



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 16 OCTOBER 2018**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

Pages

1	Minutes	
	To approve and sign the minutes of the Ordinary and Extraordinary meetings held on 24 July 2018.	3 - 14
2	Official Communications	
	To receive minutes of the following Committees and to determine thereon:-	
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9	Place Scrutiny Committee - 13 September 2018	55 - 66
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11	Corporate Services Scrutiny Committee - 27 September 2018	73 - 82
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13	Strata Joint Executive Committee - 25 September 2018	91 - 96
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16	Committee Membership	

17 Notice of Motion by Councillor Musgrave under Standing Order No. 6

This Council notes:-

- 55% of Exeter residents who voted in the EU referendum voted to remain in the EU.
- Exeter has a greater share of exports to the EU than any other city in the UK (70% of exports from the city are destined for EU countries).
- A recent Local Business Survey showed that confidence among SMEs in the West of England in the government to deliver a Brexit that works for

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business is on the wane, with only 11.69% of 230 businesses polled being confident or very confident that there will be a good deal.

- Polling in July 2018 found that 71% of British people disapprove of how the Brexit negotiations are being handled.
- Polling in August 2018 found that voters in the South West of England back a second referendum on the Brexit deal by a margin of 42% to 35% .

This Council believes:-

- That the EU referendum on 23rd June 2016 should be considered the beginning of a democratic process, not the end of one.
- That the conclusion by the Electoral Commission that the Leave campaign committed serious offences by breaking electoral law casts doubt on the legitimacy of the result of the 2016 referendum.
- That new information on the way the referendum campaign was conducted and the economic, environmental and social impacts of Brexit, which have come to light since the referendum, may have altered some voters' preferences regarding desired outcomes of the Brexit negotiations.
- That giving the British people a final say on the Brexit negotiations will help to rebuild trust and engagement in the political process.

This Council resolves:-

- To express our support publicly for a People's Vote on the final terms of any Brexit deal.
- To write to our local MP, Ben Bradshaw, and the Prime Minister, Theresa May, informing them that Exeter City Council has passed this motion in support of a People's Vote.

18 Questions from Members of the Council under Standing Order No 8

Question from Councillor Mrs Thompson.

Is the Leader able to explain why individual employees of the City Council are making planning applications for Exeter City Council where the development is to be undertaken by the Council's Private Development Company building housing to be sold on the open market : the application presented at Committee 3rd September 2018 made no reference in the report of the application being for Exeter City Council or the Council's private development company?

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

Date: Monday 8 October 2018

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register

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COUNCIL

Tuesday 24 July 2018

Present:-

The Right Worshipful the Lord Mayor (Cllr Hannaford) (Lord Mayor)
Councillor Rachel Lyons (Deputy Lord Mayor)
Councillors Begley, Bialyk, Branston, Denham, Edwards, Foale, Foggin, Hannan, Harvey, Mrs Henson, Holland, Lamb, Leadbetter, Mitchell, Morse, Musgrave, Newby, Owen, Packham, Pattison, Pearson, Pierce, Prowse, Robson, Sheldon, Sills, Sutton, Thompson, Vizard M, Vizard N, Wardle, Warwick, Wood and Wright

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APOLOGIES

Apologies for absence were received from Councillors Gottschalk and D. Henson.

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MINUTES SILENCE - HONORARY ALDERMAN IAN MITCHELL AND HIS HONOUR JUDGE GEOFFREY MERCER

The Council observed a minutes silence in memory of Ian Mitchell, a former Mayor of the City, City Councillor and an Honorary Alderman and his His Honour Judge Geoffrey Mercer who was the Presiding Judge at Exeter Courts and the City Recorder, both having recently passed away.

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EXETER HINDU COMMUNITY

The Lord Mayor stated that as he was taking a multi-cultural and multi faith approach to his civic year, he had therefore invited representatives from the Exeter Hindu Community to attend the Council meeting this evening.

Mr Sival and Mr Sandhya addressed the Council.

The Lord Mayor presented Mr Sival and Mr Sandhya with a plaque of the Exeter City Council Crest.

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MINUTES

The minutes of the Annual Council Meeting held on 17 May 2018, Ordinary Meeting of the Council held on 24 April 2018 and the Extraordinary Meeting held on 13 June 2018 were moved by the Leader, seconded by Councillor Sutton, taken as read and signed as correct.

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OFFICIAL COMMUNICATIONS

The Lord Mayor congratulated the RAMM's shop which had won the best shop award in the National Museums and Heritage awards; Exeter College, for being awarded an AA College Rosette for its teaching restaurant (@34), together with a regional enthuse celebration award for excellence in teaching science, technology, engineering and maths. Finally, the Corn Exchange had been awarded the TripAdvisor certificate of excellence which recognised hospitality businesses that deliver constantly great service.

The Lord Mayor congratulated the Exeter Chiefs and Exeter City Football Club for reaching their respective sporting finals for the second year running, thanking both clubs for helping to keep Exeter on the national sporting map and he wished them well for their respective forthcoming seasons.

The Lord Mayor also congratulated Gina Awad on her well-deserved award of the British Empire Medal in Her Majesty's birthday honours list, for services to those with dementia.

The Lord Mayor advised of some of the events he had attended in his first few months ranging from the inspiring Shrouds of the Somme, The Trench installation in Northernhay Gardens, to Armed Forces Day where some 350 past, present and future members of the Armed Forces marched through the City Centre, and the wonderful Wyvern 18 at Wyvern Barracks. All reinforced the City's important links with the military community.

The Lord Mayor read out the reply he had received from their Royal Highnesses the Duke and Duchess of Sussex in response to his letter passing on the City's congratulations for their wedding, and to offer an open invitation for them to visit the City at their convenience.

The Lord Mayor also advised that he had the pleasure of attending Ifar to celebrate the end of Ramadan at Exeter Mosque; the opening of a new dementia unit attended by the Duchess of Gloucester; the launching of Refugee week; the Devon Development Education AGM and the judging of Britain in Bloom in the city.

The Lord Mayor then read out and circulated a letter he would be sending to Exeter Jewish Hebrew Congregation, Exeter Synagogue expressing his sadness on learning of the events on Saturday night, offering his support and suggesting a community service at the synagogue and a multi faith reception at the Guildhall.

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PLANNING COMMITTEE : 23 APRIL 2018

The minutes of the Planning Committee of 23 April 2018 were presented by the Chair, Councillor Sutton, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 23 April 2018 be received.

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PLANNING COMMITTEE - 21 MAY 2018

The minutes of the Planning Committee of 21 May 2018 were presented by the Chair, Councillor Sutton, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 21 May 2018 be received.

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PLANNING COMMITTEE - 25 JUNE 2018

The minutes of the Planning Committee of 29 June 2018 were presented by the Chair, Councillor Sutton, and taken as read.

Councillor Thompson declared a disclosable pecuniary interest and left the meeting for Minute Nos.142-146.

In respect of Minute No.143 (Planning Application No.18/0534 – Land West of Ringswell Avenue) and in response to a Member, the Chief Executive & Growth Director clarified that officer advice given at Planning Committee on issues of a technical matter were to ensure that Members had all the relevant evidence to enable them to make a decision.

The City Solicitor and Head of HR advised that as the Local Planning Authority, the Council had a duty to act responsibly with regards to technical advice given to Members at Planning Committee.

RESOLVED that the minutes of the Planning Committee held on 29 June 2018 be received.

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LICENSING COMMITTEE - 29 MAY 2018

The minutes of the Licensing Committee of 29 May 2018 were presented by the Chair, Councillor Owen, and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 29 May 2018 be received.

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PEOPLE SCRUTINY COMMITTEE - 7 JUNE 2018

The minutes of the People Scrutiny Committee of 7 June 2018 were presented by the Chair, Councillor Wardle, and taken as read.

In respect of Minute No.26 (Implementation Plan and Impact of the Homelessness Reduction Act) and in response to a Member, the Portfolio Holder for People stated that monies had been allocated from the “new burdens funding” from Central Government towards the Safe Sleep initiative.

RESOLVED that the minutes of the People Scrutiny Committee held on 7 June 2018 be received.

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PLACE SCRUTINY COMMITTEE - 14 JUNE 2018

The minutes of the Place Scrutiny Committee of 14 June 2018 were presented by the Chair, Councillor Sills, and taken as read.

RESOLVED that the minutes of the Place Scrutiny Committee held on 14 June 2018 be received.

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CORPORATE SERVICES SCRUTINY COMMITTEE - 28 JUNE 2018

The minutes of the Corporate Services Scrutiny Committee of 28 June 2018 were presented by the Deputy Chair, Councillor Warwick, and taken as read.

RESOLVED that the minutes of the Corporate Services Scrutiny Committee held on 28 June 2018 be received.

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STRATA JOINT SCRUTINY COMMITTEE - 31 MAY 2018

The minutes of the Strata Joint Scrutiny Committee of 31 May 2018 were presented by Councillor Lyons and taken as read.

RESOLVED that the minutes of the Strata Joint Scrutiny Committee held on 31 May 2018 be received.

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STRATA JOINT EXECUTIVE COMMITTEE - 11 JUNE 2018

The minutes of the Strata Joint Executive Committee of 11 June 2018 were presented by Councillor Edwards, and taken as read.

RESOLVED that the minutes of the Strata Joint Executive Committee held on 11 June 2018 be received.

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EXECUTIVE - 12 JUNE 2018

The minutes of the Executive of 12 June 2018 were presented by the Leader, Councillor Edwards, and taken as read.

RESOLVED that with the exception of Minute. Nos. 56 and 61(The Build Sport and Leisure Facilities) and 59 (Transformational Budget - First tranche of proposed projects) which had been considered at the Extraordinary Council Meeting on 13 June 2018, the minutes of Executive held on 12 June 2018 be received and, where appropriate, adopted.

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EXECUTIVE - 10 JULY 2018

The minutes of the Executive of 10 July 2018 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of Minute No.71 (Exeter City Group Ltd Business Case (August 2018 to March 2019), the Leader proposed the recommendation subject to an amendment to recommendation (7) to read: 'delegate authority to the Director (David Bartram) to agree any necessary amendments to the Management Agreement in consultation with the Leader of the Council, the Chief Finance Officer and the Portfolio Holders (currently the Portfolio Holder for Place and Commercialisation; the Portfolio Holder for People, and in addition the Chair or Deputy Chair, Corporate Services Scrutiny'. This was seconded by Councillor Sutton.

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

Question - Can the City Council ensure transparency in Council business if some of Council business is transacted through private companies?

The Leader replied that the City Council was able to ensure transparency by a number of internal and external controls. The City Council would be the sole shareholder of Exeter City Group Limited and Exeter City Group Limited would be the sole shareholder of Exeter City Living Property Company Limited, Exeter City Living Limited and Exeter City Homes Limited. Decisions taken by any of the Companies must be in accordance with the Articles of Association (which were

public documents) and the Group Management Agreement, which sets out the relationship between the City Council and the Exeter City Group of Companies.

The Articles and the Group Management Agreement set out the decision making structure and the powers delegated to the Board of Directors. In particular, the Scheme of Delegation (Schedule 4 to the Group Management Agreement) sets out how and by whom different decisions could be made.

The Business Case and annual Business Plans must be approved by Full Council and there was limited scope for decisions to be taken by the Board of Directors outside of these approved documents.

When going through the City Council's committee process, there would be a presumption that the Business Case and Annual Business Plans would be subject to the same presumption in favour of being made publicly available, save for the same limited exceptions for Part II matters defined in the Local Government Act 1972. For example, sensitive financial modelling information or matters relating to specific tenants or employees may legitimately be withheld as Part II matters.

In addition to the requirements imposed by virtue of local government legislation, the Companies will be subject to the requirements of the Freedom of Information Act 2000, the Data Protection Act 2018, the General Data Protection Regulations 2018 and the Companies Act 2006, which included the transparency rules for limited liability partnerships and limited companies introduced in April 2016.

In short, the City Council exercises complete control over the Companies as the sole shareholder and the Companies were subject to a range of statutory reporting and disclosure requirements.

Councillor Thompson asked a supplementary question - in respect of the meeting with the Town & Country Planning Association held on 18 July asking who attended to contribute to the discussions and is it possible to have access to the papers?

The Leader stated that it was prudent that the Council had good legal advice. He would clarify the position and let Cllr Thompson know the outcome.

Question - If a Private Development Company for the City Council has residential sites in the City looking to be developed through the Company, will the City Council adhere to its minimum 35% affordable housing policy and possibly achieve a higher percentage above 35%?

The Leader responded that the Development Company had always stated that it would comply with Council policy on affordable housing and aimed to provide 35%. Due to lower profit expectations than a private developer it was in a better position to fulfil this commitment.

Councillor Thompson asked a supplementary question - if the private company use viability as a reason for not meeting the City Councils policy of 35% affordable housing will an appraisal be carried out by an independent assessor?

The Leader stated that only the first year's projects were in the Business Case and there would be need for the company to build up monies to invest in Social Housing in future years.

Question - Will the City Council resist any suggestions 35% affordable housing is not viable on residential sites being developed through the Company?

The Leader stated yes, challenging on the grounds of viability did not align with the Development Company's objectives and purpose. If the company could not deliver a scheme with 35% affordable homes or the financial equivalent then it would not be a viable scheme to proceed. As a private company, its Directors had a responsibility to run the company in a financially prudent manner.

Councillor Thompson asked a supplementary question - would the Council by not adhering to its own policy to deliver 35% affordable housing and social rented homes appear as "don't do as I do but do as I say"?

The Leader replied that the company would undertake their own viability assessments and if sites were not viable then they would not be developed.

Question - How will the City Council ensure no conflict of interest with the Planning process if the entire Planning Committee needs to declare a possible pecuniary interest in any applications from the Private Company?

The Leader stated that it had been advised that the Members of the Planning Committee did not have a Disclosable Pecuniary Interest ("**DPI**") in any planning applications made by the Companies. At Appendix 1, the City Council's Code of Conduct (the "**Code**") sets out DPIs which were those set out in the regulations. They did not apply to planning applications made by the Companies. Appendix 2 of the Code defines 'other interests' which again did not apply.

It was settled law that local planning authorities ("**LPA**") were required to, and do, routinely determine planning applications for developments in which they had a pecuniary interest, or even where they were themselves the applicant for planning permission. They had no choice, because they (and no other body) had the function of determining applications for planning permission for development in their area. The mere fact that the LPA which determined an application for planning permission had a pecuniary interest (whether as an owner of the land, as an applicant for planning permission, or a shareholder in a local authority company) did not in itself give rise to any issue of unlawful bias.

The Planning Advisory Service (part of the Local Government Association) had issued guidance, "Probity in Planning for Councillors and Officers", which advised simply that "*proposals for a council's own development should be treated with the same transparency and impartiality as those of private developers*". This guidance was reflected in the Local Planning Code of Conduct which forms part of the City Council's Constitution.

Councillor Thompson asked a supplementary question - is there potential conflict with Compulsory Purchase Orders, Section 106 agreements and is this private company being set up to sidestep the Right to Buy scheme?

The Leader replied that the company intended to raise monies that would then be invested in building social and affordable housing in the city.

During discussion Members raised the following points:-

- this was the only way for the Council to deliver much needed social and affordable housing in the city
- cautiously supportive but had concerns regarding the Governance
- the first year's projects were critical to ensure capital funding for future investment in social and affordable housing

- the scheme proposed would be policy compliant
- the current housing market was broken, this proposal would be a way in which the Council could help to address the situation for its residents
- concerns regarding the financing of the start-up costs of the company and the implications for the Council.

The Leader stated that he welcomed a good debate on the proposals and that a lot of work had been undertaken by Members and Officers on this project. This Company was the way forward to start to build social and affordable homes for the city's residents. The Leader clarified that the Council would loan the company the start-up funding of £4.35 million, this would be borrowed at a rate of 2.7% and the Council would charge the company an interest rate of 4.86%, therefore making money for the Council. He asked all Members to vote for this proposal as amended.

RESOLVED that:-

- (1) the establishment of Exeter City Group Ltd and Exeter City Living Ltd be approved;
- (2) that whilst Exeter City Homes Ltd and Exeter City Living Property Ltd have already been registered at Companies House, no approval was being sought for the Companies' activities as their financial impact on the Council had not yet been assessed be noted;
- (3) the Year One Business Case at Appendix A of the report presented at the meeting be implemented by Exeter City Living Ltd for the period August 2018 to the end of March 2019;
- (4) a Registered Provider of Social Housing (RP) be developed to take ownership of any social housing created as a result of Exeter City Living Ltd works, subject to a satisfactory business case demonstrating the RP's viability being approved by the Council. The Registered Provider would be established and functional in advance of the availability of the social housing. The two work streams to be linked to ensure appropriate staging would coincide;
- (5) a loan of £4.35 million to Exeter City Living Ltd in order to implement and complete the year one Business Case set out in Appendix A of the report presented at the meeting be approved;
- (6) the Management Agreement set out in Appendix B of the report presented at the meeting be approved;
- (7) delegated authority be given to the Director (David Bartram) to agree any necessary amendments to the Management Agreement in consultation with the Leader of the Council, the Chief Finance Officer and the Portfolio Holders (currently the Portfolio Holder for Place and Commercialisation; the Portfolio Holder for People) and in addition the Chair or Deputy Chair Corporate Services Scrutiny;
- (8) the Articles of Association for Exeter City Group Ltd and its subsidiary companies as set out in Appendix C of the report presented at the meeting be approved;
- (9) delegated authority be given to the City Solicitor and Head of Human Resources in consultation with the City Surveyor to sell at open market

value any council owned land identified in the Year One Business Case;
and

- (10) delegated authority be given to the appropriate Director (currently David Bartram) to act in the role of Shareholder Representative and to undertake the activities and decisions as identified in the Shareholder Representative Delegated Powers Document (Appendix D, of the report presented at the meeting), including the ability to financially commit up to £499,999 funding for use by Exeter City Living Ltd for matters not in the Year One Business Case (August 2018 – end March 2019); and
- (11) that the Vaughan Road development identified for year two of the Development Company's operation be brought forward to year one, subject to the remaining assurance work being agreed. This is in order to ensure that the Housing Revenue Account is not disadvantaged and that the Development Company is able to deliver on Members' expectations on Affordable Housing.

RESOLVED that the minutes of Executive held on 10 July 2018 be received and, where appropriate, adopted.

43

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

Councillor Musgrave, seconded by Councillor Mitchell, moved a Notice of Motion in the following terms:-

Exeter City Council notes the varied successes of community land trust (CLTs). The council therefore resolves to:-

- (1) facilitate the integration of community land trusts with Exeter's existing housing policy;*
- (2) conduct an audit for the purpose of allocating a proportion of land to made available to CLTs;*
- (3) host a forum for self builders and residents wishing to start a CLT.*

The Leader in accordance with Standing Order 6 (5) referred this motion to Executive 11 September 2018 for consideration for legal and financial reasons. He confirmed that a representative of Exeter Community Land Trust together with the mover and seconder of the motion, would be invited to this meeting.

