Forum urge the rejection or deferral of an application for yet more PBSA in the ward;
- the plans are contrary to the overriding objective of the St. James Neighbourhood Plan to create a better community balance between the settled and student population;
- the development is out of character and will overshadow the adjacent residential accommodation on Longbrook Street;
- the Neighbourhood Plan became approved planning policy some three to four years ago. At that time, just under 50% of the residents of the ward were students;
- in spite of the Article 4 direction, the settled residents are fast becoming a shrinking minority. The residents are not opposed to students living in the ward but there are an increased number of houses in multiple occupation (HMO's) in the ward and the need for community balance should be recognised and further erosions in this balance prevented;
- there are in excess of 5,000 people looking to be housed in Exeter and, an unknown number of people who work and who would like to live in the City, but who cannot find affordable housing (either rented or purchased);
- most PBSA cannot be converted into residential accommodation;
- John Lewis raised a number of concerns and the risk relating to cladding has not been resolved;
- there is doubt as to whether the quoted number of 1,900 additional units reflects the current situation and a deferral is requested until the report as to precise numbers required is available together with reports as to the number of HMO's in St. James and the current occupancy rate of the existing PBSA; and
- this parcel of land should be developed for the long term and for the benefit of the settled residents and those who would like to be settled in Exeter.

In light of the recent Grenfell tower tragedy, Members raised issues relating to fire safety. Notwithstanding that new buildings could be built abutting others, they noted that the windows to the rear of some of the flats would be very close to the John Lewis building. These would have a limited view only overlooking a car park but the real concern was that fire could easily jump from the store building to the flats particularly as it was unclear whether the cladding materials on the John Lewis building were non-combustible. Although the advice given was that it was non-combustible, it was unclear if the cladding was either "tight" or "loose" in relation to the building's internal structure and that, if the latter, the danger of a fire developing because of a "chimney" effect was still possible. Further information was sought on this issue as well as whether the developer proposed to provide sprinklers within the flats.

A Member also referred to the retail and pub element proposed for the ground floor which it was considered was very important to provide interest along this part of the street and stated that a reassurance was required from the developer that there remained a commitment to providing this element.

Another Member asked that an update on the University's vision should again be requested to include information on its future expansion plans, the current and intended student numbers and how many would require accommodation in Exeter, what the current accommodation supply was and whether there was a shortfall.

The City Development Manager advised that any application to change the use of the ground floor away from retail/commercial would come back to this Committee. He also stated that the application should not be deferred to investigate fire safety and structural issues as they were covered by other legislation.

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

RESOLVED that the application for the demolition of the King Billy pub to build a mixed use development scheme comprising of ground floor commercial units (Use Classes A1, A3 and A4) with 108 bed space student accommodation above over 6 and 7 storeys be **DEFERRED** for further information to be provided on the following issues:-

- (i) clarity on the testing of the cladding on the John Lewis building and whether any test had been limited to the material itself and not on the structure as well and whether the cladding was “tight” or “loose”; and
- (ii) whether the student block itself would be clad and if sprinklers were to be provided.

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

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

81 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

82 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party be held on Tuesday 17 October at 9.30 a.m. The Councillors attending will be Harvey, Prowse and Spackman.

83 **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.

84 **ARTICLE 4 REPORT**

The City Development Manager presented a report proposing an Article 4 Direction (under the Town and Country Planning (General Permitted Development) Order 2015, as amended), to remove the permitted development right for demolition of a property with immediate effect.

RESOLVED that as the demolition of the property set out in the report without the benefit of planning permission would be prejudicial to the proper planning of the Council's area or constitute a threat to the amenities of the Council's area and that it is expedient that such demolition should not be carried out unless permission is granted for it on an application to the Council, the City Development Manager, subject to prior consultation with the Portfolio Holder for City Development, be authorised to make an Article 4 Direction relating to this property in the form (or substantially in the form) of the draft Direction in Appendix 2 of the report, and to consider any representations as well as deciding whether to confirm the Direction with, or without, amendments.

(The meeting commenced at 5.30 pm and closed at 8.00 pm)

Chair

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LICENSING COMMITTEE

19 September 2017

Present:

Councillor Roger D Spackman (Chair)

Councillors Sheldon, Brimble, Hannan, D Henson, Holland, Mitchell, Keen, Newby, Owen, Pearson and Sills

Apologies:

Councillors Branston and Foale

Also present:

Environmental Health and Licensing Manager, Solicitor and Democratic Services Officer (Committees) (MD)

15 **Minutes**

The minutes of the meeting held on 18 July 2007 were taken as read and signed by the Chair as a correct record.

16 **Declarations of Interest**

No declarations of interest were made by Members.

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 1 of Part I, Schedule 12A of the Act.

Member's Statement

Cllr Henson stated he considered he should not take part in the application for a Street Trading Consent as he had previously questioned the procedure in respect of this application. Cllr Henson decided to step down in order to ensure that a fair hearing took place and he subsequently left the meeting.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

18 **Application for Street Trading Consent**

The Environmental Health & Licensing Manager presented the report. He explained that Mr P was seeking approval to engage in street trading at a number of locations to sell hot food from a purpose built catering vehicle. He currently held a roving street trading consent which allowed him to trade anywhere in the City. There had been complaints previously received concerned with noise, odour and spillage of waste water in residential areas.

The Environmental Health & Licensing Manager explained that these complaints had all been addressed through the purchase of a new catering van which had incorporated an integrated waste water storage tank and an inverter mechanism to remove the need for a generator. He explained that the Principal Licensing Officer had performed a visit to the Applicant on 10th August 2017 who was satisfied that the van was compliant and would not cause any more complaints.

The Applicant had applied for a new street trading consent to limit his trading to specific locations on particular days of the week. The days, times and trading locations requested were as follows:

- Grace Road Central (Monday to Friday 07:00- 15:00);
- Ide Lane, Alphington (Tuesdays and Fridays 16:00 – 20:00)
- Broadway (Wednesdays 16:00 – 20:00)
- Collins Road / Sylvania Drive (Tuesdays 16:00 – 20:00).

The Environmental Health and Licensing Manager informed Members that Mr P held a 5 out of 5 hygiene rating and that Environmental Health and Licensing had no issues with the application.

Mr P was in attendance and requested a change of trading days on his application for Collins Road / Sylvania Drive to also include Thursdays. He stated that he had been aware of previous problems and had rectified them, including the purchase of a new van and generator, which he had brought to the meeting. He explained he was the sole income provider in his household.

In response to questions from Members, the Environmental Health and Licensing Manager explained:-

- The policy informs that any non-compliance of the licence would mean the applicant would be brought back to full Licensing Committee. There is a planned revision to the policy that would allow future incidents to be dealt with by Licensing Sub Committee, which could be organised at short notice;
- Each application is different concerning the 100m distances for litter, it is not expected Mr P would cause a detrimental impact, but if so it would come back to Licensing Committee;
- Regarding fly posting, a business is culpable for it, regardless of whether they have put it up or not. It would be being referred back to Licensing Committee;
- We have a good relationship with Devon County Highways, who normally respond to requests for representation. The Principal Licensing Officer would have to confirm if any comments were received;
- The photographs in the report were taken by the Principal Licensing Officer when he conducted the site visit. The van was parked where it would be if conducting business at the various locations and there were no parking obstructions observed;
- The Licensing Committee had the power to add conditions to the licence in relation to litter collection;

The Chair supported looking at the terminology of the conditions at a future meeting to maintain consistency. A Member informed Mr P that there were ongoing canvassing for parking restrictions happening in the Pennsylvania which might impact on parking in this location.

Members were given a demonstration of the new van and generator by the Applicant. Mr P left the room for the Licensing Committee to deliberate.

RESOLVED that the application be approved with the following conditions:

- a) In the event that issues do arise from this consent, then they should be referred back to the Licensing Committee at the first available opportunity.
- b) That all of the conditions contained within Appendix A of the Street Trading Policy dated June 2015 should be included on the consent;
- c) That the consent holder will provide a bin for customer use and that the consent holder will ensure that any rubbish in the vicinity (within 100m of the business), emanating from the business is cleared away at regular intervals.
- d) The use of A boards and flags is prohibited;
- e) The consent holder will not conduct fly posting.
- f) The previous licence to be surrendered;
- g) Addition of Thursdays to the days of trading in Collins Road/ Sylvania drive.

The meeting commenced at 5.30 pm and closed at 6.15 pm

Chair

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PEOPLE SCRUTINY COMMITTEE

Thursday 7 September 2017

Present:

Councillor Wardle (Chair)
Councillors Branston, Foggin, Hannan, Hannaford, Holland, Morris, Thompson and Vizard

Apologies:

Councillor Foale

Also present:

Director, Service Lead Housing Assets, Housing Needs Strategy and Partnership Lead,
Principal Accountant Corporate, Technical Accounting Manager and Democratic Services
Officer (Committees) (HB)

In attendance

Councillor Emma Morse	- Portfolio Holder for People
Councillor Hannah Packham	- Portfolio Holder for the Housing Revenue Account
Councillor Phil Bialyk	- Portfolio Holder for Health and Wellbeing, Communities and Sport

26

MINUTES

The minutes of the meeting of People Scrutiny Committee held on 1 June 2017 were taken as read and signed by the Chair as correct.

27

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

ITEM FOR CONSIDERATION BY EXECUTIVE

28

FIRE SAFETY MANAGEMENT POLICY (HOUSING)

The Service Lead Housing Assets presented the report recommending a new Fire Safety Management Policy in respect of the Council's housing stock and requesting whether escape routes should be managed under a "managed" or "clean and clear" approach, the fire service having recommended the latter from a tenant safety and efficient use of resources perspective and for best ensuring statutory compliance as it would maintain escape routes in the safest condition and remove uncertainty about what was permitted. A light touch would be used in introducing the new approach starting with a consultation period followed by education across the 437 locations. Aside from additional work necessary from inspecting and enforcing, an inspection regime would need to be carried out methodically to effectively cover all the locations on a monthly or weekly basis.

There was an extensive list of items not permitted such as carpets, tables and mobility scooters but these were items most often found.

A “managed” approach would require clear requirements to be imposed on residents that they must follow, which in turn, would require a regular system of inspections and enforcement actions to ensure that the Council was not in breach of its obligations. A “clean and clear” policy would require at least one extra FTE employee for the enforcement stage. This was because monthly inspections would be the minimum practicable precaution to ensure escape routes were kept sterile, maintain dialogue with tenants and take enforcement when necessary. This was likely to be evaluated as a Grade 6 at a cost of £26,280. A further report would be submitted to Executive regarding the resources required for the pre-implementation stage

Some Members abstained from supporting the proposal, suggesting that a managed approach would be better. They felt that requiring all tenants to remove their property was too draconian and that many would simply leave pushchairs etc. behind their front doors which was a fire risk in itself.

The Portfolio Housing for People explained that advice had evolved over the years with the experience of both the Lakanal House fire in Southwark and, more recently, Grenfell and that the Council would be following the recommendations of the Health and Safety Executive, the Devon and Somerset Fire and Rescue Authority as well as Local Government Association guidance. She stated that the Council intended to improve genuine communal area, such as at Rennes House, and would also seek to encourage larger families in communal flats to move to larger houses. She remarked that mobility scooters left in communal areas were both a physical impediment as well as being likely to exacerbate problems of smoke inhalation should a fire occur. New builds incorporated facilities for those with scooters.

Responding to a Member, the Director explained the responsibilities of the Council and the need to ensure that that it was not in breach of its statutory duty and was meeting relevant legislation and accompanying guidance material.

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

- (1) recommend Council adopts a new Fire Safety Management Policy meaning that designated escape routes and alternative routes which could be used for escape should be maintained free from all obstacles in order to secure tenant safety and the Council’s compliance with statutory duties;
- (2) note that the approach to implementing the policy would be phased over time to include awareness raising, consultation on storage requirements and fire safety education; and
- (3) recommend Council approves the additional funding required to implement the adopted option for the management of the Council’s Housing Stocks, those costs to be met from the Housing Revenue Account (HRA), as set out in the report.

ITEMS FOR DISCUSSION

29

HOUSING REVENUE ACCOUNT - BUDGET MONITORING TO JUNE 2017

The Technical Accounting Manager advised Members of any major differences, by management unit between the approved budget and the outturn forecast for the first three months of the financial year up to 30 June 2017 in respect of the Housing Revenue Account (HRA) and the Council’s new build schemes. An outturn update in respect of the HRA Capital Programme was also incorporated in the report in

order to help provide a comprehensive financial update in respect of the Housing Revenue Account.

During this period, the total budget variances indicated that there would be a net surplus of £725,335 in 2017/18. This represented a significant movement of £3,212,950 compared to the revised budgeted deficit of £2,487,615 for 2017/18 with, most notably, £2,700,000 attributable to delays with the St. Loyes Extra Care Scheme.

The total amount of HRA capital expenditure for 2017/18 showed a total forecast spend of £11,607,625 compared to the £19,999,900 approved programme, a decrease of £8,392,275.

People Scrutiny Committee noted the report.

30

PEOPLE BUDGET MONITORING TO JUNE 2017

The Principal Accountant advised Members of any material differences, by management unit between the approved budget the outturn forecast for the first three months of the financial year up to 30 June 2017 in respect of People Services. An outturn update in respect of the People Capital Programme was also incorporated in the report in order to help provide a comprehensive financial update in respect of the People Services budget.

The current forecast suggested that net expenditure would increase from the approved budget by a total of £28,570 after transfers from reserves and revenue contributions to capital. This represented a variation of 1.03% from the revised budget and included supplementary budgets of £178,300.

The 2017/18 Capital Programme, including commitments brought forward from 2016/17, was £1,697,210, as set out in the report.

People Scrutiny Committee noted the report.

31

EXETER SLEEPSAFE

The Housing Needs Strategy and Partnership Lead presented the report reviewing the 2016/17 SafeSleep Shelter in Market Street, Exeter.

The operational cost of SafeSleep was £60,000, the Council's contribution being £28,000 with the remaining £32,000 costs met through rental income, housing benefit payments and grants from Devon County Council and the Exeter Community Safety Partnership. The Exeter City Council budget contribution for 2017/18 would not be changed. The following statistics were provided:-

- SafeSleep had opened from 21 December 2016 to 20 March 2017 providing 1,909 bed nights of accommodation to 36 women and 107 men;
- averaged occupancy had been 21 per night with a high of 31 and a low of 12;
- 78% of those accommodated were local - Exeter (63%) or Devon (15%);
- clients ranged in age between 17 and 73, with 76% of clients 18-44; and
- 65 clients (45%) achieved positive move on to more settled sustainable accommodation, 34 clients had negative outcomes and 44 unknown outcomes.

The concern that the facility would prove a magnet for others outside the area had been unfounded.

For the forthcoming winter, the service was currently out to tender, bids to be assessed in early October. The internal resources needed to monitor this and administer housing benefit to an external agency to be reviewed at the end of the scheme to compare to the 2016/17 experience. It was hoped that the bidders would be able to identify a venue with officers currently also assessing potential locations.

Responding to a Member, he confirmed that the increasing number of homeless young people was a concern with shared housing identified as the likely solution. A shared housing network project group had been set up jointly with neighbouring authorities to stimulate shared housing and the need to improve clients' skills to cope with shared living would also be important. A further challenge would be to cater for both males and females in any venue identified, one Member suggesting if two different locations could be the solution

The System Lead Housing reported that 25-40 were homeless on Exeter's streets at any one time and that over the next eight weeks, four teams would be carrying out hotspot counts on given days. He reported that Homeless Link, a London based umbrella charity representing organisations on the frontline of homelessness, had requested a case study report to share with other local authorities etc.

Scrutiny Committee - People supported the report and noted its contents and the recommendations that would be used to inform future service delivery.

32

**EXETER HEALTH AND WELLBEING BOARD - MINUTES OF THE MEETING
HELD ON 11 JULY 2017**

People - Scrutiny Committee noted the minutes of the Exeter Health and Wellbeing Board of 11 July 2017.

(The meeting commenced at 5.30 pm and closed at 6.20 pm)

Chair

PLACE SCRUTINY COMMITTEE

14 September 2017

Present:

Councillor Sills (Chair)

Councillors Lyons, Foggin, D Henson, Owen, Mitchell, Prowse and Wood

Apologies:

Councillors Keen and Wardle

Also present:

Director (DB), Director (JY), City Surveyor, Principal Accountant (PM), Principal Accountant (MH), Economy and Enterprise Manager, Cleansing & Fleet Manager, Environmental Health and Licensing Manager, Senior Environmental Health Technician, Service Manager, Community Safety & Enforcement and Democratic Services Officer (Committees) (SLS)

In attendance:

- | | |
|---------------------|--|
| Councillor Bialyk | - Portfolio Holder for Health and Wellbeing, Communities and Sport |
| Councillor Brimble | - Portfolio Holder for Place |
| Councillor Denham | - Portfolio Holder for City Transformation, Energy and Transport |
| Councillor Sutton | - Portfolio Holder for Economy and Culture |
| Councillor Musgrave | - Member Speaking Under Standing Order 44 |

32 Minutes

The minutes of the meeting held on 12 June 2017 were taken as read and signed by the Chair as correct.

33 Declaration of Interests

No declarations of disclosable pecuniary interest were made.

34 Questions from the Public under Standing Order 19

In accordance with Standing Order No 19, a member of the public, Ms Lynne Wetenhall had submitted a question on local air quality. A copy of the question had been previously circulated to Members, and this, together with the response from Councillor Denham, Portfolio Holder City Transformation, Energy & Transport is appended to the minutes.

35 Questions from Members of the Council under Standing Order 20

In accordance with Standing Order No 20, a question was put by Councillor Musgrave on air quality; and Councillor Packham also submitted a question on the Riverside Leisure Centre to which Councillor Denham, Portfolio Holder City Transformation, Energy & Transport and Councillor Bialyk, Portfolio Holder Health and Wellbeing, Communities & Sport respectively responded. A copy of the

questions had been previously circulated to Members and are appended to the minutes.

36 **Public Realm Issues City Centre**

The Director (DB) introduced the item and referred to the last meeting when the quality and safety of the footpaths at Sidwell Street was discussed. He referred to the need to consider how best Exeter City Council and Devon County Council could share the information in respect of the public realm.

The Chair, introduced Councillor Andrew Leadbetter who, in his role as County Councillor for Exeter Vision was attending with Paul Davis, Asset Manager Highways, Devon County Council. Councillor Leadbetter apologised that County Councillor Stuart Hughes had not been able to attend the meeting. He referred to the issue previously raised regarding the surface treatment of Sidwell Street and the partial black top covering, and confirmed that further use of the material had been put on hold whilst discussion with Exeter City Council took place. Paul Davis requested that a liaison group involving both Exeter City Council and Devon County Council officers be set up to discuss the programme and collaborate more effectively over the future surface treatment and action. A Member sought an assurance that other parts of the city centre would be considered. He referred to a number of incidents due to the state of the paving in the High Street, but would not support the increase in the use of tarmac for repairs to the footpaths. He was aware that Devon County Council had plans to, in effect, roughen the surface of paving slabs. Paul Davis confirmed that Devon County Council had undertaken some surface testing to ascertain skid resistance before making an appropriate assessment.

A Member enquired about the target date to address the work, and he referred to the footpath at the junction of South, North and Fore Streets which had been temporarily dressed with black tarmac. Paul Davis confirmed that temporary repairs had been carried out at this junction and Highways had to replace the traffic platform with a different type of material due to settlement at this busy junction. He would discuss with Exeter City Council officers the preferred approach before undertaking any further work. He appreciated that timing was important as the city was coming up to a busy time of year, but that the works would have to be undertaken in the current financial year.