RESOLVED that this motion be referred to Executive and be brought back to Council is due course.

44

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

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

Question - If Exeter City Council sell the Clifton Hill Sports Centre site for residential development preventing use of purpose built student accommodation could this produce an 'undervalue' in accordance with the Local Government Act 1972 as amended by later provisions?

The Leader responded that selling any land with restrictions of this type had the potential to reduce the value.

Question - Could Community Strategy/Well Being be a justification for 'undervalue' if the City Council presents this argument for preventing the site to be used for purpose built student accommodation?

The Leader responded that the Council's policy on disposals of assets at less than best consideration was agreed at Executive on 7th October 2003. This policy provided that where the Council was minded to dispose of property at a value less than the best obtainable, then the Executive may decide to do so where such disposal would contribute to the promotion or improvement of the economic, social and environmental wellbeing of the area.

Put simply, any disposal of land at an undervalue of up of to £2 million would be decided by formal resolution of the Executive.

For any proposed sale where the undervalue exceeded £2 million, the Secretary of State's formal consent would be required.

Councillor Thompson asked a supplementary question - it states in the report by Professor Darren Smith, (of Loughborough University) commissioned by Exeter City Council, student accommodation is likely to increase with developers looking to build Purpose Built Student Accommodation (PBSA) in Exeter so how can the City Council guarantee no PBSA will be built on the Clifton Hill site when suitable sites are much in demand and a possible 4150 bed spaces in addition to those already planned could be needed in the near future?

The Leader replied that it was acknowledged that the city did need more purpose built student accommodation and that a small working group comprising of himself, the Portfolio Holder for City Transformation and the Chair of Planning Committee would be set up to look into this and to ensure the right balance of student accommodation in the city centre did not get saturated with PBSA. There was a need for family homes.

Question - If the City Planning Authority were prepared to allow a student block with potential for greater density than residential accommodation could this create a considerable difference in land value?

The Leader replied yes it could.

Councillor Thompson asked a supplementary question - with a PSBA already in the location near to Belmont Park would the Clifton Hill site attract student housing investors, which could make it difficult to justify an 'undervalue'?

The Leader replied that student accommodation would not be built on this site, nor the rest of the Bus Station site.

Question - If land value proved greater with high density purpose built student accommodation how would the City Council justify a substantial loss of capital receipts to the Community?

The Leader replied that this administration had been elected and indeed increased its majority on its manifesto. He continued that in the event that the sale of land with

such restriction will reduce the market value, approval from the Executive would have to be sought on the basis that such sale at undervalue would contribute to the promotion or improvement of the economic, social or environmental wellbeing of the area.

Councillor Thompson asked a supplementary question - how will the site be used if the City Council restrict PBSA from being built on the site?

The Leader responded that he had reiterated that purpose built student accommodation would not be built on this site.

Question - Is the City Council looking to guarantee to the Community a development on the site will not be used as student accommodation if the development is not considered purpose built student accommodation?

The Leader responded that the restrictive covenant was only aimed at preventing purpose built student accommodation. This restriction may not prevent students living in dwellings constructed on the site.

Councillor Thompson asked a supplementary question - will a Restrictive Covenant restricting the building of PBSA guarantee and prevent the site being used for student accommodation which is not purpose built?

The Leader replied that it would not be appropriate to stipulate who could occupy any potential dwellings and he would not want to prejudge any future planning applications.

(The meeting commenced at 6.05 pm and closed at 7.45 pm)

Chair

EXTRAORDINARY MEETING OF THE COUNCIL

Tuesday 24 July 2018

Present:-

The Right Worshipful the Lord Mayor (Cllr Hannaford) (Lord Mayor)
Councillor Rachel Lyons (Deputy Lord Mayor)
Councillors Begley, Bialyk, Branston, Denham, Edwards, Foale, Foggin, Hannan, Harvey,
Mrs Henson, Holland, Lamb, Leadbetter, Mitchell, Morse, Musgrave, Newby, Owen,
Packham, Pattison, Pearson, Pierce, Prowse, Robson, Sheldon, Sills, Sutton, Thompson,
Vizard M, Vizard N, Wardle, Warwick, Wood and Wright

7

APOLOGIES

These were received from Councillors Gottschalk and D. Henson.

8

HONORARY ALDERMAN

Councillor Mrs Henson moved the recommendation that Margaret Baldwin be conferred the title of Honorary Alderman, in recognition of her outstanding services to Exeter City Council during her period serving as a Member of the Council.

The Leader seconded the recommendation.

RESOLVED that, in pursuance of its powers under Section 249(1) of the Local Government Act 1972, the Council do confer on the following the title of Honorary Alderman, in recognition of her eminent services to Exeter City Council during the period she was a Member of the Council.

Margaret Anne Baldwin

[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 7.45 pm and closed at 7.48 pm)

Chair

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PLANNING COMMITTEE

Monday 23 July 2018

Present:-

Councillor Sutton (Chair)
Councillors Lyons, Bialyk, Branston, Denham, Edwards, Foale, Harvey, Mrs Henson, Morse, Prowse, Thompson and Vizard M

Also Present

City Development Manager, Principal Project Manager (Development) (HS), Development Manager Highways and Transport and Democratic Services Officer

151

MINUTES

The minutes of the meeting held on 25 June 2018 were approved and signed by the Chair as correct.

152

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

153

PLANNING APPLICATION NO. 18/0534/FUL - LAND WEST OF RINGSWELL AVENUE

The City Development Manager presented the application for the construction of 48 dwellings (Use Class C3), means of access, public open space and associated infrastructure. He explained that, in line with this Committee's decision on 25 June for the applicant to further discuss access and land ownership issues, these had been undertaken with the County Council and the applicant wished to proceed with the original application, as an alternative access via Ribston Avenue was impractical for technical, legal and cost reasons.

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

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

- the application should be considered jointly with the forthcoming proposal for the adjoining land for an independent hospital, the location of which next to a school is questionable;
- endorse use of brownfield site for housing development, but concerned for boundary usage;
- unacceptable disruption to existing wildlife corridor to the rear of Warwick Road. The pedestrian/cycle link to be provided along this boundary should be adequately illuminated;
- existing traffic congestion at the Honiton Road/Ringswell Avenue junction will be exacerbated and proactive measures necessary to improve this junction; and
- associated signage as part of the construction management plan should be in place at an early stage to control timing and movement of construction vehicles.

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

- although discussions have taken place with the County Council on land ownership the applicant's stance remains unchanged and wishes to proceed on their own terms citing cost and legal difficulties in amending the proposal;
- do not accept the measurements referred to by the applicant in respect of the capability of Ribston Avenue to be widened to adoptable standards; and
- as requested at the June meeting, the views of residents should be listened to particularly their concerns in respect of child safety of those children attending the Saint Nicholas Catholic Primary School and fears regarding emergency vehicles accessing Ribston Avenue.

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

- only matter to consider is that of access and discussions had been held with the County Council regarding access via Ribston Avenue and, whilst an offer of land had been made by the County, it was not without complications. In particular, the legal process and consequent re-design of the scheme would result in significant programme delay and cost;
- even if the land ownership issues could be resolved, then a minimum width of only nine metres would be available for the formation of the alternative access road. This was below the 9.5 metres minimum adoption requirements and the 10.5 metres advisable minimum construction width;
- traffic congestion during school dropping off and picking up hours is considered to be no different than around other schools in the City; and
- benefits will include development of a brownfield site to deliver 48 homes, 17 of which are affordable and a CIL contribution of £404,000.

He responded as follows to Members' queries:-

- have used TRICS data, an industry accepted formula for predicting traffic movements, which showed 15 traffic movements generated by residents during the morning peak which would coincide with school generated traffic;
- the County Council had not proposed the widening of Ringswell Avenue; and
- the work on the access from Ribston Avenue for construction vehicles will be temporary and therefore not as rigorous as for a road suitable for adoption the provision of which is restricted for the stated reasons. Vehicle movement will be subject to a construction management plan.

The Development Manager Highways and Transport explained that improvements to the Honiton Road/Ringswell Avenue junction would require significant investment and he also provided information on TRICS - trip rate calculations of traffic/people movements in and out of developments – the average being 5-7 movements per day.

Members considered that the development would impact adversely on the existing traffic congestion on Honiton Road which, in light of recent statistics, was considered to be one of the worst in the country and should therefore be categorised as "severe" in line with national planning policy guidelines. It was also noted that reference to lower traffic generation associated with a previous permission approved for this site could not be used as evidence as the permission was some six years old. It was remarked that the County Council, the previous owner of this and the adjoining site identified for an independent hospital, should

have sought to facilitate improved access via Bramley Avenue and Ribston Avenue in advance of the applications coming forward. Members were also very concerned regarding the safety of children along Ringswell Avenue.

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

RESOLVED that the City Development Manager, subject to prior consultation with the Chair, be authorised to **REFUSE** planning permission for the construction of 48 dwellings (Use Class C3), means of access, public open space and associated infrastructure for the following reasons:-

- (1) the increased congestion that will result along Honiton Road, particularly at the Ringswell Avenue junction; and
- (2) safety risks to children of the Saint Nicholas Catholic Primary School along Ringswell Avenue.

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PLANNING APPLICATION NO. 17/1788/OUT - FORMER EXWICK MIDDLE SCHOOL

The City Development Manager presented the outline application for a residential development with vehicular access from Gloucester Road via Higher Exwick Hill (All detailed matters relating to access, appearance, landscaping, layout and scale of development reserved for future consideration).

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

- do not object to the principle of housing development on this site;
- amended plans have been provided since the publication of the report which show different and unacceptable changes to the access to the site from Gloucester Road;
- the ecological appraisal and updated ecological walkover survey was produced by an individual who is no longer a member of the relevant chartered institute
- the tree survey is not fit for purpose as the development will lead to the unacceptable loss of a number of trees which remain in a good condition and proposes the removal of some trees in other people's gardens. Some roots will impact on houses and construction traffic accessing the site will be affected by low hanging branches of some trees; and
- the current access of three metres is inadequate and should be widened to the required minimum of six metres or an alternative access identified.

The City Development Manager stated that, as the application was outline, access details would be determined when the reserved matters were before the Planning Committee. Members asked that traffic issues in the area be fully addressed as part of the final determination.

Members also requested a report to the Planning Member Working Group on technical highway matters discussed in planning applications at this Committee including TRICS and Traffic Regulation Orders for the Development Manager Highways and Transport to brief Members.

The recommendation was for approval, subject to the conditions as set out in the report. The principle of residential development of this brownfield site within the built up area was considered acceptable and compliant with relevant development plan policies.

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

- in the event that the number of dwellings exceeds 10, or the combined floor space exceeds 1,000m² affordable comprising 35% of the total number of units will be provided with a tenure split 70%/30% social rented/intermediate, and 5% of affordable units as wheelchair accessible housing, built in accordance with the Council's Wheelchair Accessible Housing Design Standards;
- a Traffic Regulation Order contribution of £5,000;
- a Travel Plan contribution of £500/dwelling; and
- the provision of open space with public access and on-going management/maintenance arrangements

planning permission for a residential development with vehicular access from Gloucester Road via Higher Exwick Hill (All detailed matters relating to access, appearance, landscaping, layout and scale of development reserved for future consideration) be **APPROVED**, subject also to the following conditions:-

- 1) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun not later than two years from the final approval of the last of the reserved matters to be approved.
Reason - To comply with Section 92 rule 2 of the Town and Country Planning Act 1990 as amended.
- 2) **Pre-commencement condition:** Details of the appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
Reason for pre-commencement condition: To safeguard the rights of the local planning authority in respect of the reserved matters. This information is required before development commences to ensure that the development is properly planned with appropriate regard to the reserved matters.
- 3) No construction activities associated with the development hereby approved (other than the formation of the access itself) shall take place on the application site until a safe and suitable vehicular and pedestrian access to the site from Gloucester Road via Higher Exwick Hill has been provided and made available for use in accordance with detailed drawings which shall previously have been submitted to and approved in writing by the Local Planning Authority in consultation with Devon County Council as the Local Highway Authority. No dwellings comprised in the development shall be occupied until the access has been fully completed in accordance with the approved details.
Reason - To ensure that a safe and suitable access to the site is provided for all users in accordance with Paragraph 32 of the NPPF.
- 4) **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 5837:2012 - Trees in Relation to Design, demolition and 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.

- 5) **Pre-commencement condition:** A Construction Environmental Management Plan 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 and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.

Reason 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:** Prior to the commencement of the development hereby approved an Air Quality Impact Assessment incorporating proposed mitigation measures to minimise the air quality impacts of the development shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the proposed and agreed mitigation measures shall be fully implemented prior to the occupation of any dwellings comprised in the development.

Reason for pre-commencement condition: - To ensure that the potential impacts of the development on air quality are fully considered and appropriately mitigated.

- 7) **Pre-commencement condition:** The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of all dwellings and the final levels of all roads forming part of the development, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details

Reason for Pre-commencement condition: In the interests of the visual amenities of the area and the residential amenities of future occupants of the development and the occupants of existing neighbouring properties.

- 8) **Pre-commencement condition:** No part of the development hereby

approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.

Reason for pre-commencement condition: To ensure that adequate on-site facilities are available for the construction traffic attracted to the site. 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.

- 9) 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 or 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.

- 10) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

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

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

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

- 12) The development hereby approved shall be carried out in strict accordance with the findings and mitigation measures identified in the submitted Ecological Appraisal by Sunflower International dated July 2016 as updated by the additional report dated 13th March 2018 prepared by Richard Green Ecology Ltd. The additional survey work identified in the aforementioned documents should be carried out prior to the commencement of the development. Any licences required from Natural England in respect of the mitigation measures identified shall be obtained prior to the commencement of the development.

Reason - To ensure that the development is implemented in a manner that minimises the direct ecological impact of the construction of the development.

- 13) Prior to occupation of any dwelling hereby approved a Wildlife Plan which demonstrates how the proposed development has been designed to enhance the ecological interest of the site, and how it will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out

and managed strictly in accordance with the approved measures and provisions of the Wildlife Plan.

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

- 14) If during development contamination not previously identified is found to be present at the site then no further development unless otherwise agreed in writing with the Local Planning Authority shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.
Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
Reason - In the interests of the amenity of the occupants of the buildings hereby approved.
- 15) No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, National Planning Policy Guidance and the Department for Environment, Food and Rural Affairs Sustainable Drainage Systems Non statutory technical standards for sustainable drainage systems, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and
 - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- Reason** - To ensure the satisfactory drainage of the development.
- 16) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.
Reason - To protect the amenity of the locality, especially for people living and/or working nearby.
- 17) No part of the development hereby approved shall be brought into its intended use until further details of pedestrian/cycle linkages/facilities from the site boundary to the existing highway network as indicated on the "site access points" drawing (Drawing No 23939-GA-004 Rev P01) have been

submitted to and approved in writing by the Local Planning Authority. Thereafter the three pedestrian/cycle connections shall be completed in accordance with the approved details prior to the occupation of any dwellings comprised in the development.

Reason - To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the NPPF

- 18) Prior to the construction of any retaining wall within 5m of public highway, a detailed Approval In Principle for that section of retaining wall shall be submitted and approved in writing by the Local Highway Authority (Devon County Council).

Reason - To ensure the integrity of adjacent structures and land, and to formalise any necessary easements.

- 19) The development shall be implemented in accordance with the submitted Flood Risk Assessment and Drainage Strategy prepared by Clarkebond (report ref WE04300/Exwick/FRAand DS).

Reason - To ensure the satisfactory drainage of the development.

INFORMATIVES

- 1) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.
- 2) A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.
- 3) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website.

It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.

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

the demolition of existing buildings (Transport Club and Exeter Auto Centre) and re-development to provide student accommodation (Sui Generis), ancillary facilities, and ground floor uses in classes A1, A2, A3, A4, B1, D1 and D2, cycle parking provision and public realm improvements. The proposed development was for 111 student bedrooms, arranged as 102 bedrooms in cluster flats and nine in studios. The proposal included ground floor retail/business/leisure uses arranged as two units with landscaping and public realm.

In response to Members' questions, the Principal Project Manager advised that the dropping off and picking up of students would be facilitated through laybys in adjoining streets with residents also able to park in the nearby NCP carpark. Responding to a Member, he advised that the building was not within a Conservation Area.

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

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

- the block, set on the former Transport Club and Exeter Auto Centre, would complement the adjoining purpose built student accommodation set for completion in August 2019, representing the second phase of the overall development of the site
- the design approach sought an appropriate structure to complement the evolving Grecian Quarter;
- a presentation had been made to the Planning Member Working Group in March 2018 and a public consultation exercise held;
- occupants would share the first phase bin and bicycle storage and internal amenity area;
- development would help meet demand for additional student accommodation and offered lower rent than the first phase; and
- it provided employment opportunities and was a sustainable development.

He responded as follows to Members' queries:-

- the public consultation had involved a letter drop to 500-600 local residences and businesses, advertisement in the Express and Echo and a public exhibition; and
- because of the constrained nature of the site it had not been possible to continue the pitched roof approach of the first phase. The two phases could not be built simultaneously because of the inability of the developer to acquire this site at an appropriate time and concomitant assembly difficulties.

Members supported the principle of this development. However, the majority of Members felt that the "block" appearance of the design provided an unacceptable contrast to the first phase of the development and, as such, detracted from the overall urban appearance of the area. It was also stated that it would adversely affect neighbouring residential properties already impacted on by large, purpose built student blocks in the vicinity.

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

RESOLVED that planning permission for the demolition of existing buildings (Transport Club and Exeter Auto Centre) and redevelopment to provide student accommodation (Sui Generis), ancillary facilities, and ground floor uses in classes

A1, A2, A3, A4, B1, D1 and D2, cycle parking provision and public realm improvements be **REFUSED** as the appearance and shape of the proposed development relate poorly to the first phase of which it is an integral part and, as such, the proposals are considered not to be visually attractive or good design, and to be contrary to the aims of policy DG4 of the Exeter Local Plan First Review, the objectives of the Exeter Core Strategy and Chapter 7 of the NPPF.

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PLANNING APPLICATION NO. 18/0872/FUL - 3 DUNVEGAN CLOSE

The City Development Manager presented the application for a single storey rear and side extension.

A Member raised concern about the proximity of a sewer. The City Development Manager confirmed that South West Water had been consulted and an informative relating to the sewer recommended by South West Water would be added to the consent.

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

RESOLVED that planning permission for a single storey rear and side extension be approved, subject 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 and 92 of the Town and Country Planning Act 1990.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the submitted details received by the Local Planning Authority in June 2018 (including dwg. no. Bennett/PL 04A) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8 am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.
Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

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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.

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APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 21 August 2018 at 9.30 a.m. The Councillors attending will be Foale, Thompson and Branston.