A Member enquired about the material to be used and stated that safety was paramount, but the economy of the city centre was also important and so essential that the public realm of the city centre was kept to a high standard. He sought an assurance that local Members of the wards adjoining the city centre would be kept informed. Paul Davis responded, stating that the material to be used was 'impress concrete tegular type block paving material' which came in a variety of sizes and colour. It was however, important to ensure that drivers could distinguish between the footpath and highway. He would also ensure there continued to be dialogue with Devon County Council's neighbourhood officer to address the issues. The Chair sought reassurance that no further use of black tarmac would be made. Paul Davis stated that the programme was in abeyance, although there was clearly a safety issue on the footpaths that remained. He looked forward to continuing a positive dialogue with the City Council.

Councillor Leadbetter agreed that he was very keen to work together to address these issues.

37 **Riverside Leisure Centre Update**

The City Surveyor presented an update on the Riverside Leisure Centre and detailed all of the works that had been carried out since the fire on 21 February 2017. The response and subsequent action by the City Council was immediate and included the appointment of a multidisciplinary project manager from Faithful + Gould who had been leading a team of experts to bring the facility back into use as soon as possible.

Although the non-fire damaged parts of the facility had been reopened, the pools and health suite remain closed. The location, nature and duration of the fire had raised concerns over the integrity of the main roof structure in the pool and health suite area and the decking/covering above due to the effects of prolonged heat on the metal structure. Some demolition works were completed on schedule at the end of June to enable the area to be pre-inspected for access arrangements to the underside of the roof. The testing and structural assessment of the roof deck, support steels and the structural frame have also been undertaken within the health suite areas, and the detail of the draft findings was presented to Members. Scaffold will be required to the full width of the building at the health suite end with further roof enclosure to prevent water ingress during the course of the works. This scaffold was likely to intrude into the pool area and the project manager would continue to explore options for opening the pool earlier in the overall programme. Faithful + Gould had been programmed to report on the finalised structural report and further outcomes of the roof deck inspection and sample cleaning which were due at the beginning of October. This would determine the extent and likely timescale of the remedial works required to repair the roof structure over the fire area and the ability to satisfactorily clean the remainder of the internal structure and deck. Faithful + Gould were currently programmed to complete the scope of works and cost estimates for insurance approval by early October with full specification being completed in mid-October. Every effort would be made to expedite the works as quickly as possible but the current worst case scenario for completion of all reinstatement works was September 2018. The City Surveyor acknowledged that the proposed options may increase the risk of incurring additional costs and these costs may not be funded by the Council's Insurer. In this case, separate funding requests would be made in liaison with the Portfolio Holder for Health and Well Being, Communities and Sport.

The City Surveyor responded to a Member's comment about placing solar panels on the roof when the works were complete. He also responded to questions on the risks associated with the reinstatement works and that all had been done that could have been done to expedite the reopening of the pool. The work was being carried out and dealt with properly.

The Portfolio Holder for Health and Well Being, Communities and Sport confirmed that he would ensure that the information given this evening was made available to Members to share with their residents.

38 **South Street Regeneration**

The City Surveyor presented a report and referred to ongoing work towards the regeneration of South Street including the Corn Exchange block. This would provide an opportunity to enhance the connectivity and bridge the gap between the city centre and the Quay. The developing City Centre Strategy would also address ways to deliver the policy. The report included the results from the public consultation event held in the Corn Exchange in February 2017 as well as a course of activity to action those priorities in an incremental way. The exercise identified three key priorities for the area namely, cultural activity and entertainment, independent

businesses and the Farmer's Market. The consultation also identified a number of improvements such as

- Gateways and connections;
- Appearance of buildings;
- Public spaces and the street scene;
- Transport and getting around;

The report also outlined a practical approach by moving such improvements forward in an incremental way through a series of dialogues and further consultation with stakeholders including the City Council's tenants and BID representatives. It was proposed that an Urban Designer be appointed to set a context and framework for any potential development and priorities identified in the public consultation exercise. The brief would also be to prioritise any suggested enhancements tempered with the practicalities of budget and timescale. He anticipated a report on one element of the brief which was to look at an entertainment and arts venue, which would have an impact on the whole area and the Western Quarter would be made to the November Place Scrutiny Committee meeting.

The City Surveyor responded to a Member's enquiry on vacancies in South Street, and confirmed that he had just received instructions for the letting of three vacant units. He was not complacent over the challenges of operating a business in this area, but they were working closely with new tenants to deliver a better offer.

Place Scrutiny Committee noted the results of the South Street public consultation exercise held in February 2017 (as detailed in an appendix to the report) and recommended approval by Executive of the following:-

- (1) support for an incremental approach to improvement focussing on individual areas where development opportunities present themselves; and
- (2) appointment of an urban designer to be given a realistic brief based on the priorities identified in the public consultation to give context for current and future development opportunities.

39 **Budget Monitoring (1st Quarter)**

The Principal Accountants (PM and MH) advised Members of any major differences by management unit, between the approved budget and the outturn for the financial year up to 30 June 2017 in respect of Place Scrutiny Committee. The Principal Accountant (MH) advised that the current forecast had suggested that the net expenditure for the Committee would increase from the revised budget by a total of £331,880 after transfers from reserves and revenue contributions to capital, representing a variation of 5.00% from the revised budget. This included supplementary budgets of £574,540 already agreed by Council. The Principal Accountant (PM) confirmed that the report included an outturn update in respect of the Place Capital Programme, and detailed significant variations by management and any material differences to the revised budget in respect of the revenue and capital budgets. The Capital Programme included a total spend of £264,905 in 2017/18 with £1,281,300 of the programme potentially deferred until 2018/19.

The report also included a breakdown of the areas of budgetary risk within the Place Scrutiny Committee revenue and capital budgets including areas such as car parking and recycling which offered significant projected income. A Member referred to the servicing of a number of planning appeals and whether a fully qualified planning

solicitor was employed by the City Council to reduce the need to engage external legal expertise. The Principal Accountant (PM) confirmed that £446,480 was the net budget for Planning. He would ask the City Solicitor and Head of HR for more detail about the employment of a planning solicitor. He also responded to a Member's comment who was concerned about the cost to Council tax payers for graffiti removal. The Director (DB) also offered clarification and addressed a Member's concern on the capital budget deferral and delay to improvement works at the Arena Skate Park. He agreed the existing facility was in a poor state, and a tender procurement process would have to be followed but it was anticipated that the work would take place next spring, with a view to reopening in time for next summer.

A Member understood the reasons for the additional costs for graffiti removal and maintaining the parks and open spaces, but nevertheless they were significant. The Director (DB) stated that, despite efforts to mechanise the service as part of efficiency savings, staffing remained the biggest cost associated with maintaining street cleansing and public realm. A Member suggested there may have been some optimism in the level of anticipated retail sales at the Museum Shop and if they should have been set at a more realistic target. The Principal Accountant (MH) confirmed that the budget for the Museum shop had been agreed two years ago, and the shop had not been open for a full operating year. There were lessons to be learnt when any new enterprise commenced and going forward they would continue to study the sales figures.

Place Scrutiny Committee noted the report.

40 **Local Air Quality Management**

Councillor Musgrave attended the meeting Under Standing Order 44.

The Environmental Health and Licensing Manager updated Members on the Council's duties and activities relating to local air quality management, placed upon the Council (and all district and county councils) by Part IV of the Environment Act 1985. He referred to the Annual Status Report made to the Department for Environment, Food and Rural Affairs (Defra) which includes details of the Council's monitoring of local air quality and actions taken to reduce transport emissions. He also gave an update on the Council's Air Quality Action Plan which will work towards resolving the exceedances of the air quality objectives within the Air Quality Management Area. The Senior Environment Technical Officer provided an update on the recent measured levels of nitrogen dioxide. The 2017 Annual Status Report and a summary of the monitoring data could be viewed on the air quality pages on the City Council's web site.

Councillor Musgrave thanked the Senior Environmental Technical Officer for her commitment and understanding of this work, but he remained concerned about the prioritisation of this issue by the City Council and felt more radical action should be taken to address the poor air quality in key hotspots in the city. He hoped that Members would continue to debate the issue and thanked the Portfolio Holder for City Transformation, Energy and Transport, Councillor Denham, who had earlier endorsed working in a cross party way. He suggested Members might wish to consider the following different ways of working including:-

- an acknowledgement of air quality issues within the reporting mechanism to Committees;
- a review of the City Council's work with developers to improve air quality in the city;

- redesigning the road space and consideration of more innovative ideas such as imposing a reduction in the speed of traffic, or a congestion charge on peak roads;
- further review of the parking policy with an increase in parking charges to encourage different forms of travel, support for more sustainable travel such as car share or Co Cars;
- involve the private sector who should pay a share of investing in managing air quality; and
- improve the public transport service.

A Member referred to Councillor Musgrave's comment on public transport and referred to his recent efforts to lobby Stagecoach over recent changes to a bus route within his ward. He also commented on the City Council's Car Parking Strategy which was helping the Council to move in the right direction. The Senior Environmental Technical Officer responded to the Member and would ascertain the timescale for the interactive air quality web site going live. The Environmental Health and Licensing Manager also responded to a Member's comment on the relevancy of the Green Travel Plan which he would pass on to his planning colleagues at the City Council.

The Director (JY) also responded to a Member's suggestion of a Task and Finish Group and stated that it was important to draw together a number of highly complex strands of work to ensure there was the appropriate alignment and avoid duplication. She undertook to review the work with existing groups and report back to Members and the Portfolio Holder for City Transformation, Energy and Transport to establish whether any other work or group should be convened to contribute. An update could be made to the Place Scrutiny Committee.

The Chair also referred to work by Exeter City Futures, who were due to report to the next Scrutiny Committee in November as part of crucial work on public transport and travel. He thanked Members for this worthwhile discussion and also Councillor Musgrave and the public speaker for their contribution to the debate.

Place Scrutiny Committee supported the following:-

- (1) most recent measured air quality data and actions to reduce traffic emissions;
- (2) discussions to be held with key parties involved in delivering actions that would reduce local transport emissions and the subsequent development of an updated Air Quality Action Plan;
- (3) wider community engagement in the collective ambition to reduce transport emissions; and
- (4) a further report be made to the Place Scrutiny Committee on 11 January 2018.

41 **Recycling Plan Review**

The Cleansing and Fleet Manager presented a report which updated Members on the City Council's current performance in waste reduction and recycling, and the reasons for current trends. It also provided an update on progress on the annual Recycling Plan, and sought ongoing support for the Council's recycling initiatives which were necessary to progress towards the City Council's recycling target set out in the corporate work programme. The report also provided an update on

consideration for a food waste collection; garden waste collections; home composting; commercial waste recycling, aspects of behavioural change in recycling, and an update on initiatives to encourage households in Exeter including tenants to recycle more. The Director (DB) referred to the Council's efforts to increase the general service of recycling which remained a top priority.

A Member referred to his ward, which included a significant student population and welcomed the valuable co-operation with the University. He also enquired if the Council's Recycling Officer might be able to encourage younger members of society to recycle.

The Cleansing and Fleet Manager responded to the following points –

- the Community Infrastructure Levy has the potential to fund initiatives to improve the storage and on-street presentation of waste in the residential and commercial areas of central Exeter.
- residents were encouraged not to place their rubbish out too early for collection particularly where only a black sack option was available, and to bag appropriately to safeguard against rats and seagulls. If the collection of food waste was made available to residents an appropriate food waste caddy with a lockable lid would be made available.
- he would check the 48% figure of material recycled from the commercial recycling scheme and confirm with Members. It had been a challenge to persuade businesses to use the commercial waste and mixed recycling collection, and this figure had risen from a low base since mixed recycling collections had been offered. A more competitive pricing structure now made this service more attractive than a single rubbish collection.
- he gave an undertaking to take on the suggestion of improved labelling of the recycling bins, particularly useful for householders new to the area, and would take the opportunity of a refresh of the information, which could be achieved at a relatively low cost and carried out by staff when on their rounds.
- there had been a 6% growth in the brown bin scheme following significant promotion. Sales of brown bins had contributed to the recycling rate, year on year, and the anticipated new housing and gardens would offer scope to continue to grow the customer base and make the whole scheme even more cost effective.
- he had noted a Member's comment of the bin warden's audit made by the University at the start of the academic year, and perhaps this was an area to foster even greater co-operation working with the university.

A Member referred to frequent visits to deposit paper for recycling and her appreciation of the hard work of staff at the Material Reclamation Facility (MRF), they did a magnificent job and she wished to ensure that the Place Scrutiny Committee record their appreciation.

Place Scrutiny Committee noted the current trends on waste reduction and recycling, and supported the ongoing actions planned for 2017/18.

42 **Exeter Business Improvement District Progress Report**

The Economy and Enterprise Manager presented a report which updated Members on the second year of trading for the Exeter BID. The BID was funded by a 1% levy on the rateable value of a business, which should generate £2.25million over the five year period of the BID. Exeter City Council also paid an annual BID levy for the properties owned and leased by the City Council within the BID area, which equated to £18,435 for the current financial year. A BID Monitoring Group had been set up who met approximately twice a year, and monitored income levels from the levy payers. A full update on progress on the delivery of the Exeter BID Business Plan 2015 – 2020, which included year 1 and year 2 delivery was included in an appendix to the report. It was noted that, for the financial year ending 31 March 2017, 95% of the BID levy had been collected, and a high percentage rate of collection would enable the full delivery of the business plan. The Exeter BID Board was made up of members elected from businesses within the BID levy area, as well as representatives from Exeter City Council, Devon County Council and Exeter Chamber of Trade & Commerce. It was noted that, following a recruitment process, Anne Hunter had been appointed as BID Manager and was due to take up her new post later this month.

Place Scrutiny Committee noted the report.

43 **Exeter & Heart of Devon Commercial Property Register**

The Economy and Enterprise Manager presented the report on Exeter City Council's handling of investment and relocation enquiries during the previous 12 months and enhancements that had been made to the Exeter Commercial Property Register. The report also provided detail of the progress made in improving the toolkit available to attract and respond to business relocation and inward investment enquiries and the expansion of the service covering East Devon, Mid Devon and Teignbridge (Exeter & the Heart of Devon) local authority areas with financial and staffing contributions made by each local authority.

The Commercial Property Register had grown from strength to strength with 73 commercial agents now working with the City Council. As of July 2017, there were 434 vacant properties and 20 sites listed on the Commercial Property Register for the Exeter & Heart of Devon area. There had been a fall in the number of premises available, with very few speculative offices or industrial units being built. The team had worked hard with colleagues in the City Council's Planning Department and the neighbouring authorities to address this. Over the last year there had been a significant increase in the number of enquiries for vacant units and property from outside of Devon, but a levelling out of the enquiries from foreign owned companies in the wake of the potential uncertainty over Brexit. As a direct result of businesses using the Commercial Property Register, 36 companies had successfully assisted to relocate or remain in Exeter, creating 302 jobs and safeguarding 102 jobs in the last year. There had been noticeable success emanating from activity carried out by the Inward Investment Manager and the newly appointed Inward Investment Officer.

Place Scrutiny Committee noted the progress made with the Exeter & Heart of Devon Commercial Property Register and the City Council's role in dealing with investment and relocation enquiries and the area covered by the Commercial Property Register and business relocation service.

44 **Review of Strategic Parking Performance**

The Community Safety and Enforcement Manager updated Members on the impact of the Council's parking strategy on the four key objectives of economic growth, parking capacity, congestion and parking income. Income from car parking for the first financial quarter was on target to achieve the expected £6.7m annual income for 2017/18. He highlighted a number of trends and indicators in parking performance:-

- a 3.5% decrease in the number of weekday vehicles parking in the city, which met the aspiration to reduce commuter vehicles coming into the city;
- a 7% increase in dwell time in the City Council's premier car parks;
- and 11% increase in Zone 1 car parks which had a direct benefit of economic growth for the city;
- sales of tickets for evening parking after 6pm had increased by 15%;
- overall parking income for January to July 2017 had increased by 6.5% when compared to the income for the same period in 2016;
- a move by customers towards smarter ways of paying for parking was identified with a 9% increase (to 20%) in card transactions; and
- the percentage of parking bays full at peak time on Saturday lunchtime had risen from 77% to 86% and future interventions might be required to reduce the risk of parking gridlock.

The Community Safety and Enforcement Manager agreed to include data relating to retail spend in future reports.

The meeting commenced at 5.30 pm and closed at 7.40 pm

Chair

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PUBLIC QUESTION RECEIVED for Place Scrutiny Committee – 14 September 2017

From Ms Lynn Wetenhall

Ms Lynn Wetenhall submitted a question and wished to set the context of wanting a number of step change to address the poor levels of air quality. She wished to encourage Councillors to show strong leadership in tackling congestion.

Numerous Government, national and international reports agree on the fact that securing a modal shift from private cars to walking, cycling and public transport, and banning dirty diesels across whole Clean Air Zones, (for example, by using congestion charging) are the only ways to make a serious improvement to air quality. This report does not provide this information, focussing instead mainly on technical fixes and other small scale changes. As we still have illegal levels of pollution after ten years of these small fixes, it is clear that something more is required.

Can the council explain why none of these measures or actions have been mentioned, whether there is to be any kind of exploration of more innovative measures, and if not, why not?

As changes to transport policy are the key route to cleaner air in Exeter, my question relates to why this Local Air Quality Management report does not mention:

- 1) Exeter City Council starting to make systematic use of existing powers, including Section 106 agreements, CIL agreements and planning conditions, to ensure that development “sustains compliance with and contribute towards meeting EU limit values or national objectives for air pollutants, taking into account the presence of AQMAs and the cumulative impacts on air quality from individual sites in local areas”; (Land-Use Planning and Development Control: Planning for Air Quality. Institute of Air Quality Management & Environmental Protection UK, January 2017).**

Councillor Denham responded and stated that Exeter City Council officers followed national guidance to decide when an air quality impact assessment was required as part of a planning application, and expected developers to assess the significance of any air quality impact using the same approved methodology. If this process identified significant adverse impacts then a developer would be asked to mitigate these. This process was not explained in detail in the report because there were no current plans to change it. Members of Planning Committee had remained conscious of air quality issues and referenced the data, as well as having requested more information as appropriate to ensure that they were informed. If officers identify changes to the air quality impact assessment methodology that could be made, whilst still complying with other local and national policy guidance, these would be set out in the draft Air Quality Action Plan for consultation in January 2018.

- 2) Setting up proper investigations into the pros and cons of introducing key measures, used successfully in other local authority areas, including congestion charging, workplace parking levy, redesign of key road space to allow better movement of people on foot and on bikes, (also a goal being campaigned for by Exeter Cycling Campaign) and**

using parking policy and charges in ways that specifically aim to reduce traffic at busy times.

Councillor Denham stated that officers were currently undertaking a process with partner organisations who would help to deliver such measures. The outcomes would be included in the draft Air Quality Action Plan to be published in January 2018 for consultation. It was important to take the time to get right and this area was new to her Portfolio. Officers had many ideas and would be working on this over the next few months to bring back a report for consultation.

- 3) The setting up of a Transport Board that can give the highest level strategic direction and political priority to addressing air quality issues in the city; (as promised, April 2016, by the council's Labour administration. "Creating a "a Transport Board to serve the city, bringing together transport providers, the public sector, cycling groups and others to develop a strategic plan to improve transport and reduce congestion,"; (Exeter Labour Party Manifesto 2016).**

Councillor Denham responded stating that work was ongoing in respect of the terms of reference for the creation of a Transport Board. This would be progressed in consultation with the Council's colleagues at Devon County Council who were the transport authority. They also hoped to explore a number of options through the Greater Exeter Strategic Planning process. The Leader of Exeter City Council had a response from the Leader of Devon County Council over greater joint working to ensure a more positive outcome. Councillor Denham advised that she would also meet with the Senior Environment Technical Officer to discuss further.

Members debated the issue and were aware that the topic was the subject of a report later on the agenda.

Ms Wetenhall thanked Councillor Denham for the response and suggested this was still a grey area and although welcome, the two leaders of the Council meeting was a long way from the formation of Transport Board. She was aware that Members would consider a further report in January and she felt it was important to grasp the nettle and she commented on what could be achieved between now and January.