(The meeting commenced at 5.30 pm and closed at 7.33 pm)

Chair

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PLANNING COMMITTEE

Monday 13 August 2018

Present:-

Councillor Sutton (Chair)

Councillors Lyons, Bialyk, Branston, Denham, Edwards, Foale, Mrs Henson, Morse, Prowse, Thompson and Vizard M

Apologies

Councillor Harvey

Also Present

City Development Manager, Principal Project Manager (Development), Development Manager Highways and Transport, Assistant Highways Development Management Officer (Exeter) and Democratic Services Officer.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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PLANNING APPLICATION NO. 18/0076/OUT - LAND NORTH OF HONITON ROAD AND WEST OF FITZROY AND WEST OF FITZROY ROAD

The Principal Project Manager (Development) (MD) presented the application for mixed use development to provide town centre facilities comprising retail units (food and non-food) (Use Class A1) and restaurant units with ancillary drive-throughs (Use Class A3), together with associated access, access roads, service yards, car parking, infrastructure and landscaping (all matters reserved except access). The application has been submitted in outline with all matters reserved except access.

He set out the context of the application, detailing how the application differed from a similar application by the applicant refused in 2014 and subsequently dismissed by the Secretary of State in 2016 and referring to four other current major applications for retail development on out of town centre sites in Exeter, being those on the WDP Depot, Moor Lane, the B & Q site at Avocet Road, a bulky goods proposal on the Police Headquarters Middlemoor site which was subject to a holding objection from Highways England and a non-food retail unit on part of the existing Tesco Car Park, Russel Way.

He reported that 40 representations had been received, including 24 objections and 14 in support. Objections had been received from the Hill Barton Consortium, Legal and General UK Property Fund (owners of Exe Bridges Retail Park), East Devon New Community partners (developers of Cranbrook New Community), East Devon District Council, Exeter Civic Society, the Exeter Cycling Campaign and Stagecoach. A further late letter of objection had been received from Legal and General. The majority of the letters of support had been received from businesses in the area, including Exeter Science Park Ltd. The Exeter Chamber of Commerce and Industry was also in support.

The update sheet covered further objections from Persimmon Homes and the Crown Estate who owned Princesshay and a newly submitted planning application to vary a condition of planning permission of the former Toys R Us site in order to sell any non-food products from part of the floorspace.

The City Development Manager commented on the differences in the application to that previously refused and the changed retail landscape referring to greater sector uncertainty and challenging market conditions, particularly with the growth of on line shopping. He stated that further information was required in respect of the competing schemes before they could be brought to Committee and that this application was fully funded and operator supported.

He advised that a deferral of the application to consider the cumulative impacts of the development with the other out-of-centre retail applications would not be appropriate and that the view of the applicant that the proposal would deliver the objectives of the Monkerton and Hill Barton Masterplan by providing facilities for the local community, including the local business community was a satisfactory reason to determine this application before the other applications.

He referred to potential economic, social and environmental benefits the scheme could offer including linkage to the district heating network although there was no timetable yet for its implementation. He advised that the provision of a local centre even for the additional two and a half thousand homes in the Monkerton area had not been delivered to date and could be difficult to achieve.

The City Development Manager also explained that the Environmental Health Officer felt that mitigation options proposed by Stagecoach of widening the bus lanes along the Heavitree corridor and changing the bus lane hours to ease the passage of buses along this route as well as upgrading buses along this route would be beneficial. The applicant had offered to upgrade all the buses on the 4/4A/4B route from Euro III to Euro VI standard by providing a financial contribution of £294,000. In addition, they had proposed to double the number of vehicle electric charging points in the development from 20 to 40 which was considered satisfactory to mitigate the air quality impacts of the development. Members noted, however, that it was not possible to quantify the impact of widening bus lanes on air quality of vehicles travelling along East Wonford Hil.

The applicants had not carried out a sequential test or impact assessment of the proposal on Cranbrook Town Centre. This, however, was not a policy requirement, in part, because Cranbrook was not officially designated as a town centre.

Mr Lewis of Exeter Civic Society spoke against the application. He raised the following points:-

- Exeter Civic Society objects to this proposal. Many of the retail outlets are too large with a large car park aimed at customers further afield. Support development of an appropriate local centre aimed at the local residents and businesses;
- the Hill Barton Consortium, the Cranbrook Consortium and East Devon Council believe the proposals ignore established policy and the needs of carefully planned communities. Proposals are excessive in scale, will generate significant traffic and have a negative impact on the well-being of residents of the adjoining homes;
- this application is worse than those refused before with more A1 and convenience retailing and lacking local services and facilities of previous proposals;

- vehicular access from the adjoining housing development is blocked;
- the impact and sequential tests in respect of the retail hierarchy for the area is considered only in limited fashion and only related to Exeter's city centre;
- Cranbrook has a planned town centre with infrastructure and development land in place and will be three times larger and the potential occupiers;
- many businesses support the application citing a need for local facilities but this would justify a local centre but not this proposal;
- the application undermines local residents, policies of Exeter and East Devon local plans, and the progressive growth and sustainability of Cranbrook; and
- a broad range of public and private bodies urge refusal.

Responding to a Member, he re-iterated the value of a local centre to the residential and business community, pointing out that there were options for such a centre in the Monkerton/Hill Barton area and suggesting also that the application site could better accommodate residential use.

Mr Ridgway of CPG, the developer promoting Moor Exchange spoke in support of the application. He raised the following points:-

- a reduced version of the previous scheme is presented with the retail element of the bus station development no longer proceeding and East Exeter has continued to expand significantly, with new residential and employment developments as well as a rapidly changing retail market,. Retailers such as Next and Boots embrace bricks and mortar but only want modern new attractive stores in the right locations and Moor Exchange fits the bill;
- terms are agreed with Next for a new Dual format store which will be a major coup for the City , Boots, TK Max and Homesense, Costa and McDonalds also identified.
- the scheme has changed in content with a better balance of food and comparison uses and includes a large Boots chemist;
- clear need for a new retail hub to serve the growing business and residential communities to the east of Exeter and Moor Exchange has continued to enjoy significant local business support from major organisations such as Exeter Science Park;
- much of the key building blocks for Moor Exchange are already in place with 60% of the development pre-let. It will create 520 new jobs, 160 spin off jobs in the wider economy and 260 construction jobs, a Community infrastructure levy payment of £2.2m and £1.1m annually in business rates; and
- will result in widened bus lanes to Honiton Road, the provision of a new bus link into the adjacent residential development, a contribution of £294,000 to fund the full upgrade cost to Euro VI (6) standard of buses, 40 electric vehicle charging points and a new pedestrian crossing at Honiton Road.

He responded as follows to Members' queries:-

- terms had been agreed with Next following Board approval and planning permission was awaited;
- uncertainty remained in respect of the other retail proposals, issues including the length of the B&Q lease, little information in respect of the Western Power proposal and any alternative site for re-location and the holding objection from Highways England in respect of the Middlemoor site, whereas the Moor Exchange was ready to go with air quality mitigation

measures agreed;

- the application offered additional shops to that of the City Centre and would serve the east of Exeter. The Next City Centre store was vibrant and would remain;
- anticipate that half of the electric charging points would be free with sponsorship from the stores with Next committed to this;
- footpath to the rear of the service yard will follow the existing road configuration in line with health and safety requirements as any new access would conflict with loading/unloading bays;
- CCTV equipment incorporates number plate recognition so that car parking can be limited to three hours and Stagecoach buses can operate without need for a gated system

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

Members expressed a number of concerns, the principal being the conflict with Policy CP19 and Policy CP8, as it was felt that the proposal still went beyond the interpretation of a local centre noting that this had been a key reason why the Inspector concluded that the previous proposal could not be a local centre. The current proposal was considered less like a local centre as the mix of uses has reduced. Members believed that there remained a potential impact not only on the City Centre, where there were currently some vacant units in the Princesshay development, but also the St Thomas District Centre with one Member also referring to the community around Pinhoe served by the shops in that area as well as Sainsbury's. Members referred to a number of other towns where developments of this nature had led to noticeable declines in the respective town centres.

Some Members also felt that the proposal would still fail the sequential test with reference made to the Bus and Coach Station still being available and sequentially preferable. Although it was not a requirement for the application to provide information relating to future provision at Cranbrook Town Centre, the cumulative impact of this application, allied to the potential progress at the Middlemoor site and, possibly, other developments, could adversely affect the City and District Centres. Members also referred to increasing Government concerns over City Centre viability in general across the country and that the grant of permission could be premature pending any Government policy based response to a report on the future of city centres. It was also suggested that there could be an adverse impact on neighbouring towns.

Although some mitigation measures in respect of air quality had been proposed, given the existing problem along the Heavitree Road corridor, it was considered that additional traffic generated would further increase the problem on this route into the City Centre. Concern was also expressed that the highway improvements proposed did not include the roundabout off Wilton Way, especially as there was now a question mark over the improvements mooted for this roundabout given the uncertainty over the Middlemoor proposal. It was suggested that there were a number of sites across the City currently vacant such as the Bus and Coach Station site and Marsh Barton where additional, higher quality jobs could be generated particularly as this application offered fewer skilled opportunities. Concerns were also raised regarding the size of the car parking proposed with the development and the likely noise impact from the loading and unloading bay on the neighbouring residential area. Another Member referred to the objections raised by the Exeter Cycling Campaign especially the impact on air quality and negative

impact on vulnerable road users.

RESOLVED that planning permission for mixed use development to provide town centre facilities comprising retail units (food and non-food) (Use Class A1) and restaurant units with ancillary drive-throughs (Use Class A3), together with associated access, access roads, service yards, car parking, infrastructure and landscaping (all matters reserved except access) be **REFUSED** as the application conflicts with Core Strategy Policy CP19. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, section 70(2) of the Town and Country Planning Act 1990, and Paragraph 12 of the National Planning Policy Framework it should therefore be refused as other material considerations do not indicate otherwise and, subject to prior consultation with the Chair, the City Development Manager be authorised to agree further reasons for refusal based on the concerns raised by Members.

(The meeting commenced at 5.30 pm and closed at 7.30 pm)

Chair

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PLANNING COMMITTEE

Monday 3 September 2018

Present:-

Councillor Sutton (Chair)

Councillors Bialyk, Branston, Denham, Edwards, Harvey, Mrs Henson, Morse, Prowse, Thompson and Vizard M

Apologies

Councillors Lyons and Foale

Also Present

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

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WEBCAST OF MEETING

A Member referred to the webcasting and use of Facebook Live of the meeting and the fact that, because of the position of the cameras, she did not feel that all Committee Members would be visible at all times.

The Chair explained that webcasting of Planning Committee meetings had only been recently introduced and was experimental and a work in progress at this stage. She asked that the difficulty referred to be addressed for the next meeting.

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MINUTES

The minutes of the meetings held on 23 July and 13 August 2018 were approved and signed by the Chair as correct.

164

DECLARATIONS OF INTEREST

Councillor Morse declared interests and left the meeting during consideration of Min. Nos. 167 and 168 below.

165

PLANNING APPLICATION NO. 18/0998/RES - SANDY PARK ROAD, OLD RYDON LANE

The City Development Manager presented the application for a 250 bed hotel with reserved matters of scale, layout, appearance and landscaping (pursuant to outline planning permission granted on 26 June 2018, reference 17/0665/OUT).

Both the Chair and City Development Manager advised that all access issues relating to this development had been previously determined by this Committee in October 2017 as part of outline planning permission.

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

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

- local residents are not anti-hotel and many are very pleased for the success

of the Club. They are concerned about accessibility issues and need reassurance that the necessary measures will be put in place to ensure safety and reduce traffic flow along the roads leading to the stadium and hotel both during and after construction;

- other developments in the area including 20 houses at Bricknells and a further 380 homes anticipated for a neighbouring area of land will also exacerbate concerns regarding access and traffic issues generally for the residents of Old Rydon Lane and the Rydons; and
- a major issue is the need for better consultation from the Club and the example of both the Ikea and Aldi developments should be followed - both have been proactive in consulting local residents with Ikea circulating a newsletter.

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

- local residents do not oppose the hotel development but have not been adequately consulted;
- support the 'no entry' Traffic Regulation Order of westbound traffic beyond the hotel but such restrictions may be ignored;
- residents support the inclusion of a traffic island to stop eastbound traffic turning right into the hotel;
- staff car parking should be within stadium parking facility;
- signs showing 'no access to hotel' should be erected at west end of Old Rydon Lane on Newcourt Way, and 'access to hotel only' at Clyst Road end of Old Rydon Lane;
- access for staff and commercial vehicles from Newcourt Way, along Old Rydon Lane is unacceptable as it is unsafe;
- major fire issues have not been addressed;
- an alternative, as circulated, would have minimal impact on current residents and which would offer better access, bringing staff and commercial traffic to the hotel from the roundabout within the Sandy Park Complex;
- a further alternative would be to ensure that commercial and staff access could be from Clyst Road, not bringing traffic through a residential area; and
- approval for, and work on the hotel, should not commence until these traffic flow, fire and safety issues have been fully addressed and a formal consultation with local residents has been held.

Tony Rowe, Chair of Exeter Chiefs RFC, spoke in support of the application. He raised the following points:-

- believe the Club have addressed all concerns regarding access. Service vehicles will access the hotel from the west along Old Rydon Lane and construction vehicles will access the site via Clyst Road;
- Exeter Chiefs is a member owned club and promotes Exeter throughout the British Isles and Europe, notably through its recent success as English Champions in 2017 and Runners Up in 2017. The most recent match against Leicester Tigers, the first of the season, was screened on live television and potentially viewed by 70 million households worldwide;
- the stadium holds 12,000 with many visiting the City, either as Chiefs fans or those of the opposition contributing to the local economy; and
- the club's survival depends on commercial viability and future plans also include a conference and exhibition centre. The four star Marriot Hotel is therefore crucial to the overall development and to support the business.

He responded as follows to Members' queries:-

- the club have liaised with Devon County Council on the Traffic Regulation Order to ensure safe road conditions;
- the club is happy to meet with residents and the hotel architect has already met the Chairman of the Newcourt Residents' Association to discuss the proposal and allay fears;
- the club will own the hotel with Marriot managing under a 30 year lease; and
- note that the Traffic Regulation Order will be subject to confirmation by the Exeter Highways and Traffic Orders Committee when the public can again comment.

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

Responding to a Member, the City Development Manager further advised that the Traffic Regulation Order was required via a condition agreed as part of the outline permission granted by the Committee and that the funding would be met through a Section 106 Agreement. Issues raised by the Devon and Somerset Fire and Rescue Service would be addressed as part of the building control application. Members welcomed the proposal, commending in particular the hotel's design which was considered of appropriate scale and massing next to the Sandy Park Stadium, overlooking the M5 and providing a visible and attractive landmark and a gateway into the City from the east.

RESOLVED that planning permission for a 250 bed hotel with reserved matters of scale, layout, appearance and landscaping (pursuant to outline planning permission granted on 26 June 2018, reference 17/0665/OUT) be **APPROVED**, subject to the following conditions:-

- (1) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 28th June, 14th, 24th, 29th, and 30th August 2018 (including dwg. nos. 1632 L01.04 Rev A, SP-KT-XX-XX-DR-A-IE-1632-SK100-P3, SP-KT-XX-XX-DR-A-IE-1632-SK102-P5, SP-KT-XX-B3-DR-A-IE-1632- SK200-P1, SP-KT-XX-B2-DR-A-IE-1632- SK201-P1, SP-KT-XX-B1-DR-A-IE-1632- SK202-P1, SP-KT-XX-00-DR-A-IE-1632- SK203-P1, SP-KT-XX-01-DR-A-IE-1632- SK204-P1, SP-KT-XX-02-DR-A-IE-1632-SK205-P1, SP-KT-XX-03-DR-A-IE-1632- SK206-P1, SP-KT-XX-04-DR-A-IE-1632- SK207-P1, SP-KT-XX-05-DR-A-IE-1632- SK208-P1, SP-KT-XX-06-DR-A-IE-1632- SK209-P1, SP-KT-XX-XX-DR-A-IE-1632- SK500-P1, SP-KT-XX-XX-DR-A-IE-1632- SK300-P2, SP-KT-XX-XX-DR-A-IE-1632-SK301-P2, SP-KT-XX-XX-DR-A-IE-1632- SK302-P2, SP-KT-XX-XX-DR-A-IE-1632- SK303-P2, SP-KT-XX-XX-DR-A-IE-1632- SK400-P1, SP-KT-XX-XX-DR-A-IE-1632- SK401-P1, 528/01 Rev A, 528/02 Rev B, and 528/03 Rev B) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (2) Prior to the commencement of the use hereby permitted, the kitchen ventilation system for the unit shall be installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The details shall include drawings of the location and design of the system, and information on how odour emissions shall be controlled, including abatement if necessary, and how the system shall be maintained to ensure it does not adversely affect the amenity of surrounding uses. (*The applicant should be advised that further guidance on the required*

information is available in annex B of the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems')

Reason: In the interests of the amenity of the area, especially nearby residential uses.

- (3) No part of the development hereby approved shall be brought into its intended use until the emergency access/staff car park accesses crossing of the proposed footway/cycleway that runs adjacent to Old Rydon Lane as indicated on *Drawing Number SP-KT-XX-XX-DR-A-IE-1632 SK102-P5*, have been provided in accordance with detailed construction plans that shall previously have been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 108 of the NPPF.

- (4) No part of the development hereby approved shall be brought into its intended use until the traffic island on Old Rydon Lane, visibility splays, secure covered cycle parking (for both staff and visitors), staff parking facilities and associated turning area for all vehicles as indicated on *Drawing Number SP-KT-XX-XX-DR-A-IE-1632 SK102-P5*, have been provided in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority.

Thereafter the said facilities shall be retained for their intended purpose at all times.**Reason:** To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 108 of the NPPF.

- (5) No part of the development hereby approved shall be brought into its intended use until suitable changing facilities/lockers for staff members have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. Thereafter the said facilities shall be retained for use by staff members at all times.

Reason: To provide adequate facilities for sustainable transport.

166

PLANNING APPLICATION NO. 18/0884/ECC - GARAGES BETWEEN 28 AND 36 ANTHONY ROAD, EXETER

The City Development Manager presented the application for the demolition of 13 no. garages and construction of three, three bed terraced houses and associated parking and access.

The garages were City Council owned and he confirmed that notice to quit had been given to those who were renting, although it was believed that most garages were being used for storage purposes. The car parking provision was consistent with Council policy. He also advised that a condition prevented construction on Sundays and Bank Holidays. Some Members expressed their concern that the properties would not be available to rent but would be sold on the open market. It was however noted that the threshold for requiring affordable housing was ten and other Members also remarked that Government policy restricted the ability of Council's to build homes for rent. It was noted that residents' parking permits would not be available.