It was noted that this written response would be attached to the minutes.

MEMBER QUESTION TO PORTFOLIO HOLDER at Place Scrutiny Committee – 14 September 2017

Response to be made by Councillor Denham Portfolio Holder City Transformation, Energy & Transport

Question from Councillor Musgrave

I have a question for the portfolio holder; do you agree with me, that air quality is a serious issue in some parts of our city and needs urgent attention?

Response

Councillor Denham referred to the Council officers who were working actively to engage with those organisations, from a wide city perspective, which would help to deliver a transformation in travel habits, and emissions of air pollution within the city. They had her full support for this work, because she recognised the impact that poor air quality could have on the health of the population of Exeter and in particular on groups which were already relatively disadvantaged. Although this work was new to her Portfolio and there had been a delay in publishing the draft Air Quality Action Plan due to changes in national policy and guidance, the matter remained a priority.

She referred to positive work carried out over the last few years with action at a local level, including the introduction by Exeter City Council of standards for hackney carriage emissions which were tighter than those set out in the Government's Clean Air Zone Framework and currently 5% of the fleet were Ultra Low Emission vehicles (ULEV), and this would increase in 2018.

Since 2009 the concentrations of nitrogen dioxide had generally fallen, despite an increase in Exeter's travel to work and travel to shop population. The Council's commitment to monitoring air quality was demonstrated by the current open invitation to tender for the replacement of the fixed Air Quality Monitoring stations, including new PM2.5 analysers. It was important to make sure that the data was accurate as the impact on health was acknowledged.

Supplementary Question

Councillor Musgrave asked a supplementary question, if Councillor Denham was able to extend the cross party working and in particular an invitation to him.

Response

Councillor Denham responded that she would be happy to work with Councillor Musgrave, and also extended an invitation to any Member who would be interested.

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**MEMBER QUESTION TO PORTFOLIO HOLDER at Place Scrutiny Committee – 14
September 2017**

*Response to be made by Councillor Bialyk Portfolio Holder Health and Wellbeing,
Communities & Sport*

Question from Councillor Packham

Please could you outline the communications strategy on the closure of Riverside, and what the Council and Legacy Leisure are doing to ensure the centres users, residents and members are kept up to date? I understand that there are plans for a user's Facebook group - could you confirm when this will be live?"

Response

Councillor Bialyk as Portfolio Holder Health and Wellbeing, Communities & Sport responded to the question and referred to the presentation which would be made by the City Surveyor later at the meeting. He recognised there was some concern about the progress being made at the Riverside Leisure Centre. It was important to keep the public informed and to that end he confirmed that Exeter City Council was committed to issuing regular updates on the repair work.

The latest copy of the Exeter Citizen was being delivered to every home in Exeter this week and included the latest update. Information would continue to be issued through the Council's website and through social media, as well as keeping the wider media updated on the latest developments.

Updates were also provided for the Riverside Leisure Centre's own Facebook page and to Legacy Leisure to update their members on the latest situation. Legacy Leisure continued to refer telephone enquiries to the Communications Team at Exeter City Council for updates.

There was no supplementary question.

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CORPORATE SERVICES SCRUTINY COMMITTEE

28 September 2017

Present:

Councillor Greg Sheldon (Chair)

Councillors Warwick, Baldwin, Hannan, Harvey, Holland, Lamb, Owen, Morris and Musgrave

Also present:

Chief Finance Officer, Director (DB) and Democratic Services Officer (Committees) (MD)

In attendance:

Councillor Edwards

- Leader

Councillor Pearson

- Portfolio Holder for Support Services

30 **Minutes**

The minutes of the meeting held on the 22 June 2017 were taken as read and signed by the Chair as correct.

31 **Declarations of Interests**

No declarations of disclosable pecuniary interest were made.

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

In accordance with Standing Order No 20, six questions were put by Councillor Musgrave in relation to public engagement and revenue. A copy of the questions had been previously circulated to Members, and together with the responses from Councillor Pearson were appended to the minutes.

33 **Capital Monitoring Statement to 30 June 2017**

The Chief Finance Officer presented the report which provided Members with an update on the current position of the revised annual Capital Programme and the anticipated level of deferred expenditure into future years. Local Authorities were required to provide an estimate to the total of capital expenditure that it would incur during the financial year after setting out prudential indicators for capital expenditure.

He discussed the performance of the revised Capital Programme for the current financial year, highlighting that £1.478 million had been spent on the programme during the first three months which was equivalent to 4.4% of the revised programme. It would normally be higher, but the budget was large as a result of three significant schemes and in value terms spend was not much different to previous years. He noted that the Leisure Complex update would require the report to be amended at the end of the second quarter.

The expenditure variances for 2017/18, had an under spend on the improvements to Exhibition Way bridge. The tender results were in excess of the budget and work could not be completed at present, the issue of long term delivery would be addressed. The housing surveys had shown that there were less properties requiring rewiring than first thought.

The Chief Finance Officer updated Members on the schemes that would be deferred to 2018/19 and discussed the schemes completed during the first quarter.

He informed Members that the world culture galleries improvement works recommendation would be amended to request approval subject to a satisfactory business case being agreed by the Chief Executive and Growth Director and Leader and the Museum using the balance of the Museum of the Year funding to reduce the amount of borrowing required. He also informed Members that the Beacon Heath marital arts and boxing club project had been deferred and that additional funds were required to replace lifts at the Mary Arches multi-storey car park.

In response to questions from Members, the Chief Finance Officer responded:-

- The Newtown Community centre had council approval for additional S106 funding;
- He would look at why the Exhibition Way bridge maintenance work had gone back to the planning stage and was not receiving more money. If more work begins, Network Rail would be consulted;
- The procurement process had negotiated lower costs for the smoke and fire alarms, confirmation from Housing would be sought that the lower cost did not result in a lower standard product being used. Fire safety would have been taken into consideration;
- The previous year's Capital Programme in respect of electrical re-wiring were based on estimates. The actual spend was based on a significant survey, providing a better idea of the actual homes requiring electrical re-wiring.

Corporate Services Scrutiny Committee supported the report and recommended Executive and Council approve the following:-

- (1) The revision of the annual capital programme to reflect the reported variations detailed in 8.4 and 8.5
- (2) The additions to the capital programme detailed in 8.7.

34 **Overview of the General Fund Budget 2016/17**

The Chief Finance Officer presented the report which advised Members of the overall projected financial position of the Housing Revenue Account and the General Fund Revenue for the 2017/18 financial year after three months. The report also sought approval for a number of supplementary budgets

He discussed the financial summary, highlighting that the Housing Revenue Fund expenditure was significantly lower than the £2,487,615 planned take from the working balance. This had resulted in an increase of £725,335 to the working balance.

The General Fund had an over spend of £217,024 against its revised budget. He noted that savings would be required in various services, and that budgets were

being examined to reduce expenditure. Members were informed that repayments of debt and net interest would be reduced due to lower capital spending.

The Chief Finance Officer discussed the supplementary budgets which would provide money to pay for temporary staff contracts to assist with cleaning graffiti around the city.

In response to questions from Members, the Director and Chief Finance Officer responded:-

- Contracts would be fixed term to address the City's need as part of an ongoing consultation phase;
- The Housing Assets underspend was a result of tenders above budget and the decision had been taken not to proceed;
- The temporary staff would be agency staff as the Council use agency staff to fill certain roles. It was intended to replace the use of agency staff with permanent contracts where possible;
- Any proposals to address the Place Scrutiny Committee overspend would go on the budget monitoring report and be reported to Scrutiny Members.

The Corporate Services Scrutiny Committee noted the report and requested the Executive to note the report, and Council to note and approve the following:

- (1) The General Fund forecast financial position for the 2017/18 financial year;
- (2) The HRA forecast financial position for 2017/18 financial year;
- (3) The additional supplementary budgets listed in Appendix C;
- (4) The outstanding Sundry Debt position as at August 2017;
- (5) The creditors' payments performance;

35 **Budget Monitoring (First Quarter)**

The Chief Finance Officer presented the report which advised Members of material differences to the revised budget in respect of the Corporate Services Committee. Local authorities had a statutory duty to set and monitor their budgets during the year and take any necessary actions due to potential overspend or potential shortfalls.

He referred Members to the key variations from the budget, highlighting that the net expenditure for this committee would decrease from the revised £7,380 which would be a variation of 0.09% and included the supplementary budgets previously agreed.

The Corporate Services Scrutiny Committee noted the report.

The meeting commenced at 5.30 pm and closed at 6.10 pm

Chair

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MEMBER QUESTIONS TO OFFICERS at Corporate Services Scrutiny Committee – 28 September 2017

From Councillor Musgrave

Responses made by Councillor Pearson, (Portfolio Holder for Support Services).

Question 1

I understand the Council are about to procure three major service contracts in respect of the construction of the new leisure complex and bus station, the operation of the new leisure complex, and arboriculture services. Given the fact these are public facing services, does the Portfolio Holder agree with me that it's essential that we have demonstrable evidence that we have consulted with the public in accordance with the social value act in respect of these three contracts?

Response 1

The Social Value act was one of the components of the tendering requirements for the bus station and leisure centre building contract and was evaluated during the tender selection process. The procurement process was agreed with the Programme Board and Members involved with the criteria and weighting for selection.

The Social Value Act does not make public consultation mandatory. What is mandatory is to consider consultation; not necessarily public consultation, as supply market consultation is also of particular relevance. In order to develop a robust and intelligent specification a soft marketing exercise has been carried out with all the leading UK leisure operators, and demonstrable evidence of this process is available. (This exercise also had some benefit to the D&B construction contract procurement process).

Some informal consultation has been carried out with local sports clubs such as the swimming and bridge club, and consultation with the chair of the Health and Wellbeing Board, CCG and Active Devon has also been carried out. Elected members have been consulted on the draft service specification and a digital end user consultation will be used to shape elements of the final service specification. This will ensure that citizen and user perspectives on the service are linked to outcomes and specifications.

Consultation is designed to be relevant and proportionate and the tender pack will contain clear evidence that environmental, economic and social benefits have been considered in accordance with PPN Information note 10/12 (20 Dec 2012). In fact, a full local authority outcomes section is included within the service specification which addresses this requirement. This approach has been designed into the process and will allow the Council to seek a competitive price from the market and also secure wider social, economic and environmental benefits from the leisure contract.

Question 2

Can the Portfolio holder confirm the Council fully considered the business case for all the various options in respect of the three contracts?

Response 2

The business case for operating the new leisure complex has been considered by the Council. Members have debated the report from the consultant 'Continuum' in relation to this matter.

Question 3

Did the Council consider self-delivery for all of the three contracts?

Response 3

Self-delivery of the leisure management service, including the new leisure complex, has been considered as an option and rejected by the project steering group.

Question 4

Have elected members been involved in weighting the criteria with regard to the evaluation criteria for procurement?

Response 4

A Procurement Policy is being drafted and currently being circulated at Officer Level and the Portfolio Holder has been consulted on the content of the policy. Once finalised the Policy will be sent for approval through, Scrutiny, Executive and Full Council ensuring all Members have an opportunity to review and input prior to the final Policy being adopted.

Elected members on the Programme Board have been involved in discussions about the criteria and weightings for this tender, along with the fundamentals of the quality/price ratio.

Question 5

Has the Portfolio Holder ever received advice that cross party involvement in procurement planning is desirable?

Response 5

No specific advice had been received. Procurement planning in the future will be determined by the nature and size of contracts and a timeline of when contracts are due for re-tendering. They will be completed in compliance with the Council's Contract Standing Orders.

Question 6

What is basis of engagement for the new procurement staff? Will they continue with current procurement projects or is a change of direction envisaged?

Response 6

There was one procurement officer in post and three more posts were still to be filled on a full time basis. They will be filled as soon as possible and will of course continue with the programme of work that the Council has prioritised. The policy will direct the way procurements are undertaken, but the type of work will be similar.

AUDIT AND GOVERNANCE COMMITTEE

Wednesday 20 September 2017

Present:-

Councillor Natalie Vizard (Chair)
Councillors Wood, Baldwin, Harvey, Mrs Henson, Lamb, Musgrave, Sheldon and Warwick

Also Present

Chief Executive & Growth Director, Chief Finance Officer, Technical Accounting Manager and Audit Manager (HP)

21 **APOLOGIES**

Apologies were received from Councillor Keen.

22 **MINUTES**

The minutes of the meeting held 21 June 2017 were taken as read and signed by the Chair as correct.

23 **DECLARATION OF INTERESTS**

No declarations of disclosable pecuniary interests were made.

24 **EXTERNAL AUDIT REPORT 2016/17 (ISA 260)**

Darren Gilbert, Director and Rob Andrews, Audit Manager, KPMG, presented the Governance ISA 260 2016/17 findings. Darren Gilbert summarised the work completed by Exeter City Council and that it had identified three audit adjustments with a total net value of £327,000.

Rob Andrews explained that Exeter City Council had proper arrangements in place to secure value for money, except for its arrangements for procuring supplies and services effectively to support the delivery of strategic priorities, but reported that progress had been made since the 2015/16 audit. He highlighted the control environment was effective but it had not tested the controls relating to procurement, payroll and journals and therefore did not rely on these controls during their testing.

He discussed the significant audit risks from the external Audit Plan 2016/17 and highlighted the risks to the change in the pension liability due to the Local Government Pension Scheme Triennial Valuation and valuation of property plant and equipment. He noted the discount rate in the final pension scheme would need to be discussed in the future.

Members were made aware of the key issues and recommendations, which highlighted that the payroll issue had not been resolved, the procurement process was ongoing, the journals process required amounts over £5,000 would need to have separate approval prior to posting and that the provision for outstanding debt would need to be reviewed before the end of the financial year. He confirmed that KPMG would be issuing their completion certificate and Annual Audit letter in November 2017.

In response to questions from Members, Darren Gilbert, Rob Andrews and the Chief Finance Officer responded:-

- Getting the correct balance for barriers correct was dependent on several factors including timings. The action plan and contracts would need to be in place along with new contract arrangements. The findings for this year were smaller than last year;
- The Local Authority pension liability in previous years had been lower at 75%, but was now at 83%. Local Authorities had been stuck at the same level for some time, with a 25 year plan setup to the raise pension fund, which was reviewed regularly with no clear end date. The Local Government Pension Scheme received 16% contributions of pensionable pay;
- Debts were dependant on when they could be paid off and were regularly reviewed. There were provisions in place, but it that did not mean debts couldn't be collected;
- A procurement steering group had been setup and Council had approved staffing. The job evaluation process had been completed but the results showed that the market rate was lower than expected, and the senior strategic lead would need to be appealed. The current interim procurement officer was leaving at the end of September, but interviews were being planned to get the posts filled.

The Audit and Governance Committee noted the report on Audit Findings for Exeter City Council (External Auditor).

25

FINAL STATEMENT OF ACCOUNTS 2016/17

The Technical Accounting Manager presented the report with the Council's final 2016/17 Statement of Accounts for approval and adoption. She explained that it was a statutory requirement to publish the audited Statement of Accounts by 30 September 2017. The external auditors were expected to issue an unqualified opinion, which meant they were satisfied that the Statement of Accounts provide a true and fair view of the financial position and transactions of the Council for the year ended 31 March 2017.

Members were advised that the report set out the key findings of the audit of the accounts, which had resulted in only a few amendments. The draft accounts had been issued on 25th May, which was a month ahead of the statutory deadline and placed the Council in a good position for next year's earlier deadlines.

In response to a Members question, the Technical Accounting Manager explained that the Narrative Report was a forward looking plan for major schemes and was published alongside the Statement of Accounts.

The Chair expressed her thanks and appreciation to finance the team for their work on the production of the Final Accounts.

RESOLVED that the Audit and Governance Committee approve the Final Statement of Accounts for 2016/17 for the City Council.

26

MANAGEMENT REPRESENTATION LETTER TO EXTERNAL AUDITOR FOR 2016/17 STATEMENT OF ACCOUNTS

The Chief Finance Officer submitted the letter to the External Auditor, KPMG in respect of the 2016/17 Statement of Accounts. It was an audit requirement to produce the letter.

RESOLVED that the Audit and Governance Committee approve the letter, and request that it be signed by the Chief Finance Officer and the Chair of the Audit and Governance Committee for forwarding to the External Auditor, KPMG.

27

INTERNAL AUDIT PROGRESS REPORT

The Audit Manager (HP) presented the report on the internal audit work carried out during the period of 1st April to 30th June 2017 and advised Members of the overall progress against the he Audit Plan and to report any emerging issues requiring consideration. She advised Members that one of the roles of the Audit and Governance Committee was to review the quarterly internal audit reports, address the main issues arising and seek assurance from management that action has been taken.

She commented on the issues for consideration, which at the time of writing, there were no instances of management failing to agree remedial action or actions outstanding for an unreasonable length of time during this quarter. She highlighted that she was still waiting for responses to the counter fraud report which had been outstanding since February 2017.

Members were advised on the progress of the audit plan 2017/18, which, the work against the plan may need to be adjusted due to staff sickness. Members would be provided with an update once the audit team had a clearer indication of the lost time. Members were also provided with an overview of the internal audit completed work this quarter.

The Audit Manager (HP) discussed the significant governance issues progress report and the issues to be addressed in 2017/18.

There had been no updates on the Medium term financial plan, which was not linked to the corporate priorities, work program, issues for the delivery for the capital programme because of the skills gaps in procurement and contract regulations had been redrafted but were still awaiting publication.

In response to questions from the Members, the Audit Manager (HP) responded that as in previous years, the plan had been developed on a risk based format, which incorporated the risk register and, views of Managers and Chairs. It was approved in March and was comparable to previous years.

The Audit and Governance Committee noted the Internal Audit Progress Report for the first quarter of the year 2017/18.

28

REVIEW OF THE CORPORATE GOVERNANCE RISK REGISTER

The Chief Finance Officer presented the report which advised Members of the Council's risk management progress and the updated Corporate Risk Register, which the Audit and Governance Committee is responsible for monitoring and reviewing the Councils risks and reporting all new and updated risks to the Corporate Manager (Executive Support).

He informed Members that one new risk had been added to the register for Topshop Lock, which required work to the sheet piling following a survey by Devon County Council. The cost could be £500,000, for which a bid has been submitted,

but should the canal breach, the cost of repairs would cost in excess of £1m. Urgent action was taking place, with £100,000 set aside and were waiting for quotation on the concrete filling and work would progress as soon as possible, which may mitigate against the need to spend a further £500,000.

In response to Members' questions, the Chief Finance Officer clarified that

- Lock repairs were required to iron works installed 25 years ago, and now following a review, there was an urgent need to make repairs;
- South West Water were looking to reclassify some of their sewers to become culverted watercourses, with the responsibility and maintenance cost to be covered by landowners which would include homeowners and the Council;
- There were new requirements for the Councils information management, in which if it was not accessed correctly, it would impact on reputation with PSN, however no incident had occurred so it was not specific;
- Public liability insurance covered issues where the Council had been negligent
- The likely income from the leisure centre was based on an assessment, which took into account for alternative provision and sensitivity analyses for tenders would be monitored;
- He would provide the Chair a date for the next South West Water meeting once it had been re-scheduled;
- It was good practice to ensure all dates that fall into the same month as an Audit and Governance meeting have a detailed outcome. He would ensure that the register was updated to ensure its accuracy. The Chief Executive & Growth Director confirmed that this had been discussed with the new Directors.

The Audit and Governance Committee noted the Corporate Risk Register.

(The meeting commenced at 5.30 pm and closed at 6.15 pm)

Chair

STRATA JOINT SCRUTINY COMMITTEE

Wednesday 6 September 2017

Present:-

Councillors Leadbetter, Wood, Prowse, Dent, Jung and Nicholas

Also Present

Strata IT Director, The Teignbridge Strata Director, Compliance and Security Manager, Programme & Resource Manager, Strata Business Systems Manager, Strata Document Centre Manager, Chief Finance Officer, Strata Lead for Human Resources and Democratic Services Officer (Committees) (HB)

40

CHAIR

In the absence of Councillor Lyons, the meeting was chaired by Councillor Leadbetter of Exeter City Council.