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

RESOLVED that planning permission for the demolition of 13 no. garages and

construction of three, three bed terraced houses and associated parking and access be **APPROVED**, subject 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 7th June and 9th August 2018 (*dwg. nos. AL (0) 10/501 Rev C2, AL(0)101 AR Rev P3, LL(0) 400-AR Rev PT2, E1206-GSA-TR-DR-A-2206 Rev C1, 170501/AR/110, 170501/AR/100 and 170501/AR/101*, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- (4) No part of the development hereby approved shall be brought into its intended use until the on-site parking facilities and access thereto, have been provided in accordance with the requirements of this permission. Thereafter the said facilities shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- (5) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided as shown on drawing no. AL(0)10/501 Rev C2, and the cycle parking shall be maintained at all times thereafter.
Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- (6) Construction Environment Management Plan (CEMP) condition.
- (7) The development shall be implemented in accordance with the approved remediation scheme (from South West Geotechnical Ltd Report No. 8851a, July 2017) unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared which is subject to the approval in writing of the Local Planning

Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

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

Reason: In the interests of local amenity.

167

**PLANNING APPLICATION NO. 18/1031/ECC - FORMER RESTAURANT,
MAGDALEN STREET, EXETER**

Councillor Morse declared an interest because of her involvement as a Portfolio Holder and left the meeting during consideration of this item.

The Project Manager (Planning) (GM) presented the application for the change of use to winter night shelter and community facility for homeless people (Sui Generis). He responded to the comments of an objector suggesting issues to be covered by a proposed management plan for the shelter/day centre. The proposal involved renovation, provision of a bathroom and a change of use.

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

The City Development Manager explained that, as a sui generis use, the application was unique and did not fall within any use class. Planning permission was therefore required for all future change of use.

Fiona Darde, the General Manager of Hotel du Vin, spoke against the application. She raised the following points:-

- support need for a winter shelter for the homeless but believe that the location is unsuitable as there will be an adverse impact on the hotel, its visitors and neighbouring residential properties. The facility will overlook the hotel and have an adverse impact on business with problems of noise, disturbance and anti-social behaviour likely;
- the lack of outdoor amenities would result in clients congregating outside the centre causing problems as well as attracting individuals seeking to target vulnerable people;
- as the perimeter is fenced off, hotel guests using the Acorn car park will have to walk past the facility and will also feel intimidated when leaving the hotel to visit the city centre;
- request a deferral for further information on the number of the City's homeless; and
- if approved, a detailed management plan is necessary covering queuing at the entrance, congestion outside the building, security of the car park and storage of belongings and the facility should be closed if the management plan is not adhered to.

In response to a Member, she confirmed that she had met with the housing team at the City Council

Peter Denning, Chief Executive of Julian House, spoke in support of the application. He raised the following points:-

- Julian House wish to support Exeter which had a significant problem with rough sleepers with between 20-30 sleeping rough most nights;
- similar concerns had been raised from the traders in Market Street two winters ago to the night shelter in that street but had not been realised, The facility had been well managed with experienced staff and CCTV with staff meeting regularly with the traders;
- the Acorn site was the best of 18 alternatives examined as it was a relatively anonymous site and close to the city centre. The manager had 15 years of experience having worked at six similar facilities and would meet with those who had expressed concerns including the Hotel management.

He responded as follows to Members' queries:-

- the night shelter would operate between 1 October and 31 March, to be used during the rest of the year as a day centre;
- the Market Street shelter had witnessed a maximum of 29 sleepers in one night with typical figures being in the 20's. Not all rough sleepers had sought to use the facility but many of those who had done so had been successfully moved to permanent accommodation;
- there would be no risk of queuing as there would be a three to four hour window to receive clients; and
- Julian House was responsible for the homeless team at CoLab and there would therefore be a joined up approach with this facility as well as St Petrocks.

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

Members welcomed the proposal as a suitable solution to the significant problem of homelessness and rough sleeping in the City.

RESOLVED that planning permission for the change of use to winter night shelter and community facility for homeless people (Sui Generis) be **APPROVED**, subject 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 and 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 4 July as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) The use hereby permitted shall not commence until the Local Planning Authority has agreed in writing a Management Scheme submitted by the applicant and the agreed measures have been put in place. The Management Scheme shall include the following: A) details of the management arrangements for the property, including procedures for dealing with (i) management problems, (ii) anti-social behaviour, (iii) noise

and (iv) fires or other emergencies; and, B) the maximum number of bed spaces to be occupied at any one time. Occupation shall be managed in accordance with the approved scheme.

Reason: To help protect the existing residential amenity standards currently enjoyed by neighbouring properties.

168

PLANNING APPLICATION NO.18/1032/ECC - HOWELL ROAD CAR PARK, EXETER

Councillor Morse declared an interest because of her involvement as a Portfolio Holder and left the meeting during consideration of this item.

The Project Manager (Planning) (GM) presented the application for the temporary installation of modular building and separate toilet block used as a Winter Night Shelter for Homeless People between 1 October 2018 and 31 March 2019.

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

RESOLVED that planning permission for the temporary installation of modular building and separate toilet block used as a Winter Night Shelter for Homeless People between 1 October 2018 and 31 March 2019 be **APPROVED**, subject 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 and 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 4 July as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) The use hereby permitted shall not commence until the Local Planning Authority has agreed in writing a Management Scheme submitted by the applicant and the agreed measures have been put in place. The Management Scheme shall include the following: A) details of the management arrangements for the property, including procedures for dealing with (i) management problems, (ii) anti-social behaviour, (iii) noise and (iv) fires or other emergencies; and, B) the maximum number of bed spaces to be occupied at any one time. Occupation shall be managed in accordance with the approved scheme.
Reason: To help protect the existing residential amenity standards currently enjoyed by neighbouring properties.
- (4) If not otherwise agreed with the LPA development hereby approved shall be designed and built to meet the needs for ambulant disabled people in accordance with M1/M3 of the Building Regulations Access to and Use of Building Approved Document M, 2015 edition.
Reason: To increase choice, independence and longevity of tenure in accordance with Policy CP5 point three of the Exeter Core Strategy.

- (5) The development shall allow South West Water free access to their control apparatus at the north boundary. Before the works with fencing off the site a plan of these works shall be submitted and approved by the LPA.

Reason: In the interest of South West Water and the control in these respects.

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

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

170 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

171 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party will be held on Tuesday 18 September at 9.30 a.m. The Councillors attending will be Morse, Prowse and Vizard.

(The meeting commenced at 5.30 pm and closed at 7.25 pm)

Chair

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PLANNING COMMITTEE

Monday 1 October 2018

Present:-

Councillor Sutton (Chair)
Councillors Lyons, Bialyk, Denham, Edwards, Foale, Harvey, Mrs Henson, Morse, Thompson and Vizard M

Apologies

Councillors Branston and Prowse

Also Present

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

171

MINUTES

Subject to Min. Nos. 167 and 168 referring to the applications being those of Exeter City Council, the minutes of the meeting held on 3 September 2018 were approved and signed by the Chair as correct.

172

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

173

PLANNING APPLICATION NO. 18/1007/OUT - DEVON AND CORNWALL CONSTABULARY POLICE TRAINING COLLEGE, ALDERSON DRIVE, EXETER

The Assistant City Development Manager reported that the applicant for the demolition of existing buildings and construction of a mixed use development at the above site had requested that the application be deferred. This request had been made in order to provide more time to resolve highway issues with the Local Highway Authority.

RESOLVED that the application be **DEFERRED**.

174

PLANNING APPLICATION NO. 18/0886/18 - 78-84 BOVEMOORS LANE, EXETER

The Principal Project Manager (Development) (MH) presented the application for the demolition of two no. residential buildings containing four no. flats and 30 no. garages, and redevelopment of site comprising construction of 10 no. three bed, four person terraced houses and associated access and parking.

The applicant was Exeter City Council.

Responding to Members, the Principal Project Manager (Development) (MH) confirmed that South West Water were satisfied with the drainage design details and that a disabled resident adjacent to the development would be able to access the parking bays. He also advised that these passiv house properties would be sold on the open market.

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

RESOLVED that planning permission for the demolition of two no. residential buildings containing four no. flats and 30 no. garages, and redevelopment of site comprising construction of 10 no. three bed four person terraced houses and associated access and parking be **APPROVED**, subject 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 7th June, 9th and 21st August, and 3rd, 13th and 26th September 2018 (*dwg. nos. AL(0)40/500 Rev T1, AL(0)40/501 Rev C4, AL(0)401BL Rev P5, AL(0)402BL Rev P3, AL(0)403BL Rev P5, LL(0)400BL Rev C-03, LL(0)470-BL Rev C-03, E1206-GSA-TR-DR-A-2206 Rev C1, 170501/BL/100, 170501/BL/101 and 170501/BL/110 Rev D and 170501/BL/111 Rev D*, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- (4) No part of the development hereby approved shall be brought into its intended use until the on-site parking facilities and access thereto, have been provided in accordance with the requirements of this permission. Thereafter the said facilities shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- (5) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided as shown on drawing no. AL(0)40/501 Rev C2, and the cycle parking shall be maintained at all times thereafter.
Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- (6) **Pre-commencement condition:** A Construction Environmental Management Plan 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 and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.

Reason 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.

- (7) The development shall be implemented in accordance with the approved remediation scheme (from South West Geotechnical Ltd Report No. 8851b, August 2018 Version 2) unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- Reason:** No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.
- (8) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
- Reason:** in the interests of local amenity.
- (9) Each of the dwellings hereby approved shall incorporate an integral bat/bird nesting box in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation. The dwellings shall not be occupied until they have been completed in accordance with the approved details.
- Reason:** To ensure that the scheme makes a positive contribution to the enhancement of the ecological interest of the site.
- (10) Within 1 month of occupation all occupants of the new dwellings hereby approved shall be provided with a residential travel pack containing details (and maps if appropriate) of walking and cycling routes in the area and their links to wider networks within the city, and timetables and routes of public transport provision in the area.
- Reason:** To encourage the adoption of sustainable modes of transport and minimise reliance on private motor vehicles.

- (11) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and any Order revoking and re-enacting that Order with or without modification, no development of the types described in the following Classes of Schedule 2 shall be undertaken on any of the dwellings comprised in this consent without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-
Part 1, Class A extensions and alterations
Part 1, Classes B and C roof addition or alteration
Part 1, Class D porch
Part 1, Class E swimming pools and buildings incidental to the enjoyment of the dwelling house
Reason: In order to protect residential amenity and to prevent overdevelopment.

175 **PLANNING APPLICATION NO. 18/0890/18 - THORNPARK RISE AND BIRCHY
BARTON HILL**

The Principal Project Manager (Development) (MH) presented the application for the demolition of 54no. garages and redevelopment of site comprising construction of nine no three bed, four person terraced and semi-detached houses and associated access and parking.

The applicant was Exeter City Council.

Responding to Members, the Principal Project Manager (Development) (MH) confirmed that South West Water were satisfied with the drainage design details and he also advised that these passiv house properties would be sold on the open market.

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

RESOLVED that planning permission for the demolition of 54no. garages and redevelopment of site comprising construction of nine no three bed four person terraced and semi-detached houses and associated access and parking be **APPROVED**, subject 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 8th June, 9th and 21st August, and 3rd and 13th September 2018 (dwg. nos E1206-GSA-TR-DR-A-501 Rev C2, AL(0)201TR Rev P6, AL(0)202TR Rev P6, AL(0)203TR Rev P6, AL(0)204TR Rev P7, E1206-GSA-TR-DR-A-500 Rev P6, AL(0)205TR Rev P3, AL(0)206TR Rev P2, E1206-GSA-TR-DR-A-2206 Rev C1 and 170501/TR/104 Rev B) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.

- (3) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- (4) No part of the development hereby approved shall be brought into its intended use until the on-site parking facilities and access thereto, have been provided in accordance with the requirements of this permission. Thereafter the said facilities shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- (5) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided as shown on drawing no. E1206-GSA-TR-DR-A-501 Rev C2, and the cycle parking shall be maintained at all times thereafter.
Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- (6) The development hereby approved shall be implemented in accordance with provisions and recommendations set out in the Construction Environmental Management Plan prepared by EBC on behalf of the applicant and which was submitted to the Local Planning Authority by email dated 28th September 2018 (from Scott Moore of BakerRuff Hannon).
Reason: In the interest of the environment of the site and surrounding areas.
- (7) The development shall be implemented in accordance with the approved remediation scheme (from South West Geotechnical Ltd Report No. 8851d, August 2018 Version 2) unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.
- (8) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at

any time on Sundays, Bank or Public Holidays.

Reason: in the interests of local amenity.

- (9) Within 1 month of occupation all occupants of the new dwellings hereby approved shall be provided with a residential travel pack containing details (and maps if appropriate) of walking and cycling routes in the area and their links to wider networks within the city, and timetables and routes of public transport provision in the area.

Reason: To encourage the adoption of sustainable modes of transport and minimise reliance on private motor vehicles.

- (10) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and any Order revoking and re-enacting that Order with or without modification, no development of the types described in the following Classes of Schedule 2 shall be undertaken on any of the dwellings comprised in this consent without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

Part 1, Class A extensions and alterations

Part 1, Classes B and C roof addition or alteration

Part 1, Class D porch

Part 1, Class E swimming pools and buildings incidental to the enjoyment of the dwellinghouse

Reason: In order to protect residential amenity and to prevent overdevelopment.

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

177

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

178

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 16 October at 9.30 a.m. The Councillors attending will be Harvey, Sutton and Bialyk.

(The meeting commenced at 5.30 pm and closed at 5.55 pm)

Chair

LICENSING COMMITTEE

18 September 2018

Present:

Councillor Keith Owen (Chair)

Councillors Sheldon, Begley, Branston, Foale, Hannan, D Henson, Holland, Newby, Sills and Wright

Apologies:

Councillors Mitchell

Also present:

Environmental Health and Licensing Manager, Litigation Solicitor, Principal Licensing Officer and Democratic Services Officer

15 **Minutes**

The minutes of the meeting held on 29 May 2018 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.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

18 **Proposal to introduce an updated Gambling Act 2005 Statement of Licensing Policy**

The Principal Licensing Officer presented the report that detailed the responses to the 12 week consultation of the proposed updated Gambling Act 2005 Statement of Licensing Policy. The policy had been previously presented to the Licensing Committee at the meeting held on 29th May 2018. He explained that the existing policy came into effect in January 2016 and that there was a legal requirement to review policy statements every three years. The draft policy had been updated to reflect the changes made, in accordance with the national guidance for adoption by January 2019.

He explained that the Licensing Team had undertaken a 12-week consultation with a range of stakeholders including Public Health Devon, licence holders, gambling support providers, and statutory consultees, which comments in relation to the consultation exercise had been received.

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

- There was no available register to check applicants information with information provided from other authorities, but a proposed register for taxi drivers was being addressed;
- The form for checking applicants was specific in the information it requested, but the authority had an excellent working relationship with the gambling commission and could liaise with them to make additional checks on applicants. However without a national register, making checks was a difficult task;
- It would be good practice to share information such as refused applicants with other areas, which local authorities across the country were collaborating with and liaising with central government to form a register.

The Chair proposed and the Licensing Committee supported having greater checks made to applicants and to have these recommended to central government by Exeter City Council.

Recommended that the Gambling Act 2005 Statement of Licensing Policy be approved and that Executive and Council requested to support and adopt the Policy.

19 **Side Loading / Rear Loading Wheelchair accessible vehicles**

The Environmental Health and Licensing Manager presented a verbal update report on side and rear loading wheelchair accessible vehicles. He explained that as the officer with constitutional responsibility it was for him to present a report to the Licensing Committee, but there had been operational and resource issues, which had delayed the report. There were also legal and public safety aspects to consider and explore further.

He explained to Members that the existing policy had been approved by the Licensing Committee 15 March 2015, following a consultation, which had received a lot of representations at that time. He stated additional work was required on amending the policy and it would be brought back to the Licensing Committee at a future date.

The Chair and Deputy Chair commented on a recent site visit to observe side loading and rear loading wheelchair accessible vehicles and received feedback from users, which would be included in the final report to amend the policy. They highlighted that the visit was very informative and indicated amending the policy would not be straightforward with the issues raised. All legal issues would also be included in the report when it would be brought to the Licensing Committee.

Members noted that there may be further issues, based on changes to vehicle designs and technology, which were continually be changed. The Licensing Committee recognised the resource issues the Licensing team faced and thanked them for their hard work,

The Licensing Committee noted the report.

The meeting commenced at 5.30 pm and closed at 5.45 pm

Chair

PEOPLE SCRUTINY COMMITTEE

Thursday 6 September 2018

Present:

Councillor
Councillors Holland, Owen, Pattison, Pierce, Robson, Vizard N and Wright

Apologies:

Councillors Wardle, Foale and Foggin

Also present:

Chief Executive & Growth Director, Housing Lead - Tenancy Services, Principal Accountant Corporate, Technical Accounting Manager and Democratic Services Officer

In Attendance:

Councillor Philip Bialyk	- Exeter City Council
Councillor Emma Morse	- Portfolio Holder for People
Councillor Hannah Packham	- Portfolio Holder for Housing Revenue Account

29

CHAIR

In the absence of the Chair, Councillor Wardle, the meeting was chaired by Councillor Owen.

30

MINUTES

The minutes of the meeting of People Scrutiny Committee held on 7 June 2018 were approved and signed by the Chair as correct.

31

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

32

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19

None.

33

QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 20

None.

34

PORTFOLIO HOLDERS REPORT 2017/18 - YEAR END REPORT

The Portfolio Holders presented the year-end report for 2017/18.

The Portfolio Holder for People (Councillor Morse) highlighted the following areas:-

- purchase of 25 Queens Road for temporary accommodation;
- progress on implementing the action plan for the Homelessness Strategy;
- high percentage of Integrated Care Exeter clients in temporary accommodation with tenancies maintained through work of new complex needs accommodation support team; and
- seeking to mitigate the impact of Welfare Reform on residents.

In respect of the latter, she informed Members that the rollout of Universal Credit had commenced in September and was currently applied in respect of those with changed circumstances such as employment status and that the impact would be clearer when all claimants moved across in March/April 2019. She also stated that the Council was working with Citizens Advice Bureau and the Foodbank on mitigating the impact.

The Portfolio Holder for the Housing Revenue Account (Councillor Packham) highlighted the following areas:-

- continued work on benchmarking performance with comparative housing providers to improve the effectiveness of the housing function;
- a Better Homes Document created as a template for improved tenant liaison;
- a memorandum of understanding agreed with the Development Company - Exeter Living - to protect tenant and Housing Revenue Account (HRA) interests. The setting up of a HRA Management Board was progressing;
- Chester Long Court opened and tenants aware of downsizing opportunities and work shortly to start on the St Loyes Extra Care Scheme;
- stock condition survey completed to inform the Asset Management Strategy; and
- a model for supporting residents of older persons' accommodation with three Older Persons Property Support Officers directly liaising with older tenants had been in place for 18 months.

The Portfolio Holder and the Housing Lead Tenancy Services advised that the Government was inviting authorities to bid for additional HRA borrowing above the existing cap. The 7 September 2018 deadline for submissions to the Department of Communities and Local Government had been extended by three weeks with £500 million to be made available over three years for authorities outside London. The Council bid would be in respect of 11 HRA sites. It was hoped it would be successful in two or three with potentially up to 400 new affordable homes being provided. There could be scope to use the skills of Exeter City Living to bring forward these schemes if successful.

The Portfolio Holder for Health and Wellbeing, Communities and Sport (Councillor Bialyk) highlighted the following areas:-

- commenced review of community grants with consultants Red Quadrant. Improving the health and wellbeing of communities was seen as one area where grant support could be directed;
- Kier had commenced de-risking works on the bus station site and tendering preparation works continued to proceed with regard to the procurement of the operator for St Sidwell's Point. The leisure offer would seek to appeal to the whole family;
- review of Community Safety Partnership completed with the Portfolio Holder now a member of the Partnership

- the successful bid to Sport England for Local Delivery Pilot status was being developed with projects including work with the Whipton and Pinhoe Football Club and the Exeter Cycle Speedway Team;
- two main elements of Wellbeing Exeter programme - community connectors operating in conjunction with GP surgeries and community builders helping develop community projects such as the Friends of Merrivale being rolled out across the City; and
- working with Fairtrade Exeter to renew Fairtrade City Status due again in November 2018. During Fairtrade Fortnight the Portfolio Holder held a Twitter competition encouraging the public to see how many Fairtrade products they could purchase.

The Portfolio Holder provided further information regarding on-going works to both the Pyramids and Riverside Leisure Centres. Works to the former were necessary to keep the pool in operation pending construction of St Sidwell's Point and there had been a regrettable delay on the refurbishment of the latter following the fire. Both he and the Chief Executive & Growth Director explained the technical background and the shared frustrations of the contractors on the Riverside site.

People - Scrutiny Committee noted the reports of the Portfolio Holders.

35

HRA 2018/19 BUDGET MONITORING REPORT - QUARTER 1

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 2018 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 deficit of £3,977,827 in 2018/19. This represented a movement of £119,318 compared to the revised budgeted deficit of £4,097,145 for 2018/19.

The total amount of HRA capital expenditure for 2018/19 showed a total forecast spend of £17,327,852 compared to the £19,168,652 approved programme, a decrease of £1,840,800.

It was noted that the Government had announced in August that it would not bring the Higher Value Assets Levy into effect. The £4million HRA contingency would therefore be reviewed as part of the 2019/20 estimates process, as it had been increased from £3million in 2016/17 to help mitigate against the risk of the new levy.

Responding to a Member, the Service Lead - Tenancy Services explained that the delay on the commencement of the St Loyes Extra Care Scheme had been caused by the original contractor chosen withdrawing and extended negotiations with the contactor subsequently appointed.

People Scrutiny Committee noted the report.

36

PEOPLE 2018/19 BUDGET MONITORING REPORT - QUARTER 1

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 2018 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 programme showed a total spend of £93,392 in the first three months of 2018/19.

The 2018/19 Capital Programme, including commitments brought forward from 2017/18, was £1,192,660, as set out in the report.

People Scrutiny Committee noted the report.

37 **PERFORMANCE SCRUTINY PARTNERSHIP - MINUTES OF THE MEETINGS HELD ON 16 APRIL AND 21 MAY 2018**

The Portfolio Holder for the HRA advised that the Performance Scrutiny Partnership sought to enhance tenant engagement and, through the Better Homes Document, was encouraging greater involvement. A review was to be undertaken of the approach to resident involvement and community development and the resources needed to deliver a modern approach.

People - Scrutiny Committee noted the minutes of the meetings of the Performance Scrutiny Partnership of 16 April and 21 May 2018.

38 **EXETER COMMUNITY HEALTH AND WELLBEING BOARD - MINUTES OF THE MEETING HELD ON 10 JULY 2018**

People - Scrutiny Committee noted the minutes of the meeting of the Exeter Health and Wellbeing Board of 10 July 2018.

(The meeting commenced at 5.30 pm and closed at 6.24 pm)

Chair

PLACE SCRUTINY COMMITTEE

Thursday 13 September 2018

Present:

Councillor Sills (Chair)
Councillors Wood, D Henson, Keen, Prowse, Pattison and Robson

Apologies:

Councillors Mitchell and Lyons

Also present:

Director (JY), Director (DB), Exeter City Futures Programme Director, Chief Finance Officer, Temporary Principal Accountant (SR), Temporary Principal Accountant (AR), City Surveyor, Senior Estates Surveyor, Senior Environmental Technical Officer, Economy and Enterprise Manager and Democratic Services Officer (SLS)

Anne Hunter – BID Manager (In Exeter)

In Attendance:

- | | |
|-----------------------------|---|
| Councillor Peter Edwards | - Leader and Portfolio Holder City Development |
| Councillor Rachel Sutton | - Portfolio Holder Economy and Culture |
| Councillor Rosie Denham | - Portfolio Holder City Transformation |
| Councillor David Harvey | - Portfolio Holder Place & Commercialisation |
| Councillor Chris Musgrave | - Attending to ask a question Under Standing Order 20 (Item 36) |
| Councillor Cynthia Thompson | - Attending to speak Under Standing Order 44 (Item 42) |
| Councillor Matthew Vizard | - Attending in respect of Item 41 |
| Councillor Laura Wright | - Attending in respect of Item 41 |

34

MINUTES

The minutes of the meeting of Place Scrutiny Committee held on 14 June 2018 were approved and signed by the Chair as correct.

35

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

36

QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 20

In accordance with Standing Order No 20, Councillors Prowse and Musgrave submitted their respective questions on the City Council's enforcement of litter and air quality.

A copy of the questions had been previously circulated to Members, and these, together with the appropriate responses from Councillor Harvey, Portfolio Holder

Place and Councillor Denham, Portfolio Holder City Transformation, respectively, is appended to the minutes.

37

PORTFOLIO HOLDER PRIORITIES 2017/18 - YEAR END REPORT

Updates on the priorities of the Portfolio Holders for Place, City Transformation Energy & Transport, City Development, Health and Wellbeing, Communities & Sport and Economy and Culture respectively for 2017/18 were presented.

Leader and Growth and City Development

The Leader and Portfolio Holder for Growth and City Development presented the updates for City Development.

Place & Commercialisation

The Portfolio Holder for Place & Commercialisation highlighted the following areas:-

- ongoing consideration of options for increasing recycling rates and the opportunity to pursue a business case for future investment in the City's Material Reclamation Facility (MRF);
- the excellent news of an improved cleansing regime of the city centre; and
- the play facilities at the King George V Playing Fields, funded from a variety of sources, had been designed to benefit all of the local community, and hopefully following the approach would be replicated across the city.

The Portfolio Holder noted a Member's comment on the West Garth Play area. He also responded to comments on the opportunity to improve recycling rates amongst the student population. Officers liaised with Exeter University throughout the year and worked to encourage the student population to be more proactive in managing their rubbish and recycling. Other initiatives included additional rubbish collections at the end of term, including purpose built student accommodation with the appropriate number of bins. The Director (DB) added that additional recycling bins and a series of educational campaigns, the latest of which was about to commence with the new cohort of students, had all resulted in an improved situation.

The Portfolio Holder also confirmed that Faithfull & Gould had finished a study on the Belle Isle site. The Director (DB) added that improvements to the welfare facilities were proposed and a report to Committee would be made at the appropriate time.

A Member congratulated the Portfolio Holder and the team for the excellent recycling service in Exeter.

City Transformation

The Portfolio Holder for City Transformation reported the following updates:-

- the establishment of a Transport Steering Group with representatives from both the City and County Councils with an intention by Stagecoach to look at a data sharing agreement for specific projects; and
- a workshop hosted by the Exeter Cycling Campaign had produced 28 recommendations, which were accepted in principle, as well as a commitment to share good practice, and improve future engagement and communication to hopefully see real action on the ground.

In response to Members' questions, the Portfolio Holder responded as follows:-

- she welcomed the report and presentation from Exeter City Futures which set out the stance to reduce the city's congestion, and to look about doing things in a different way, along with advice from like-minded individuals in the start-up support at Exeter City Futures; and
- she acknowledged the relationship between congestion and air quality, and the air quality around surrounding roads such as the Heavitree Road or Alphington corridors presented a challenge due to the built constraints around the roads. Change would not happen overnight, and physical improvements to the network would be difficult, but it was important to improve the community for both pedestrians and cyclists and reduce the conflict with traffic by potentially creating corridors that were not dominated by cars. It was important to continue to take the right approach including offering transport alternatives and build on the good existing transport links to the city centre.

Economy and Culture

The Portfolio Holder for Economy and Culture reported the following updates:-

- support for the Innovation Exeter programme and the submission to establish an Institute of Technology within the city, with Exeter College and the University as partners;
- the consolidation of the work with Exeter City Futures; and
- the meshing of shared objectives as part of the inclusive growth agenda which had been successful in attracting hi-tech companies and academic research and scientists. It was an ambition that everyone who lived in the city had the best possible opportunity for employment, and for the city to grow its own world academics. The recent Jobs Fair offered a greater focus on the skills agenda, and was well supported by employers and potential employers.

Health & Wellbeing, Communities & Sport

The report for the Portfolio Holder for Health & Wellbeing, Communities & Sport was presented.

Place Scrutiny Committee noted the reports of the Portfolio Holders.

38

EXETER CITY FUTURES URBANISATION OVERVIEW

The Exeter City Futures, Programme Director, Liz O'Driscoll presented a report and presentation which provided an overview of the Exeter City Futures Community Interest Company (CIC) and its current operational structure, activities and goals, and analytical approach to city change, as well as details of the live projects to date.

The Programme Director referred to her previous presentation at this Scrutiny Committee when she first introduced the bold mission of Exeter City Futures for Exeter to resolve some of its urbanisation challenges, reduce social inequality as well as contribute to economic growth. The vision included bringing together local government, private sector and communities to jointly solve the transport and energy challenges and co-create a solution to inspire individuals to make their own changes. She referred to Exeter City Future's consultation and engagement work with residents and businesses which had resulted in a list of 12 draft transformational goals which were set out in the report, together with a list of

activities and live projects. The current membership of the CIC, included the University of Exeter, Exeter College, the Royal Devon and Exeter NHS Trust, and Devon County Council. A partner network of 61 commercial and community organisations across the city who supported the mission of Exeter City Futures was being established, as well as 43 individuals who had indicated their desire to be involved. There was now a clear programme of targeted support to help organisations identify their own challenges and bring city organisations together and harness individual effort as well as ensure a shared responsibility to help deliver greater coordination and focus. The team offered a collaborative working space in their office in Southernhay to enable communities and individuals to be with like-minded people to formulate projects or ideas.

The Programme Director responded to a Member's question on one of the transformational goals relating to the reliability and resilience of the transport network in Exeter and concern when diverted traffic was sent through the city. She noted the comment and advised that although the Police were not a member of Exeter City Futures, they were one of the first active partners who have signed up to the goals in support.

Place Scrutiny Committee supported the direction of Exeter City Futures and noted the 12 goals as a way to deliver against the Council's strategic objective of reducing congestion in Exeter.

39

2018/19 BUDGET MONITORING REPORT (QUARTER 1)

The Chief Finance Officer attended the meeting to provide an overview of the current budgetary position and also set his Section 151 comments in context. He reminded Members of their responsibility under the Local Government Act 2003 to monitor and take any necessary action, in respect of variations from the budget to protect the financial position of the Council. He explained the detail of the overspend, which included pay budgets for staff on the lower grades throughout the Council which were under pressure as a result of the final pay award, and with Place Scrutiny Committee to feel the biggest impact as it had the largest number of staff within its budget. He advised that the Council's reserves could dip below the minimum recommended level, if the financial position continued and so he requested Members to continue their support for the stance of prudent financial management. The Council's Strategic Management Board had been tasked to identify options to address the overspend.

It was noted that the report provided Members with the detail of any major differences by management unit, between the approved budget and the outturn for the financial year up to 30 June 2018 in respect of Place Scrutiny Committee. The current forecast had suggested that the net expenditure for the Committee would increase from the revised budget by a total of £271,663, after transfers from reserves and revenue contributions to capital, representing a variation of 2.67% from the revised budget. This included supplementary budgets of £755,800 already agreed by Council. The report also included the 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 £442,109 in 2018/19 with £4,539,620 of the programme potentially deferred until 2019/20.

Place Scrutiny Committee noted the report.

SOUTH STREET REGENERATION

The City Surveyor provided an update on the current and future development opportunities in South Street, which would also strengthen the important link between the city centre and the Quayside. A practical approach was being taken to progress a number of priority improvements for South Street and included an incremental approach with “Early Interventions” to produce immediate impact as well as generate momentum for longer term projects, including improved links to the Quay. The report did not seek specific scheme approval, but many of the interventions would require cooperation and support from Devon County Council as the Highway Authority. A set of Urban Design Proposals for the South Street area, prepared by the Exeter based consultants, Lacey Hickie Caley, was included as an appendix to the report.

The Chair referred to the initial design discussions and welcomed the early interventions or quick wins but he enquired about the time frame for delivery. The City Surveyor confirmed that consultation with a range of partners including Devon County Council would need to take place, but officers were keen to move on with some of those quick wins as soon as possible. He also responded to a Member’s question about a pedestrian scheme in Chester included in the report, which was for illustrative purposes and emphasised that the future possibilities of South Street depended very much on the reality and constraints of the existing layout.

Place Scrutiny Committee noted the report and requested Executive support for the following:-

- (1) Urban Design Proposals by consultants Lacey, Hickie and Caley and implementation on an incremental basis subject to appropriate consultation and budget availability;
- (2) proposals to be incorporated into the developing City Centre Strategy; and
- (3) officers with the help of Devon County Council and others to explore the implementation of the Early Interventions set out on Page 50 of the Urban Design Proposals report.

PUBLIC SPACE PROTECTION ORDER (PSPO) SPOTLIGHT REVIEW REPORT

Councillors Vizard and Wright presented their written report of the review of the implementation of the Public Spaces Protection Order (PSPO) undertaken in June 2017. The Spotlight Review Group included Members, City Council officers and representatives from the Police and considered the impact of the first six months of implementation. The Police had found the PSPO initiative to be a particularly flexible tool, and although challenges remained, more collaborative working through the PSPO would ensure that these could be dealt with more swiftly and effectively.

Councillor Vizard explained that the Review Group had rigorously reviewed the PSPO, and explored a number of issues around the perception, effectiveness and application and the effect on Police resources. The review showed that the PSPO was having a positive impact with the Police benefiting from using the Order as an additional preventative measure, which was borne out by the low level of arrests outlined in the report. He hoped the public would start to see benefits from the PSPO, in the run up to the review in two years’ time.

Sector Inspector Simon Arliss attended the meeting and welcomed the opportunity to discuss this at the Review Group. He referred to the forthcoming University of Exeter Fresher's Week and suggested that both the PSPO as well as guidance for students would provide a useful set of parameters for new students coming into the city setting out clear expectations on acceptable behaviour for all.

Place Scrutiny Committee noted that the current PSPO was working well in its current form and therefore should continue.

42

TRAVELLER RELATED ISSUES

Councillor Mrs Thompson attended the meeting under Standing Order 44.

The Director (DB) introduced a briefing note which he had been asked to prepare following a request for consideration of this topic by Councillor Mrs Thompson at a meeting of the Exeter Strategic Board. Information had been collated, and included a copy of the current protocol and details of a formal response to a Government consultation on powers for dealing with unauthorised development and encampments. The City Surveyor and Senior Estates Surveyor were also in attendance having both dealt with traveller issues for a number of years.

Councillor Mrs Thompson referred to a public meeting held at the Isca Centre organised by the Friends of Exhibition Fields to discuss a number of issues around a traveller incursion onto Eastern Fields, which had resulted in fly tipping and anti-social behaviour, and consideration of how the fields could be better protected in the future. She confirmed that a group of travellers had also pitched on the Station Road playing fields in Pinhoe, and there had been other instances around the city. The Councillor also referred to a forthcoming meeting on 17 September to discuss the recent incursions in Pinhoe with residents, the Police and City Council officers. She said that local residents wanted to have some plan of action in place as well as the due process by the local authorities of Exeter City Council and Devon County Council. She congratulated the local authority who acted very respectfully and swiftly to manage each of the recent situations, which often took place over the weekend when the Council offices were closed. She was aware that residents had concerns over the level of damage and antisocial behaviour and of the response from the Police.

A Member welcomed the detailed summary of incidents and enquired about the outcome of the Government consultation. The Senior Estates Surveyor stated that the consultation had closed in July and the Government were currently considering responses. A Member also reiterated Councillor Mrs Thompson's comments and his contact with residents who had been disappointed by the more recent Station Road playing fields incursion. He was aware that the Council was responsible for a large number of sites with a limit on the level of defences, but he suggested that it was key to look at the number of access points to City Council land. He reminded Members of the Council's protocol, and appreciated that whilst this issue might not touch on all Exeter residents, it was very personal to the residents and his fellow ward Councillors who had to experience the incursions close to hand.

Councillor Wood proposed that a Spotlight Review on this subject would be useful as soon as was practically possible. This was seconded by Councillor Pattison. He suggested that it would be useful to look at the current protocol, any additional measures that could be introduced to prevent or restrict travellers moving onto a site. It would also be useful to have an overview of the actions taken and protocols used once the travellers had moved onto the site, together with any additional measures that could be introduced to prevent or restrict incursions by travellers.

Members supported the formation of a Spotlight Review to discuss Traveller related issues.

43

LOCAL AIR QUALITY MANAGEMENT

The Director (JY) introduced the statutory Annual Status report, which the Council was legally required to submit to the Department of Environment, Food and Rural Affairs (DEFRA). The Council was required to use the DEFRA template to report data as part of the national analysis around air quality. A copy of the DEFRA response to the submission was circulated with the papers and officers would use this feedback to continue the dialogue with partners around the revised Air Quality Action Plan being developed. The 2018 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.

The Senior Environment Technical Officer responded to a Member's question about the monitoring site ID reference, within the report. She also responded to a question on the positioning of air quality monitors and the Member's concern about the high levels of nitrogen dioxide recorded by a number of monitoring sites within the city. She explained that the annual mean NO2 monitoring results included an average for the year, and the objective level of compliance was 40, but the level was exceeded on a number of sites such as on East Wonford Hill. The data in the Annual Status Report would underpin the revised Air Quality Action Plan which, following the formal consultation process, would be presented to Members for their consideration later in the year.

Place Scrutiny Committee noted the statutory annual status report.

44

INEXETER ANNUAL UPDATE

The Economy and Enterprise Manager presented a report which updated Members on the fourth year of trading for In Exeter, which also outlined the next 12 months to BID renewal which was due to take place in October 2019. The report included a full update on progress on the delivery of the Business Plan 2015 – 2020. She referred to the In Exeter Board which comprised individuals elected from businesses across the BID levy area. She also confirmed that Councillor David Harvey, had been appointed as the Exeter City Council representative. There was currently a vacancy for the Devon County Council representative.