41

APOLOGIES

These were received from Councillors Dewhirst, Haines and Lyons.

Councillor Sheldon was substituting for Councillor Lyons.

42

MINUTES

The minutes of the meeting held on 15 June 2017 were taken as read and signed by the Chair as correct.

43

DECLARATIONS OF INTEREST

No declarations of pecuniary interest were made.

44

QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES

None.

45

QUESTION FROM MEMBERS OF THE COUNCILS UNDER PROCEDURE RULES

None.

46

STRATA IT DIRECTOR'S REPORT

The Strata IT Director presented the quarterly report on the functioning of the Strata organisation, the aim being to provide background to the core areas of specialisation within Strata and identifying key activities, successes and areas for improvement. The report included a SWOT analysis. He highlighted the following key areas:-

- the Global Desktop Improvement Programme (GDIP) was in place to improve the overall end user experience of the Global Desktop environment with regular updates issued. Action plans had been drawn up to address issues experienced and Strata was working closely with technology partners;

- in respect of Global Communications, the Strata Service Desk had been moved to the Anywhere365 solution to manage workload across the service desk which was giving better visibility of call patterns and had helped effective management;
- the number of cyber threats identified by Strata remained high and effective protection of the three authorities IT environments was in place, the Strata Compliance and Security team continuing to manage on a daily basis phishing attacks. This was a significant challenge and had increased the workload in the team. Trends in attacks had been identified and there were excellent tools in place to add layers of protection;
- the number of Business Change Requests (BCR's) had reduced through proactive monitoring and management and good progress was being made in reducing workload in a number of areas;
- recruitment of new staff had proved effective enabling members of the Strata management to free up time to enable them to better manage their teams, and to be less operational. There were some 1,800 users and 67 Strata staff;
- Strata was in a position to attract high quality staff with regular approaches from both individuals and from agencies interested in working for Strata, with the East Devon Human Resources team highly supportive. Two new team members had been recruited into the Business Systems discipline and three new apprentices had commenced work on 5 September on a structured two-year apprenticeship programme. Exeter College delivered a programme of work experience, well received by both students and college staff. During a week in June, seven 'IT' students worked alongside Strata teams and the same exercise would be repeated in 2018;
- it was noticeable that Strata was being successful in staff recruitment despite private sector competition as the overall Strata package which included pension rights and sick pay was an attraction;
- monthly town meetings were held with all Strata staff;
- a new Strata web site had been launched; and
- the Multi-Function printer Devices had been launched across the three authorities, Ricoh having won the tender.

The IT Director's report also included a table of project resources and capacity. It showed a drop in project utilisation (which had been over 70% for the majority of the last 15 months) would lead to more time available to work on BCRs. Ideally, Strata project utilisation would be at approximately 50% of available resource time. It was predicted that, by November 2017, project utilisation would be in the region of 55% of available resource time. The Director also presented a Key Performance Indicator table showing improvements in all areas - incidents, service requests, security, problems, maintenance and BCR's. He also reported reductions in the spend analysis, highlighting for example a reduction in overtime from £6,000 to £1,500 largely due to the completion of the global desktop rollout.

Referring to the transfer of the telephony system to the integrated Skype Business System, a Member asked whether Members would receive any benefit from the migration to the new platform, and whether, for example the cost of calls into the authority could be included or reduced. It was agreed that Strata would look at the possibility of deploying the new platform to Members and hence offering a more attractive call tariff for calls into the authorities.

With regard to work experience and apprentice recruitment, the need to include all Colleges of Further Education across the three authorities was recognised and hence engagement should ideally be extended beyond Exeter College. Strata would therefore look to engage other such educational establishments during 2017/18 and explore ways of potentially working together.

Individual managers presented their respective areas as set out below:-

Compliance and Security – Robin Barlow

There had been a consistent improvement in line with that seen over the last four months although issues with Lagan at East Devon continued to cause outages even with support from the supplier. The annual Public Service Network CoCo submissions for each council had not been accepted by the Government PSN assessment team who were taking a zero tolerance approach to Windows 2003 servers, of which there were currently five between the three Councils.

The migration of the PSN network connections was behind target due to the supplier (Vodafone). Dates to migrate email services had been confirmed for early September allowing the East Devon and Teignbridge connections to be terminated.

There was additional focus on the security position which remained high with additional measures in place to bolster the current position. This level reflected the volume of security threats being seen generally even though there has been a success in identifying the recent email campaign through some advice in a Government security forum.

Infrastructure Projects – Robin Barlow for Adrian Smith

Speed of the Global Desktop Improvement Programme (GDIP) had improved but there were still issues to resolve including Outlook failing with external specialists brought in to review performance. Fortnightly updates were being provided to users. A detailed breakdown of the programme was provided.

The Global Telecoms project was progressing well and Exmouth staff had been retrained following re-fit of new building. Strata remained involved in the Honiton build. The relocation of IT equipment to facilitate the building works at Forde House had provided positive feedback

The service desk was performing well in supporting the Business as Usual activities of the three authorities. In July 2017, out of the 285 feedback responses, 265 were positive, 12 neutral and 8 negative, representing a 93% positive feedback performance. Devon County Council had increased the Wide Area Network costs and Strata was therefore exploring with KCOM the transfer of the service. Because of increasing emails a further 20TB's of Storage Area Network disk capacity had been installed.

Councillor Prowse left the meeting at this point leaving the meeting inquorate.

Document Centres - Martin Millmow

The new Ricoh printers had been installed at Exeter City Council Civic Centre allowing printing to be collected from any printer using a council ID card. Benefits of 'Follow Me printing' technology was that prints could be retrieved from any printer and the system also provided increased data protection. Installation at remote offices would follow. Five printers were being installed at East Devon including four at the refurbished Exmouth Office with Teignbridge installation to follow later in December, the whole project to be completed by December.

The graphic design team had recruited a part time graduate designer based at Teignbridge.

Programme and Resources – Steve Gammon

The Programme and Resources Manager detailed the 16 systems convergence projects being undertaken as requested by Council service managers and as agreed by the partner Councils and set out in the annual Strata Business Plan together with 60 service projects.

50% was the guideline resource allocation for project work, leaving the remaining 50% for all other tasks such as support, BCRs and all other activities. The current high demand for projects, seen to run until October was impacting capacity for delivery of BCR's.

The Programmes and Resource Manager met regularly with departmental heads to ensure Strata understood the needs of each authority and action plans drawn up to address reported problems. It was planned to provide the Draft Business Plan to the Councils' earlier this year.

Overall governance would be examined with the authorities to agree a potential new governance model for 2018 and beyond.

Business Systems – Dave Sercombe

The Business Systems Manager reported that the BCR queue continued to reduce as BCR's were completed with the need of others being re-assessed to provide a more accurate picture. Project work was continuing with several major projects due to go live in the next couple of months. The Uniform project in Exeter had gone live helping harmonise software across the authorities. In Exeter also, Planning, Building Control, Housing Grants and Land Charges were live with the new Uniform system, now used across all three partners. All three authorities were entering into a project scoping exercise to explore the deployment of a common Street Scene as part of a review of Asset Management requirements.

The Firmstep project had been updated and agreed with the project board to manage all customer enquiries from all sources and was expected to go live at the fourth quarter of 2017/18.

Teignbridge had gone live with the Garden Waste renewals scheme and East Devon's new Waste system across their refuse service was fully operational. This involved Waste Management, Customer Services, the external contractor Suez, and Strata.

Other major projects progressing well included iTrent payroll and core Human Resources in Teignbridge which were expected go live in October 2017, the Digital Platform in Teignbridge and Updates to Website and Intranet in East Devon.

Strata recognised the importance of meeting users' expectations whilst, at the same time, retaining appropriate project work balance.

Strata Joint Scrutiny Committee noted the report and thanked the Strata staff for their hard work and the significant progress made.

The Director responsible for Finance reported that Strata had been given a total of £6,104,000 to run the IT Services in 2017/18 along with funding for various capital projects. The 2017/18 Business Plan had revised the savings profile set out in the original Business Cases over the initial ten year period of the Company.

The Strata budget was on track to deliver around £255,000 of revenue savings for the Councils in 2017/18. Strata had asked for £210,000 for specific service improvements but this had not yet been approved by the three Councils. At the three month stage the Board was projecting a savings of £255,520 against the total original target of £252,836.

The report set out variations in the capital budget.

The Board was satisfied that the refund provided to the three owners during May 2017 was appropriate, subject to final approval at Teignbridge of the company being allowed to keep the additional £210,000.

Strata Joint Scrutiny Committee noted and supported the report.

48

PEOPLE DATA REPORT - 2016/17

The Alternate Director with Lead Responsibility for Human Resources presented the report setting out key people information for 2016/17. The report covered headcount, turnover, absence, recruitment, apprentices and age profiles. Strata had recruited three apprentices for each of the three councils.

Strata Joint Scrutiny Committee noted and supported the report.

(The meeting commenced at 5.30 pm and closed at 7.02 pm)

Chair

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STRATA - JOINT EXECUTIVE COMMITTEE

Tuesday 26 September 2017

Present:-

Councillor Paul Diviani (Chair)
Councillors Christophers and Edwards

Non-Voting Members
K Hassan, P Shears and M Williams

Also Present

Strata IT Director, Chief Finance Officer, Strata Board Director, The Teignbridge Strata Director, Business Systems Manager, Programme & Resource Manager, Document Centre Manager and Democratic Services Manager (Committees)

30

MINUTES

The minutes of the meeting held on the 20 June 2017 were taken as read and signed by the Chair as correct.

31

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

32

STRATA IT DIRECTOR'S REPORT

The Strata IT Director updated Members on the IT issues that caused the failure of the Global Desktop environment on the 13 and 15 September 2017. The root cause had been identified as a problem with the SAN (Storage Area Network) as three automated processes were happening simultaneously within the SAN (data progression, restriping and rebuilding of a disk) and the combination of these three processes dramatically impacted the overall performance of the Global Desktop environment.

The Strata IT Director advised that mitigation measures were being discussed and potentially being put into place including; engagement with Dell to discuss how the combination of processes impacted the SAN performance; SAN management training for Strata staff; ongoing SAN capacity management; Dell optimisation service; alerting mechanisms and manufacturer/reseller support contracts.

Presentation attached to minutes.

The Strata IT Director clarified that, during the SAN performance degradation issue, data was safe. It was also stated that the Secondary Data Centre at the Oakwood location enabled a maximum of 250 users across the three Councils to access the Global Desktop to connect to a number of core applications. Work was currently underway with the Business Continuity Managers across the three authorities to ascertain what additional 'core' applications were required in the event of a major incident. The Councils would have to decide how many users and what core

applications it would require at the Secondary Data Centre locations as there were costs implications. Strata were investigating the additional costs of the back-up data Centre and also to potentially move the infrastructure into the 'Cloud'.

Members acknowledged the failure did provide an opportunity for the Councils to test their Disaster Recovery Plans although they recognised the need for a joined up approach when communicating information that affected all three Council to the wider public.

The Leader of Exeter City Council raised concerns with regards to the communication to the politicians that was received from Strata at the time of failure.

The Strata IT Director commented that a lot had been learnt during the period of performance degradation and Strata would work with its suppliers to mitigate the risk moving forward. Strata would also review communication processes to be utilised in the event of a major incident. The Strata IT Director also stated that two of the three authorities had provided contact details for use by the Strata Service Desk in the event of a major incident occurring, and these details had been used to contact the named individuals.

Strata Joint Scrutiny Committee considered the report at its meeting on 6 September 2017 and its comments were reported.

RESOLVED that the report be noted.

33

STRATA BUDGET MONITORING QUARTER 1 - 2016/17

The Director responsible for Finance reported that Strata had been given a total of £6,104,000 to run the IT Services in 2017/18 along with funding for various capital projects. The 2017/18 Business Plan had revised the savings profile set out in the original Business Cases over the initial ten year period of the Company.

The Director responsible for Finance clarified the position with regards to the projected savings and that part of the increase was due to additional income from Government funding. In order to monitor the financial position there would be regular meetings with the Strata IT Director and the finance team and quarterly updates to the Board.

Strata Joint Scrutiny Committee considered the report at its meeting on 6 September 2017 and its comments were reported.

RESOLVED that the report be noted.

34

PEOPLE DATA REPORT - 2016/17

The report of the Alternate Director with Lead Responsibility for Human Resources was submitted setting out key people information for 2016/17. The report covered headcount, turnover, absence, recruitment, apprentices and age profiles. Strata had recruited three apprentices for each of the three councils.

Strata Joint Scrutiny Committee considered the report at its meeting on 6 September 2017 and its comments were noted.

RESOLVED that the report be noted.

(The meeting commenced at 5.30 pm and closed at 6.30 pm)

EXECUTIVE

Tuesday 12 September 2017

Present:

Councillor Edwards (Chair)
Councillors Bialyk, Brimble, Denham, Gottschalk, Leadbetter, Morse, Packham and Sutton

Also present:

Chief Executive & Growth Director, Director (BA), Director (DB), Director (JY), Interim Director Public Realm, Corporate Manager Democratic and Civic Support, Service Lead Housing Assets and Democratic Services Manager (Committees)

77

MINUTES

The minutes of the meetings held on 13 June and 11 July 2017 were taken as read and signed by the Chair as correct.

78

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

79

FIRE SAFETY MANAGEMENT POLICY (HOUSING)

The Director (BA) presented the report recommending a new Fire Safety Management Policy in respect of the Council's housing stock and requesting whether escape routes should be managed under a 'managed' or 'sterile' approach. Members were advised that, following recommendations of the Health and Safety Executive, the Devon and Somerset Fire and Rescue Authority and Local Government Authority, officers were recommending a 'sterile/clear and clean' policy. This would be carefully phased in through facilitation, implementation, and enforcement. It was important for the policy to be fully explained to tenants and the issue of additional storage addressed.

The Portfolio Holder for City Transformation, Energy and Transport emphasised the need to ensure that there was engagement with the tenants with support from the Fire Service.

Members supported the implementation of a 'sterile/clear and clean' policy to ensure tenants safety with the need for consultation and education on its introduction. It would also be important that tenants recognised that 'escape routes' were not communal areas and should not be obscured.

RECOMMENDED to Council that:-

- (1) a new Fire Safety Management Policy be adopted meaning that designated escape routes and alternative routes which could be used for escape should be maintained free from all obstacles in order to secure tenant safety and the Council's compliance with statutory duties;

- (2) approach to implementing the policy be phased over time to include awareness raising, consultation on storage requirements and fire safety education; and
- (3) the additional funding required to implement the adopted option for the management of the Council's Housing Stocks, costs to be met from the Housing Revenue Account (HRA), as set out in the report, be approved.

80

HONORARY ALDERMAN

The report of the Corporate Manager Democratic and Civic Support was submitted setting out a proposal to offer the position of Honorary Alderman of the City to Mrs Stella Brock in recognition of her outstanding service to the Council over her 16 years of office on the Council, including her time as Lord Mayor in 2011.

Members supported the offer of the position of Honorary Alderman to Mrs Stella Brock.

RECOMMENDED to Council that, in accordance with Section 249 of the Local Government Act 1972, the Right Worshipful the Lord Mayor be requested to convene an Extraordinary meeting of the Council, on the rising of the Ordinary meeting of the Council on 17 October 2017, to consider granting the position of Honorary Alderman of the City to Mrs Stella Brock.

81

DELEGATED DECISION - TOPSHAM LOCK

The Interim Director for Public Realm updated Members on the delegated decision in regards to the recent inspection of the temporary piling solution to shore up the disused Topsham Lock. The inspection had indicated that the potential for failure was high. The advice was to commission a satisfactory scheme in the very near future to prevent a failure. A delegated decision had been signed to request an initial £100,000 for further inspection and remedial works to begin. These inspections would enable officers to better understand the scale of the problem and present to Members a clearer picture in terms of potential options to resolve the situation.

The Director (DB) advised Members of the current position with regards to a possible solution to shore up the lock. A further report would be brought to Members when more details of the works and costs involved were known.

RESOLVED that the delegated decision be noted.

82

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

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

REINSTATEMENT OF ECC HOUSING NEEDS SYSTEM LEAD POST

The report of the Director (BA) was submitted asking Members to support the reinstatement of the System Lead Housing post as full time permanent post from its current 0.6FTE.

Members were advised that the post was currently vacant and covered by a working arrangement with Teignbridge District Council in a secondment arrangement. The Council had received notice from Teignbridge that the arrangement would be coming to an end as of 14 October. The introduction of the Homelessness Reduction Act in April 2018 would bring additional duties to the Council and would significantly contribute to the workload of the service including at Leadership level.

The Portfolio Holder for People supported the proposed way forward.

Members thanked the System Lead Housing for all her work in taking the homelessness service forward and wished her all the best for her future.

RECOMMENDED to Council that the:-

- (1) System Lead Housing post be reinstated, as full time permanent; and
- (2) the required additional funding of £22,580 be allocated to the Housing Needs service to fund this post, this amount having previously been removed from the budget as a saving.

RE-ORGANISATION TO INCORPORATE THE RE-BALANCING OF SKILL GAPS TO MEET SERVICE DEMANDS WITHIN PUBLIC REALM

The report of the Interim Director of Public Realm was submitted providing a business case for changes needed to rebalance the skill gaps and resource capacity to meet service demands within Public Realm. Provided Members approved the draft proposals, a consultation with staff and union representatives would take place in accordance with the Management of Organisational Change Policy.

The proposals would be cost neutral and ensure that the service was fit for purpose.

In response to Members' questions, the Interim Director of Public Realm clarified the position with regards to the training of staff effected by the proposals.

Members supported the way forward.

RESOLVED that the business case for rebalancing of the skills gap and resource capacity in Public Realm as set out in the report be approved for consultation in accordance with the Management of Organisational Change Policy.

(The meeting commenced at 5.30 pm and closed at 6.02 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 17 October 2017.

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Agenda Annex

SEATING IN THE GUILDHALL

		Deputy Lord Mayor Councillor Hannan (L)	Chief Executive & Growth Director	Lord Mayor Councillor Robson (L)	Corporate Manager Democratic/Civic Support	City Solicitor & Head of HR	
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Democratic Services Manager (Committees)				Deputy Chief Executive	Chief Finance Officer	
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Councillors	Councillors	Councillors	TABLE	Councillors	Councillors
Warwick (L)	Hannaford (L)	Edwards (L)		Leadbetter (C)	Mitchell (LD)
Ashwood (L)	Foggin (L)	Sutton (L)		Newby (C)	Musgrave (G)
Harvey (L)	Keen (L)	Denham (L)		Baldwin (C)	Prowse (C)
Wood (L)	Sheldon (L)	Pearson (L)		Henson, D. (C)	Mrs Henson(C)
Foale (L)	Lamb (L)	Morse (L)		Thompson (C)	Holland (C)
Lyons (L)	Sills (L)	Bialyk (L)			
		Brimble (L)			

Cllr Morris (L)	Cllr Owen (L)	Cllr Branston (L)	Cllr Packham (L)	Cllr Gottschalk (L)	Cllr Wardle (L)	Cllr Vizard (L)	Cllr Spackman (L)
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L: Labour: 29
C: Conservative: 8
LD: Liberal Democrat: 1
G: Green: 1

Portfolio Holders

Edwards: Leader
 Sutton: Deputy Leader and Economy and Culture
 Gottschalk: City Development
 Bialyk: Health and Wellbeing, Communities & Sport
 Denham: City Transformation, Energy & Transport
 Brimble: Place
 Packham: Housing Revenue Account
 Pearson: Support Services
 Morse: People

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