Ann Hunter, the BID Manager, attended the meeting and made a presentation on the activity delivered by In Exeter, which included engagement with the majority of the 550 businesses from the core of the city centre, using printed traditional newsletters as well as e-news briefings and face to face meetings. The Directors of the Board represented a micro area of the city and met regularly to consult with those businesses. A key project was the launch of the Independents Advisory Group, which allocated funding for projects, and it was important to recognise the value and impact of those independent retailers. An Independents Guide had been launched, and a number of reactive projects such as a gift card to encourage shoppers to use the independent retailing sector. Other In Exeter projects included a substantial print run of a comprehensive Eat and Drink Guide, commissioned street artwork by local artist Alwen Bowen, as well as a programme of city dressing and events throughout the year. Ann also spoke about plans for the busy Christmas period, with a refocus of the Christmas Light Switch On event and more planned free activities throughout the whole festive period. This included a collaborative project to produce a combined Christmas guide with Exeter Cathedral,

the Guildhall Shopping Centre and Princesshay, and was due to be circulated in November.

Preparations had commenced for the BID renewal, which would include a programme of engagement throughout 2019, before the ballot was held in October 2019. A new Business Plan for the next five years would be worked up with businesses, stakeholders, Exeter City Council and Devon County Council. Ann responded to a Member's comment on the range of support offered, which included a useful and visible point of contact for both retailers and the public; business support with training and development courses, and additional support in relation to recycling and waste. They continued to look at multiple contract servicing and worked with trade waste contractors to rationalise the offering. She accepted an invitation from a Member and the Chairman of the Exeter Tidy Group to be a guest speaker at a future Group meeting. She also agreed to obtain further information about the Devon County Council representation. The Economy and Enterprise Manager also agreed to provide an update on a staff car parking redemption scheme for staff.

Place Scrutiny Committee noted the report and presentation by the Manager of In Exeter.

45

RECYCLING PLAN REVIEW

The Director (DB) introduced a report which detailed the City Council's current performance in waste reduction and recycling, and the reasons behind the current trends. It also provided an update on progress on the annual Recycling Plan, and sought ongoing support and suggestions from Scrutiny for recycling initiatives.

Officers were constantly looking at ways to increase throughput and recycle material from outside of the city to provide additional income. He directed Members to the detail included in the report which offered an analysis of material recycled from November 2017. The chart showed that 80% of material placed in the residual bin was either reusable or recyclable and so there was likely to be scope to consider recycling food waste at some point in the future. The Director also referred to the 2018 annual recycling statistics for Devon, and included a number of suggestions to tackle a reduction in recycling, including a refresh of the way in which recycling is carried out in the city. A change could generate renewed interest.

Place Scrutiny Committee noted the current trends on waste reduction and recycling, and supported the ongoing actions planned for 2018/19 set out in the report.

46

EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE DCC

The minutes of the Exeter Highways and Traffic Orders Committee (Devon County Council) held on 30 July 2018 were circulated for information.

(The meeting commenced at 5.30 pm and closed at 7.40 pm)

Chair

**MEMBER QUESTIONS TO PORTFOLIO HOLDER at Place Scrutiny Committee –
13 September 2018 - Questions from Councillor Prowse**

Response to be made by Councillor David Harvey Portfolio Holder Place & Commercialisation

Question 1

I understand that the outsourced enforcement team have commenced duties in this City and no doubt concentrating on 'offenders' ' responsible for dropping litter.

Can the Portfolio Holder brief the Committee on the success to date?

Response – There had been an excellent success.

Question 2

Are they just limiting themselves to litter enforcement?

Response - Although the primary focus was on litter issues, the contractor was able to deal with other environmental enforcement such as fly posting. He also advised that this may be explored later during the 12 month pilot scheme, but the initial task was to help reduce the amount of litter discarded, by changing people's behaviour through both education and enforcement. The uniformed presence of the team on the street and in parks was expected to provide a deterrent to other forms of anti-social behaviour too.

Question 3

How many 'offenders' have been dealt with by way of on the spot penalties?

Response - During August, 224 fixed penalty notices were issued to individuals. This had mainly been in the city centre area whilst the team has undergone training but penalties had been issued in a number of more outlying areas such as St David's Station and Cowick Street. Of the 224 issued 129 have already been paid.

Question 4

Are those who have been stopped and dealt with been requested or offered the facility to pay on the spot?

Response - Anyone fined could make immediate payment via the enforcement company's mobile phone app. No payment via either cash or card could be made to the enforcement officers.

Councillor Prowse asked a supplementary question about individual's private information Councillor Harvey responded and stated that no personal information was required or collected by the enforcement officers.

Question 5

Has anyone run away before being dealt with?

Response – There had been two instances where individuals had run off before the officer could deal with them. Their company policy was not to give chase.

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**MEMBER QUESTIONS TO PORTFOLIO HOLDER at Place Scrutiny Committee –
13 September 2018 - Questions from Councillor Musgrave**

Response to be made by Councillor Denham Portfolio Holder City Transformation

Question 1

Is the Portfolio Holder embarrassed that Labour have broken another promise to the people of Exeter by failing to deliver an air quality action plan as required by law?

Response - No promises had been broken, and they were currently in the process of finalising a revised Air Quality Action Plan (AQAP) for Exeter. The draft AQAP was published at the beginning of the year, and contained a series of proposals to ease congestion and improve air quality in the city. In February, a statutory three month public consultation was launched on the Plan and over a thousand face to face opportunities were provided in the city and provided valuable feedback. The responses were being assimilated and the results of the consultation would be publicised in due course.

Councillor Musgrave asked a supplementary question about being advised at a previous Scrutiny Committee that the results would be available for the September meeting.

Councillor Denham, said that she shared the frustration, but this was partly because the consultation had been so successful and the assimilation of the high levels of engagement had taken far longer than anticipated. It was hoped to receive the full information for November enabling a much better action plan for the city.

Question 2

How long has Exeter City Council been in breach of the requirement to have an action plan in place?

Response – Councillor Denham confirmed that following work, a revised plan would be in place shortly. DEFRA were aware of the timescales that the City Council was working towards and have not raised any concerns. The time taken to work on this, reflects the importance of the issue, the complex nature of the problems and solutions and the need to build consensus.

Councillor Musgrave asked a supplementary question, and enquired if it was correct that the City Council had been without an Action Plan since 2017.

Councillor Denham replied and stated that the Action Plan had gone beyond the life that we originally envisioned for it.

Question 3

Why isn't Exeter's illegal and widespread high levels of air pollution air quality a priority for this administration?

Response - Councillor Denham confirmed that there are not 'widespread high levels of air pollution' but there were 'hot spots' concentrated in particular areas. Levels of air pollution have been reducing in Exeter. In 2011 there were 20 monitoring locations in the city where nitrogen dioxide levels were above the objective. In 2017 there were eight. This was really good news for public health and shows that the City and County Councils have not been inactive over this period, although it was recognised there was still much to do to tackle the issue.

The issue remained a priority, which is why work had taken place with partners, both in the public and private sector to cut congestion and the resulting air pollution. The City Council

announced in March that Dr Liz O'Driscoll had been seconded as Programme Director to head up the city-wide transformation programme known as Exeter City Futures. It will address some of the big challenges facing the city, including traffic congestion. She reminded Members that Dr O'Driscoll was at the meeting to provide a presentation on Exeter City Futures, as well as a report on Air Quality. It was important that we all work together to try and improve the availability of information on air quality in the city.

Councillor Musgrave asked a supplementary question about the 66% level of one of the Council's own monitoring stations which was either on or very close to the legal limit.

Councillor Denham asked the Senior Environmental Technical Officer to assist with the response and she stated that the monitoring locations were not spread evenly around the city, but were in locations where there were higher volumes of traffic and air pollution, which provided an opportunity to capture the data.

Question 4

When can we expect an Action Plan, as required by law?

Response - It was currently anticipated that the revised AQAP would proceed through the democratic process in November.

Question 5

Does the Portfolio Holder have any specific and immediate actions or plans on the table to address the appalling lack of action and imagination on Exeter's air quality?

Response - There was no lack of action or imagination on this subject. In fact a considerable amount of work was continuing, including.

- the City Council had upgraded its continuous air pollution monitoring equipment and goes beyond what is legally required. The data gathered will feed directly into the decisions made by the city and county councils as work continues to improve air quality, tackle congestion, and ultimately improve the health of our population.
- while many councils have been cutting continuous monitoring sites because of financial constraints, Exeter's example has been praised by DEFRA, who recognise the significant investment the City Council has recently made to upgrade the equipment.
- the City Council had also been praised by DEFRA for expanding its diffusion tube network. In 2016 we added new sites to monitor the impact of housing development in key growth areas.
- in 2017, new sites were added to check for compliance with the objective at houses close to two busy junctions which had not recently been assessed. Both these sites met the required standard for nitrogen dioxide - but monitoring will continue.
- in 2018, new diffusion tubes were added to the network on off-road cycle paths so that we can highlight the difference between pollution levels here and beside busy roads.
- She anticipated that the Action Plan would be far more ambitious and it was more appropriate to take longer to get in place, a Plan that could be delivered.

AUDIT AND GOVERNANCE COMMITTEE

Wednesday 19 September 2018

Present:-

Councillor Natalie Vizard (Chair)
Councillors Wood, Begley, Mrs Henson, Musgrave, Pattison, Sheldon and Thompson

Also Present

Chief Executive & Growth Director, Chief Finance Officer, Corporate Manager Democratic and Civic Support, Audit Manager (HP), Policy Officer and Democratic Services Officer.

Also Present

David Bray, Senior Manager – Grant Thornton
Geraldine Daly, Associate Audit Director – Grant Thornton.

23

APOLOGIES

Apologies were received from Councillors Lamb and Warwick.

24

MINUTES

The minutes of the meeting held on 25 July 2018 were taken as read and signed by the Chair as a correct record.

25

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interests were made.

26

EXTERNAL AUDIT PROGRESS REPORT AND ANNUAL AUDIT LETTER

The Chief Finance Officer presented the external auditors report on behalf of KPMG. He discussed the external auditors work in delivering their responsibilities as the external auditor, highlighting the financial statements, value for money and certification of claims and returns. He provided a summary of the Councils Annual Audit Letter which was a statutory requirement, requiring approval, and provided a summary and conclusion of key findings from the work carried out for the City Council in 2017/18. He highlighted that the severance policy had been raised as a high risk recommendation in the audit.

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

- The 'except for' qualified Value for Money opinion meant that VFM for the Council had been rated as good, except for in respect of procurement and had been in place for three years. The auditors had noted the procurement recruitment work had been ongoing and acknowledged that progress had been made. A new procurement team was now in place and training and development was being delivered;
- The housing benefit certification and capital receipts work were two separate functions and would not impact on each other.

The Audit and Governance Committee noted the External Audit Progress Report and approved the Annual Audit Letter.

27

INTERNAL AUDIT PROGRESS REPORT

The Audit Manager (HP) presented the report on the internal audit work carried out during the period 1st April to 30th June 2018, advising Members on the overall progress against the Audit Plan, which had been approved on 14th March 2018 and reported on any issues that required Member consideration. She explained that progress was on target, but there had been an over spend against CIL/S106 for additional work requested by the previous S106 Member Champion, which would be covered the contingency time built into the plan. She confirmed that the agreed actions from previous audit reports were being progressed satisfactorily.

The Audit Manager (HP) commented on the Planning Applications audit, stating that the statutory period for local planning authorities to deal with planning permission applications was eight weeks for minor applications and up to 13 weeks for major applications. If an application had not been determined within the statutory period, the applicant had a right to appeal to the Secretary of State. If the application remained undetermined after 26 weeks, any fee paid by the applicant would be refunded. The audit had identified that, there had been a drop in minor application performance during the last 12 months and remedial actions had been agreed to resolve the issues.

The Audit Manager (HP) provided an update on the Counter Fraud report, highlighting that the biggest fraud and emerging risks had been shared with the Senior Management Board (SMB) and that SMB responses to the Organised Crime checklist were being managed by the Chief Finance Officer.

Members were advised on the Regulation of Investigatory Powers Act (RIPA) Inspection, noting that a positive report had been provided by the Investigatory Powers Commissioners Office (IPCO). Recommendations made at the last inspection had been satisfactorily addressed. The IPCO had made some further recommendations for improvements which are being addressed.

In response to questions from Members, the Audit Manager (HP) and the Chief Executive & Growth Director responded:-

- The audit had identified that applicants had failed to use the pre-application advice service, it is not clear whether this is because applicants are unaware that they could receive pre-application advice. Measures are being put in place to raise awareness that pre application advice can be provided;
- Extensions to planning application determinations can be made, if agreed by both parties and are recommended, to save the application going to appeal, which would be more costly and timely, and there were no deadlines for applications given an extension;
- The Planning team were aware of the issues in processing minor applications, however there was a nationwide issue in recruiting skilled staff members to resolve the resource issues;
- Exeter City Council was the only authority in the South West that did not charge for pre application advice and received more engagement with applicants

accordingly. The authority would always look to make improvements and was addressing how minor applications could be improved.

The Chair commented that the issue for planning applications would be monitored and a Planning Officer could be invited to a future Audit and Governance Committee meeting if required.

The Audit and Governance Committee noted the Internal Audit Report for the first quarter of the year 2018/19.

28

GOVERNANCE REVIEW

The Corporate Manager Democratic & Civic Support presented the report of the findings of the Governance Review Group, following a request made by Members at the Audit and Governance Committee meeting held on 14 March 2018. The review group had been made up of seven Members, the City Solicitor and Head of HR, the Corporate Manager Democratic & Civic Support, the Democratic Services Manager and the Scrutiny Programme Officer. The cross party group addressed the roles and responsibilities of the various Council Committees, ensuring they continued to meet the Council's priorities and objectives and checked the Standing Orders and constitution's procedural rules to ensure they were still fit for purpose and where improvements could be made. The results had been collated into the report which would go to Full Council for approval.

Members were informed about the items discussed at the review group meetings and highlighted the review group's findings, which noted that the Constitution and Council procedures remained fit for purpose, with a few minor amendments to strengthen the constitution. The democratic process, structure and scrutiny processes had been considered to be working well.

The Corporate Manager Democratic & Civic Support notified Members that the Democratic Services team were also providing Member services support for Teignbridge District Council, and that the Scrutiny Programme Officer would also be leaving the team at the end of September. The post would not be backfilled and he would be addressing how this would impact both the partnership working arrangements with Teignbridge, as well as this Council's future scrutiny offer

In response to questions from Members, the Corporate Manager Democratic & Civic Support and the Chief Executive & Growth Director explained that:-

- An error on a recent delegation briefing agenda, which intimated that the meeting was one open for public attendance, had been generated from the software programme used for assembling agendas. The system had been amended so the text would not appear in future agendas;
- Meetings of Planning Delegation briefings were not a decision making body, and there was no set requirement on the number of Members needing to attend;
- Planning delegation briefings provided an opportunity for Members to speak with officers about applications which officers felt could be decided via their delegated powers, and to check if they should go to Planning Committee. Previously all applications would go to the Planning Committee, in which meetings could receive 30 or more applications, making debate on them difficult. Delegation Briefings allowed the time for discussion to look at options for applications;

- Reference throughout the Council’s constitution to “the relevant Executive Member or Portfolio Holder”. It was explained that such terminology avoided the need for the constitution to be amended as and when the title of Portfolio Holders changed;
- The Leader of the Council in his role as Portfolio Holder for Growth and City Development, and the Portfolio Holder for Support Services had considered the option for the Police move into the Civic Centre. It was their view that the move was not a sensitive issue and the decision was deemed suitable to be delegated to the City Surveyor. The lease would operate in the same manner as the other organisations leasing space in the Civic Centre;
- The recommendation for Scrutiny Chairs to attend Executive meetings, would be to provide additional explanation on their Committee’s comments and/or recommendations, to their Executive colleagues.

RECOMMENDED that the Audit and Governance Committee support and Council approve:-

- (i) The amendment of Standing Order 8 (3) (a) to state that questions should be submitted in written form no later than 10 am on the working day before the meeting;
- (ii) The addition to Standing Order 10 (6) of the following: “As long as the effect is not to negate the motion”;
- (iii) The publicising, through social media and other means determined by officers, of the Council agenda prior to commencement of the Council meeting;
- (iv) That Committee Chairs will move the minutes of their respective Committees for noting on block rather than minute by minute (with the exception of any minutes containing recommendations);
- (v) That Executive recommendations will be identified and highlighted more clearly at Council meetings and voted on accordingly;
- (vi) That the current system of three Scrutiny Committees be retained.

29 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT - 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 included the likely disclosure of exempt information as defined in paragraph 3, of Part 1 of Schedule 12A of the Act.

30 **CORPORATE GOVERNANCE RISK REGISTER (QUARTERLY REVIEW)**

The Policy Officer presented the report which advised the Audit and Governance Committee of the Council’s risk management process and presented the updated Corporate Risk Register. The Audit and Governance Committee was responsible for the monitoring and reviewing the Council’s risks.

She discussed the two new risks that had been added to the register and that the number of high risks had been reduced to three during the last quarter. She explained to Members, about the risks, which had been downgraded and on the risk

removed from the register during this quarter. She explained that another high risk item, was expected to be removed from the register by the December meeting.

In response to questions from Members, the Policy Officer, Chief Executive & Growth Director and Chief Finance Officer responded that:-

- For ease of reference A3 copies of the Risk Register would be printed after the agenda is published and placed in Member's pigeon holes ahead of Audit and Governance Committee meetings;
- The Greater Exeter Strategic Plan (GESP) was a spatial plan for the local authorities of East Devon, Exeter, Mid Devon and Teignbridge, which sat above the local plans for each area, providing a joined up vision for the Greater Exeter sub region. Its purpose was to meet the area's housing needs in the right locations, providing transport and infrastructure improvements and securing economic growth. These high level ambitions could not be achieved in isolation and this was why a joint plan was being prepared.
- Exeter no longer had a five year land supply. This was because the market was prioritising purpose built student accommodation and whilst meeting a demand and protecting family housing, it would not count against the five year land supply figures;
- Exeter City Council would seek the services of other energy companies, to avoid any excessive costs, in the unlikely event that the existing provider went into liquidation at Monkerton. The risk addressed research and actions needed before any work was undertaken;
- Out of town shopping centres would increase income through the collection of additional business rates. However, increasing the number of out of town shopping centres could have a negative impact on the vitality of the city centre. This is a challenge and more than just a planning issue;
- There was an ongoing investigation for Clifton Hill, which expected to have sufficient money in place for closure. No costs had been finalised, but £100,000 had been approved by Full Council; Parkwood Leisure's insurance company was covering the cost of their reduced service at Riverside, but Exeter City Council may need to take over the insurance in the future.
- The historical contaminated Council owned land, needed to be shown as a risk but also needed to avoid causing any issues and uncertainty to the public. The land was regularly monitored to ensure there were no issues to keep it as low risk;
- The risk to the council budget and the savings to be made had included the pay increases to staff and the national living wage. Additional savings needed to be made and the exact budget reductions would be confirmed next. Unions would be consulted and discussions were ongoing. The Chief Finance Officer would be providing further information on funding and budgets at the Corporate Services Scrutiny Committee on 27 September;
- The pay increase for staff was 2% for the next two years, which also included a higher increase for lower grade salaries. These figure would be built into the 2019 budget.

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

(The meeting commenced at 5.30 pm and closed at 7.00 pm)

Chair

DRAFT

CORPORATE SERVICES SCRUTINY COMMITTEE

Thursday 27 September 2018

Present:

Councillor Sheldon (Chair)
Councillors Warwick, Hannan, Holland, Lamb, Musgrave, Thompson, Vizard M and Wright

Apologies:

Councillor Wood

Also present:

Chief Finance Officer, Corporate Manager Democratic and Civic Support and Democratic Services Officer

In Attendance:

Councillor Edwards - Leader and Portfolio Holder for Growth & City Development

33

MINUTES

The minutes of the meeting held on 28 June 2018 were approved and signed by the Chair as correct.

34

DECLARATIONS OF INTERESTS

No declarations of disclosable interest were made.

35

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19

No questions from the public were received.

36

QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 20

No questions from the Members of the Council were received.

37

PORTFOLIO HOLDER UPDATES

Updates on the priorities of the Leader and Portfolio Holder for Growth and City Development for 2017/18 were presented.

Leader and Growth and City Development

The Leader and Portfolio Holder for Growth and City Development presented the updates for City Development.

In response to Members' questions, the Leader reported the following updates:-

- The Greater Exeter Strategic Plan publication was a working party document providing details on how the various authorities would secure future five year housing supply. The report had been delayed due to one authority having withdrawn their input putting the publication on hold. It was now expected to be published in June 2019;
- There were no legal guidelines for the Greater Exeter Strategic Plan, which was a combined working arrangement between authorities. If one authority caused a delay it would impact on the other authorities;
- The new homeless winter shelter had been through planning and was on target for opening in the near future;
- The introduction of a pan-council performance framework was a part of the 2018-22 Corporate Plan. This was the vision for going forward and detailed how the Council would achieve its goals;
- There had been issues in Planning, relating to problems with maintaining staff, and recruitment. These issues had been resolved and new staff had been seconded on a temporary basis to assist with the back dated work.

Corporate Services Scrutiny Committee noted the report of the Leader and Portfolio Holder for Growth & City Development.

38

OVERVIEW OF THE GENERAL FUND BUDGET 2018/19

The Chief Finance Officer presented the report which advised Members of the overall projected financial position of the Housing Revenue Account (HRA) & General Fund Revenue Budgets for the 2018/19 financial year after three months and sought approval for a number of supplementary budgets. He discussed the HRA working balance, highlighting that the first quarter showed a projected underspend of £50,000, but the Capital Programme remained on target and would remain so throughout the year.

He drew Members' attention to the General Fund balance, which predicted a deficit of £2,088,974. He stated that two supplementary budgets totalling £140,000 needed to be approved to cover refurbishment of car parks programme and to support the improvements at Exton Road. Both projects had been approved by Council but the budgets had been missed from the list approved in July 2018.

The year-end projection would see the Council's General Fund Balances fall under the minimum recommended level and that the report was a first warning that Council reserves may fall below the minimum recommended level and therefore careful control of spending was required.

The Strategic Management Board (SMB) were working with their Service Leads to identify opportunities to reduce expenditure and to bring the balances back to the recommended level. The Chief Finance Officer would report the SMB findings to the Corporate Services Scrutiny Committee in the second quarter.

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

- Members were provided with update reports on services as a whole only, rather than a subjective analysis for spending on agency, consultancy and employees expenditures etc;

- The first warning from the Section 151 officer was notification stating that it was predicted that reserves may fall below the minimum level recommended and action was required to reduce spend. The alert was to inform Members of the situation and the proposed action required.

A Member proposed to have a report brought to Executive Committee on the spending on agency staff and consultancy costs. Members discussed the benefits of reporting of spending on agency and consultancies, and noted that a recent spotlight review had been undertaken on these issues and the review minutes would detail the required information, avoiding any unnecessary work for officers.

The Chief Finance Officer stated he could generate a report from the finance system to include figures and comparisons and bring to the next meeting in November.

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 2018/19 financial year and the action proposed by the Strategic Management Board;
- (2) The HRA forecast financial position for 2017/18 financial year;
- (3) The additional supplementary budgets;
- (4) The outstanding Sundry Debt position as at August 2017;
- (5) The creditors' payments performance.

39

CAPITAL MONITORING STATEMENT

The Chief Finance Officer presented the report which advised Members of the material differences, by management unit, between the 2018/19 approved budget and the current outturn forecast in respect of Corporate Services Scrutiny Committee. He explained that as a local authority there was a statutory duty to set and monitor budgets throughout the year and take necessary actions where required on potential overspending or potential shortfalls in income.

The estimated variation from the budget showed that net expenditure for the Corporate Services Scrutiny Committee would be reduced from the revised budget by £50,000 after transfers to and from reserves which would include the supplementary budgets of £587,590 already agreed by Council. He confirmed that there were no issues on overspending.

The Corporate Services Scrutiny Committee noted the report and were assured that satisfactory actions were being undertaken by Officers to address the key areas of budgetary pressure, as highlighted in the report.

40

BUDGET MONITORING (QUARTER 1)

The Chief Finance Officer presented the report which advised Members of the material differences, by management unit, between the 2018/19 approved budget and the current outturn forecast in respect of Corporate Services Scrutiny Committee. He explained that as a local authority there was a statutory duty to set and monitor budgets throughout the year and take necessary actions where required on potential overspending or potential shortfalls in income.

The estimated variation from the budget showed that net expenditure for the Corporate Services Scrutiny Committee would be reduced from the revised budget by £50,000 after transfers to and from reserves which would include the

supplementary budgets of £587,590 already agreed by Council. He confirmed that there were no issues on overspending.

The Corporate Services Scrutiny Committee noted the report and were assured that satisfactory actions were being undertaken by Officers to address the key areas of budgetary pressure, as highlighted in the report.

41

REPLACEMENT AUDIO AND VISUAL EQUIPMENT IN THE GUILDHALL & COMMITTEE ROOMS

The Corporate Manager Democratic & Civic Support presented the report which sought approval to replace some or all of the Audio Visual equipment at the Civic Centre and the Guildhall, to improve the meeting experience for those attending and watching meeting broadcasts through social media.

He explained that the existing Audio Visual (AV) equipment used in the meeting rooms at the Civic Centre had been installed as part of the Customer First project in 2005, and the previously used equipment was still in use at the Guildhall, making them over 20 years old. There had been several occasions of the AV equipment failing at both the Civic Centre and Guildhall, impacting on participants of the meeting and the public attending. Numerous complaints had been received about the quality of the broadcasts on Facebook Live.

He informed Members that a permanent solution had been looked at, and that technology had progressed significantly since 2005, allowing various options for Members to consider:-

- (1) Replacing the microphones at both the Civic Centre and Guildhall at a cost of approximately £40,000;
- (2) Replacement of the microphone systems as above, with an upgrade to the visual equipment in the main civic centre meeting rooms. This would include replacing the screens and projectors, with up to date LED screens and all the necessary other equipment at a cost of approximately £55,000;
- (3) Both of the options above, along with the following at a cost of approximately £100,000:-
 - Replacement of the speakers in the Rennes and Bad Homburg rooms;
 - Replacement of the repeater screens (used in the Bad Homburg room to replicate the image shown at Committees on the main screen in Rennes) with LED screens;
 - Replacement of the radio microphones used at some committee meetings;
 - The installation of permanent webcasting cameras in both the Civic Centre and Guildhall, to enable better screening of committee meetings.

The Corporate Manager Democratic & Civic Support provided a breakdown of the costs for the three options, and confirmed that the third option would future proof the facilities within the Civic Centre for a number of years. Although it was the more expensive option, it would save money in the longer term. He advised that any option would require a procurement exercise being undertaken, following the Councils policy guidelines on spending.

The Corporate Manager Democratic & Civic Support provided responses to questions from a Member, who had submitted questions in advance of the meeting.

A copy of the questions and together with the responses from The Corporate Manager Democratic & Civic Support are appended to the minutes:-

In response to questions from Members, the Corporate Manager Democratic & Civic Support responded:-

- Members could choose to split the cost of the available options over a number of years, however the option to buy all the equipment in one purchase would be more cost effective than buying separately;
- Other Local Authorities in the area, including Plymouth City Council, Teignbridge District Council and Devon County Council, had all invested in top of the range audio and visual equipment for their meeting rooms. However unlike Exeter, they had dedicated Council Chambers, enabling them to have hard wired installed equipment;
- Currently, livestreaming of meetings was done through Facebook Live, enabling anyone who followed Exeter City Council on Facebook, to be notified of meetings being broadcast. The livestreams had received excellent viewing figures, hit rates and comments from viewers. The Council would continue to look to make the meetings more dynamic for home viewers and improve engagement with the public;
- A standalone camera was currently used for Facebook streaming in both the Civic Centre and Guildhall. It was operated from a set position with limited scope to be manoeuvred. The audio was picked up through the camera microphone, but there was an option to add a microphone link to camera;
- Three technical specialists had been consulted on how to achieve the best audio and visual results for meeting.;
- The Council would comply with the Disability Discrimination Act (DDA), ensuring meetings were as inclusive as possible. Regardless of the decision outcome, the existing loop system in the equipment would be managed to ensure it was working correctly for viewers;
- All replacement options had been researched to suit the requirements of the Council. If approved, the next step would be to follow the procurement process to ensure the most cost effective solution;
- Training arrangements would be provided as part of the equipment package, to ensure the maximum benefit was achieved from the investment;

The Chief Finance Officer stated that the Capital Expenditure for replacing the equipment could be provided through revenue, grants and capital receipt money. He had a special reserve fund in place for such investments, and considered that the reported costs would not impact the balance.

The Corporate Services Scrutiny Committee noted the report and requested the Executive to considering approving to Council option 3 as detailed above.

MEMBER DEVELOPMENT VERBAL UPDATE

The Corporate Manager Democratic & Civic Support provided Members with a verbal update report on Member Development. He discussed the training options for new and existing Councillors and the induction programme.

He explained that Teignbridge District Council had been looking at Exeter's Member induction training, for use, as appropriate, following their all-out elections in May 2019. Teignbridge Councillors would be welcome to attend Exeter training events as part of the partnership working arrangements in place.

A Member stated their appreciation of the training for new Members, following election.

The Corporate Services Scrutiny Committee noted the update report.

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 included the likely disclosure of exempt information as defined in paragraph 3, of Part 1 of Schedule 12A of the Act.

MATTERS REQUESTED FOR CONSIDERATION BY MEMBER OF THE COMMITTEE - POLICE NEIGHBOURHOOD TEAM CO-LOCATION TO THE CIVIC CENTRE

Councillor Thompson requested that an item be placed on the agenda under Standing Order 18 and submitted questions in advance of the meeting. A copy of the questions and together with the responses from The Corporate Manager Democratic & Civic Support are appended to the minutes:-

The Corporate Manager Democratic & Civic Support stated that works to the accommodation would commence 1 October 2018 with the Police & Crime Commissioner's office paying for any refurbishment cost.

Minute 44 - Questions and Responses on the Police Neighbourhood Team co-location to the Civic Centre

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

Chair

**MEMBER QUESTIONS TO Corporate Services Scrutiny Committee Item 11
27 September 2018**

From Councillor Wright

Responses made by the Corporate Manager Democratic & Civic Support

Question 1

Could we have a more detailed breakdown of costs against equipment necessary?

Response 1

A detailed breakdown of costs against equipment had been provided to Members as part of the report.

Question 2

If the current system of individual mics in the Guildhall isn't conducive to good sound quality particularly for live streaming, why replace them while using the same system?

Response 2

If properly set up the sound quality for live streaming had the potential to be better than the live sound, as acoustic feedback wasn't an issue with the stream. The current streaming sound did not come from the current system, but only from the microphone on the streaming camera which would account for the poor sound;

Question 3

The Guildhall system seems to fall down due to having a generic volume and equaliser setting for all mics regardless of the volume and vocal pitch of the speaker. This leads to some speakers - very often the females with higher pitched mid-high frequency ranges appearing to be at a lower volume to the male voices. I believe this to be fixable by using individual inputs with individual settings. This would be unviable for full council but could be done for front bench of either side perhaps?

Response 3

With a congress type system, it was not possible or practical to have individual settings for specific delegate units. It was possible to have a hand on the input level to the sound reinforcement system, to boost the level of quiet speakers, requiring a person to manage it. The microphone placements and usage were the two most important factors in receiving good audio quality;

Question 4

Alternatively, two over-head shot-gun mics could be used to enhance and amplify the speakers around the table without having to have individual mics. This would require stands or suspension units, 2 mics and a small mixing desk feeding into the audio speaker system. Two boundary mics placed on the table could do a similar job.

Response 4

Shotgun microphones would not be effective in a sound reinforcement role, particularly in a reverberant space, nor were boundary microphones. It was important to get the microphone close to the speaker, and the more microphones that were open, the lower the acoustic feedback threshold. This would not apply to the streaming audio where additional ambient microphones could assist with the sound from individual microphones;

Question 5

In my opinion (the opinion of the councillor), The Guildhall acoustics and layout and nature of full council meetings needs a different approach to the round the table conference setting of the meeting rooms in the Civic centre. Both of these rooms have dry acoustics and fairly uniform acoustic shape.

The Guildhall of course has high ceilings, lots of stone work and the full council meetings follow a different structure. If a system with a mixer was in place, the audio could be taken from the mixer directly into the laptop being used for live streaming allowing for more control over volume for the streaming.

Response 5

The Guildhall had high ceilings and stone work, which affected the acoustics of full council meetings, which followed a different structure. A system with a mixer could take assist the acoustics, however, the audio mixer would need to be connected directly into a laptop used for live streaming volume control, and have a sound engineer, operating it during meetings. More focus could be achieved by the addition of microphones mixed in to the streaming.

**MEMBER QUESTIONS TO Corporate Services Scrutiny Committee
Under Standing Order 18 – 27 September 2018**

From Councillor Thompson

Responses made by the Corporate Manager Democratic & Civic Support

Question 1

Has the rent noted in The Heads of Terms re. Premises/parking for Police specifically taken into account priority parking in spaces currently used by Councillors?

Response 1

Details of the agreed rental payments were presented to the meeting

Question 2

The rent with priority parking is noted at £22622 - given the Emergency Services operate 7 days per week is this approximate £62 per day?

Response 2

The premises rent was comparable to the existing rents paid by other organisations who occupy accommodation within the Civic Centre e.g. Citizens Advice and Devon County Council. The combined rents would give rise to a £100,000 annual income for the Council;

Question 3

Has the insurance liability for the City Council been affected with the letting of the building to the Police, which is an emergency service?

Response 3

The lease holders would be the Neighbourhood Policing team, rather than the Devon and Cornwall Police. They would not be operating as a police station or contain prison cells or have public access to the premises. Middlemore Police Station would continue to function the main Police headquarters after the closure of the Heavitree Road building. A blue box would eventually be installed externally for public use to call 101;

Question 4

Will security at the Civic Centre front desk need to be enhanced to allow for eventualities which may occur with the Police presence at the Civic Offices?

Response 4

The Civic Centre front desk and reception would not be used by the Neighbourhood Police team, but the police staff would be able to access the building directly from Dix's Field. The police may invite persons for informal discussion to the civic centre, but they would be accompanied at all times. Any formal interviews would be referred to Middlemore Police

Station. The door entry system had been altered to make sure security was maintained within Phases 1 and 2.

Question 5

What equipment, requiring CCTV and Police observation from their offices is kept in the Police vehicles?

Response 5

The Devon and Cornwall Police had informed the Council that it was standard operating procedure to ensure they had continual observation of their vehicles at all times.

Question 6

What future proposals are in place should Heavitree Road Police Station close - will the Civic Offices be the central point of contact for the Police?

Response 6

The Civic Centre would only be used as a hub office for the neighbourhood policing team, with Middlemore operating as the main police station after the closure of the Heavitree Road station.

STRATA JOINT SCRUTINY COMMITTEE

Monday 24 September 2018

Present:-

Councillor Haines (Chair)
Councillors Dewhurst, Haines, Lyons, Prowse, Dent and Pierce

Also Present

Strata IT Director, Compliance and Security Manager, Business Systems Manager, Infrastructure and Support Manager, Director with responsibility for Finance, Strategic Lead Finance (East Devon District Council) Teignbridge Strata Director, Document Processing Manager and Democratic Services Officer (Committees) (HB)

14

APOLOGIES

These were received from Councillors Foale, Jung and D Nicholas.
Councillor C Nicholas was substituting for Councillor D Nicholas.

15

MINUTES

The minutes of the meeting held on 31 May 2018 were approved and signed by the Chair as correct.

16

DECLARATIONS OF INTEREST

No declarations of interest were made.

17

QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES

None.

UNDER SECTION 100A (4) OF THE LOCAL GOVERNMENT ACT 1972 THE COMMITTEE RESOLVED TO MOVE INTO PART II AND TO EXCLUDE THE PRESS AND PUBLIC FOR THE FOLLOWING QUESTION ONLY AS IT RELATED TO THE REPORT ON TRAINING NEEDS WHICH WAS TO BE CONSIDERED IN PART II OF THIS AGENDA.

18

QUESTION FROM MEMBERS OF THE COUNCILS UNDER PROCEDURE RULES

The following question was put by Councillor Clarence in relation to IT issues at Teignbridge District Council:-

Following the meeting of this Committee on 31 May, does this Scrutiny Committee

consider the actions taken at a subsequent Strata Joint Executive Committee sufficient to embrace the IT help needed for some Members, including what will be many new Members, to be sufficient to fulfil their role as Councillors after the May 2019 elections? Does the Scrutiny Committee feel that, with all Councillors on three authorities, having new tablets is sufficient, whilst the prospect of having any help IT with personal lap tops remains doubtful, if at all?

THE MEETING RETURNED TO PART I

The following question was put by Councillor Dewhirst in relation to IT issues at Teignbridge District Council:-

Teignbridge Councillors used to have access to interrogate the Spar.net Risk evaluation register - this has now been removed. Officers have offered to print off the register but this does not give Members the ability to interrogate the underlying issues that make up the register.

Please can this access be restored for Members use?

A copy of the questions and replies are appended to the minutes.

19

STRATA IT DIRECTORS REPORT - OVERVIEW OF STRATA PERFORMANCE

The Strata IT Director presented the report on the last five months of activity at Strata, 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 covered Financial Management, BCR's and Projects Updates, Strata Service Performance Indicators, Global Desktop Environment, Customer Satisfaction Statistics and Training Needs.

He highlighted the following key areas:-

- Strata had moved to the Transformational phase of its organisational development and with the Phase II programme of improvements to the Global Desktop introduced in July;
- the Global Communications project at East Devon had now been completed with the old telephony platforms switched off and work commenced at Exeter City Council which was likely to be more complex due to the age of the current system;
- on line and real time access to Strata performance statistics, BCR requests and incidents were proving very beneficial;
- the Strata 'Out of Hours' service delivering good value for money with potentially serious issues picked up and resolved;
- the security situation was under control but attacks sustained at a high level;
- the new Business Change Request process now fully deployed with work prioritisation in the hands of the three authorities;
- through the IT Requirement Boards, Project Review meetings and the quarterly Joint IT Steering group, Strata is better informed on workload priorities;
- the new Supplier Manager is delivering tighter control of third party spend;
- Privacy Impact Assessment and GDPR implemented;
- Strata continuing to monitor financial performance and on track to deliver the £383,000 level of savings;
- staff morale high with regular social functions and vacancies rapidly filled and a 45% drop in sickness levels;

- report of Dr Tim Gibson on Strata@4, outlining the development of the Strata organisation over the last four years to be circulated at the end of October;
- monthly customer satisfaction survey results higher than 97%; and
- Strata developing the local digital declaration with all three authorities signed up with Teignbridge the lead authority.

The Strata IT Director advised that the new Strata Business Plan would be released in Quarter 3 with a move away from a focus on cost savings to align with the priorities of the three authorities. He detailed the following fundamental principles of the new Plan as part of the company's goal to become an "Agent for Change":-

- resetting the key objectives by reducing risk and costs and developing capability and capacity;
- transitioning from "Business As Usual" to "Transformational Value" - currently a 85%/15% split;
- revising the Governance Framework to better empower the authorities;
- adapting the funding model;
- commercialising the operation; and
- creating a longer term agreement.

The Director with responsibility for Finance explained the challenges in moving from the current model of cost reduction to predicable and committed upfront annual cost savings. Rather than the three authorities providing the same revenue at the beginning of the year with Strata refunding at the year end, Strata would identify cost savings at the beginning and request a lower amount from the Councils.

The Strata IT Director put forward the following seven recommendations in respect of Governance arrangements:-

- reduce Strata Joint Scrutiny Committee and Strata Joint Executive Committee meetings to once every six months;
- introduce an annual Strata/Executive forum to discuss authority strategy and transformational initiatives;
- empower the JITSG and IRB to prioritise Strata workload;
- empower the JITSG and IRB to inform Strata on authority transformation strategy;
- continue to provide monthly Strata service indicator reports;
- produce an annual Strata report for circulation to Councillors and staff; and
- recruit an experienced IT non-Executive Director to sit on the Strata Board and to inform and guide the Board in IT issues.

The Strata IT Director set out a vision of increased commercialisation as part of the transformational approach with design, innovation, business intelligence, new service creation and web site re-engineering as some of the key elements of such change and which could ultimately provide a zero cost organisation for the authorities.

As an important step in the transformation journey, the need to agree a longer term contract had been identified. The current 18 month rolling contract hampered negotiations of leasing arrangements and could also hinder staff recruitment. It was proposed that the contract should align with the original Strata Business Plan and be extended to 2024/25.

The following responses were given to Members' queries:-

- all servers were to migrate to Oakwood House with the last stage of the East Devon server moves to Exeter nearing completion with physical decommissioning of the East Devon site to commence. Only three of the 100 Teignbridge servers remained - the deadline for migration being the beginning of October;
- Granicus, formally Gov Delivery, had been recommenced as a tool for communicating with residents through letters/questionnaires;
- Power BI was being introduced as a training manual for data analysis and report writing;
- four outages had occurred in the last three months classed as major incidents with maximum Strata response, notwithstanding the commitment to transformational change;
- the role of Councillors in supporting their constituents communicate with the Council and the growing technological options was recognised and it was suggested that voicemail was likely to be the preferred method in coming years;
- a number of options for supporting Councillors with their IT needs and to be progressed as part of any new training programme would be examined including through the service desk such as use of training videos and inviting training requests; and
- Members were welcome to put forward ideas/innovation suggestions such as through an innovation forum, half yearly workshops etc.

Strata Joint Scrutiny Committee:-

- (1) noted the report;
- (2) recommended to the Strata Joint Executive Committee the adoption of the seven proposals for changing the Governance arrangements including reducing the Strata Joint Scrutiny Committee and the Strata Joint Executive Committee meetings to once every six months; and
- (3) recommended to the Strata Joint Executive Committee that the Strata contract be changed from an 18 month rolling contract to a contract expiring in line with the original Strata Business Plan in 2024/25

20

STRATA @4 UPDATE

The Strata IT Director reported that Dr Tim Gibson had met with the Leaders and Chief Executives of the three authorities in preparing his report which set out a holistic view of the Strata organisation. His report would be emailed to the Councillors and officers of the three authorities at the end of October. It would be released to coincide with the launch of the new Strata Business Plan.

21

STRATA BUDGET MONITORING QUARTER I : 2018/19

The Director responsible for Finance reported that Strata had been given a total of £6,504,000 to run the IT Services in 2018/19 along with funding for various capital projects. The Company also maintained an account for additional purchases

throughout the year.

The Strata budget was on track to deliver around £420,000 of revenue savings for the three Councils in 2018/19. At the three month stage, the Board was projecting savings of £421,903 against the total original target of £381,960.

The report also set out variations in the capital budget.

The report also set out the final, audited Statement of accounts for Strata Service Solutions. The Strata Board had been satisfied that the refund provided to the three owners during May 2018 was appropriate at £565,000.

Strata Joint Scrutiny Committee noted and supported the report.

22 **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 and 3 of Part I, Schedule 12A of the Act.

23 **PEOPLE DATA REPORT - 2017 TO 2018**

The Strata IT Director presented the report setting out key people information for 2017/18. The report covered headcount, turnover, absence, recruitment, apprentices and age profiles. Strata had recruited three apprentices for each of the three councils for 2017/18, two of whom had been retained. Four apprentices had been recruited in 2018/19. He also referred to attendance of Strata staff at local job fairs.

Strata Joint Scrutiny Committee noted and supported the report.

24 **TRAINING NEEDS ANALYSIS REPORT**

The Strata IT Director presented the report on the training needs analysis investigation performed by 'Degrees of Separation' recommending investment to improve the level of IT skills. It covered a basic ICT skills deficiency in all three authorities as there was currently no dedicated support mechanism in place to support Councillors at either Teignbridge or East Devon.

The report set out a raft of recommendations for the training of staff and recommending an increase in the overall training budget or a dedicated support allocation to Strata for a high level of support to be afforded to Councillors.

It was proposed that budgets be amalgamated and provided to Strata as the connecting hub. A two year term was proposed initially at a cost of £42,000 per annum, broken down as:-

- Exeter City Council : £15,9091.60;
- East Devon District Council :£15,411.64; and
- Teignbridge District Council : £11,496.74

Members fully supported the training proposals emphasising the added value this would bring to the work of Councillors.

Strata Joint Scrutiny Committee welcomed the report and supported the recommendation that the Strata Joint Executive Committee confirm the budget spend and delivery of a Strata provided IT training service for end users, including Councillors and officers across the three authorities.

(The meeting commenced at 4.00 pm and closed at 6.00 pm)

Chair

STRATA JOINT SCRUTINY COMMITTEE

24 SEPTEMBER 2018

QUESTION FROM COUNCILLOR DEWHIRST

Teignbridge Councillors used to have access to interrogate the Spar.net Risk evaluation register - this has now been removed. Officers have offered to print off the register but this does not give Members the ability to interrogate the underlying issues that make up the register.

Please can this access be restored for Members use?

Response from Strata. In order to access and interrogate the Spar.net Risk evaluation register, Councillors would be required to sit inside the Global Desktop environment. However, with the current setup, TDC Cllrs sit outside of the Global Desktop environment and hence they are unable to access Spar.Net. The issue would be resolved if Cllrs were to be provided with IT (as per our suggestion), as we could then bring them into the Global Desktop environment just like we have for Cllrs at ECC. Also access to the Spar.Net register would need to be approved by a council officer, Strata would not be directly able to approve this.

It was further explained that there were no technical nor security reasons why Councillors could not have access to the Global Desktop via their personal computers, but in order to do so, TDC would need to give approval to Strata to undertake the setup / configuration work.

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STRATA JOINT EXECUTIVE COMMITTEE

Tuesday 25 September 2018

Present:-

Councillor Peter Edwards (Chair)
Councillors Clemens and Skinner
Managing Director Teignbridge District Council, Chief Executive Exeter City Council, and
Chief Executive East Devon District Council

Also Present

Strata IT Director, Director with Responsibility for Finance, Strategic Lead Finance (East Devon District Council), Teignbridge Strata Director, Compliance and Security Manager, Infrastructure and Support Manager, Document Centre Manager, Business Systems Manager, Democratic Services Manager and Democratic Services Officer (SLS)

21

APOLOGIES

Apologies for absence at the meeting were received from Councillors Christophers and Thomas.

(Councillor Thomas took part in the meeting via a video link.)

22

MINUTES

The minutes of the meeting held on the 11 June 2018 were taken as read and signed by the Chair as correct.

23

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

24

QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES

None.

25

QUESTIONS FROM MEMBERS OF THE COUNCILS UNDER PROCEDURAL RULES

The following question was put by Councillor Clarence in relation to IT support:-

Will the Executive confirm please the IT managers intentions that council members from the three authorities will receive a measure of IT support, with laptops or whatever equipment they may choose to use, to for fill their roles as councillors, on the understanding that they may not be helped immediately if more pressing crisis matters are ongoing; also if such councillors IT equipment is simply too old to receive attention that a measure of help will be forthcoming with purchasing and setting up of new equipment to allow a councillor to for fill his/her role?

A copy of the question and reply was appended to the Minutes.

STRATA IT DIRECTORS REPORT - OVERVIEW OF STRATA PERFORMANCE

The Strata IT Director presented the report and presentation on the last four months of activity by Strata and provided an update on the current operation and performance, which included identified key activities, successes and areas for further improvement. He set out the important focus on the core objectives of cost and risk reduction and increasing the capability for change. He referred to the increasingly important Customer Centric ethos and better understanding of the business value of the work. A copy of the presentation was attached to the minutes.

Members were advised that a new Strata Business Plan would be developed to ensure a better alignment with the priorities of the three authorities. He set out a number of objectives, identified as part of the company's goal to become an 'Agent for Change', which included:-

- meetings of the Scrutiny Joint Committee and Scrutiny Joint Executive to be held half yearly - the Joint IT Steering Group to meet quarterly and an Annual Forum to be introduced to provide an opportunity to discuss the Transformation Strategy of each authority to discuss IT trends in local government;
- resetting the existing objectives of reducing risk and costs and developing capability and capacity to a set of objectives more focused on a Customer Centric service delivery model;
- transitioning from 'Business As Usual' to Transformational Value' – currently a 85% / 15% split;
- revising the Governance Framework to better empower the authorities;
- adapting the funding model;
- commercialisation of the operation, and
- consideration of creating a longer term agreement.

The Board welcomed the opportunity for more commercialisation, but considered it was important to remain focused on Strata's core activities. It was acknowledged that income generation would be a vital approach in the coming years, but more speculative work such as the development of IT applications, rather than a support role would be a practical way forward. The suggestion of a non-Executive Director joining the Board would also provide additional support and more informal 'policing'.

The Director with responsibility for Finance welcomed the Board's steer and would present a Business Plan, which would include the identified objectives, to the January meetings of the Strata Joint Scrutiny and Strata Joint Executive Committees, so that all three Councils would be able to take the proposed Plan to their respective Councils for consideration and approval.

The Chief Executive Exeter City Council congratulated the team on their success and effort.

Strata Joint Scrutiny Committee had considered the report at its meeting on 24 September 2018 and its comments were reported.

RESOLVED that the report be noted and a Business Plan, including the objectives set out above be presented to the respective meetings of the Strata Joint Scrutiny and Executive Committees in January 2019.

STRATA@4 UPDATE

The Strata IT Director reported that Dr Tim Gibson had met with the two Chief Executives and one Managing Director of the three authorities and had provided an independent report on the development of the Strata organisation over the last four years. The report would be shared with Members at the end of October, and would be released to coincide with the launch of the draft Strata Business Plan.

The Board requested the details of the report be shared as widely as possible with Members and staff in the three authorities.

Strata Joint Scrutiny Committee had considered a verbal report at its meeting on 24 September 2018.

RESOLVED that the verbal report be noted.

STRATA BUDGETING MONITORING QUARTER 1: 2018/19

The Director responsible for Finance presented the report on the financial progress of Strata during the first three months of 2018/19, including a projected outturn assessment against the savings set out in the Business Plan. He stated that the Strata budget was on track to deliver approximately £420,000 of revenue savings for the three authorities in 2018/19. The report also set out the variations in the capital budget.

The final, audited, Statement of Accounts for Strata Service Solution were included in the report, and the position had not changed from the draft accounts. The refund of £565,000 provided to the owners was deemed correct.

The Director responsible for Finance responded to questions on Strata's change in the current financial arrangement and stated that Strata would identify costs savings at the beginning of the financial year and therefore request a lower amount from the three authorities, which would be a more efficient approach.

Strata Joint Scrutiny Committee had considered the report at its meeting on 24 September 2018 and its comments were reported.

RESOLVED that the report be noted.

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

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of items 10 and 11 on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part I, Schedule 12A of the Act.

PEOPLE DATA REPORT - 2017 TO 2018

The Strata IT Director presented the report, providing important workforce management information and analysis to the Strata Board and Management Team as well as the Joint Executive Committee and Joint Scrutiny Committee. The report covered a number of staffing matters including headcount, age profile, absences, turnover and recruitment including apprentices. The report for 2017/2018 was the third complete year of reporting key people data. He proposed working towards achieving the Investors in People Accreditation for Strata.

Strata Joint Scrutiny Committee had considered the report at its meeting on 24 September 2018 and its comments were reported.

RESOLVED that the report be noted.

31

TRAINING NEEDS ANALYSIS REPORT

The Strata IT Director presented the report on the Training Need Gap Analysis report which was commissioned to look at the ICT skills requirements of all three Authorities. There was currently no dedicated ICT training/support mechanism in place for Councillors in East Devon or Teignbridge District Councils.

The report set out a number of recommendations for the training of staff as well as an increase in the overall training budget or a dedicated support allocation to Strata for a high level of ICT support for Councillors.

The Board supported the training proposals, and recognised it was also desirable to ensure there was a good level of ICT skills competency for all staff.

Strata Joint Scrutiny Committee had considered the report at its meeting on 24 September 2018 and its comments were reported.

RESOLVED that that the report be noted and the budget spend and delivery of a Strata provided IT training service for end users, including Councillors and officers across the three authorities would be funded by Strata for the first year.

(The meeting commenced at 5.30 pm and closed at 7.20 pm)

Chair

STRATA JOINT EXECUTIVE COMMITTEE

25 SEPTEMBER 2018

QUESTION FROM COUNCILLOR CLARANCE

Will the Executive confirm please the IT managers intentions that council members from the three authorities will receive a measure of IT support, with laptops or whatever equipment they may choose to use, to for fill their roles as councillors, on the understanding that they may not be helped immediately if more pressing crisis matters are on-going; also if such councillors IT equipment is simply too old to receive attention that a measure of help will be forthcoming with purchasing and setting up of new equipment to allow a councillor to for fill his/her role?

The Strata IT Director reported that the Strata Joint Executive Committee on 11 June 2018 had commissioned a report on the perceived training needs of both Councillors and officers of the authorities. It was hoped that the Strata Joint Executive Committee would support a request in Part II of the agenda for the development of this service to enhance the support to both councillors and officers in relation to how to maximise the IT deployed.

It was also hoped this new service would be operational in advance of the May 2019 elections so that the deployment of any tablet devices could be complemented by a good level of handover instruction and support.

In the meantime, should a councillor need support on their IT, the advice is to log a service call with the Strata service desk, and they will use 'reasonable efforts' to perform a diagnosis of the issue and to facilitate a fix. Should a fix not be possible, i.e. it is a hardware failure, then Strata will advise the councillor of a suitable course of action to resolve the problem.

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EXECUTIVE

Tuesday 11 September 2018

Present:

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

Apologies:

Councillor Packham

Also present:

Director (BA), Director (DB), MRF Manager and Democratic Services Manager

87

MINUTES

The minutes of the meeting held on 10 July 2018 were taken as read, approved and signed by the Chair as correct.

88

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

89

URGENT DECISION - MATERIAL RECLAMATION FACILITY

The Director (DB) advised Members on the urgent decision to allocate £15,000 of capital funding to install four CCTV cameras and an intruder alarm in the Material Reclamation Facility (MRF) building. The operation of the MRF was regulated by the Environment Agency (EA). The EA had advised the Council that improvements were needed to its fire prevention measures and that the Council's permit to operate was dependent on these measures.

This decision had been made by the Director (DB) in consultation with the Portfolio Holder for Place and Commercialisation and the Chair of Place Scrutiny Committee.

In response to a Member, the Director clarified that the Control Centre would undertake the surveillance.

The urgent decision was noted.

90

GREATER EXETER STRATEGIC PLAN UPDATE

The Leader advised that in light of the decision taken by East Devon District Council the Greater Exeter Strategic Plan (GESP) would be withdrawn to enable further work to be undertaken on the GESP.

RESOLVED that the report be withdrawn.

FREEDOM OF THE CITY

The Democratic Services Manager presented the report setting out a proposal to offer the Freedom of the City to:-

- Sir Steve Smith in recognition of his outstanding service to the City of Exeter, during his period as Vice Chancellor of the University of Exeter; and
- Dr Todd Gray in recognition of his passionate interest in Exeter's historic buildings and his concern for their continued preservation.

Members were advised that the way in which such nominations were considered by the Council had been changed earlier this year, whereby an Assessment Panel now sat to consider the written submissions received.

Members supported the nominations.

RECOMMENDED to Council that:-

- (1) the title of Honorary Freeman of the City Status be conferred on Sir Steve Smith and Dr Todd Gray; and
- (2) the Right Worshipful the Lord Mayor be requested to convene an Extraordinary Meeting of the Council to be held on the rising of the Ordinary Meeting on 16 October 2018, for the purpose of passing the appropriate resolution under Section 249 of the Local Government Act 1972.

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.

MATERIALS RECLAMATION FACILITY INVESTMENT

The Director (DB) presented the report which discussed the reasons for investment in the Materials Reclamation Facility (MRF), and proposed options for increasing income and reducing costs.

In response to Members' questions, the MRF Manager commented that the options would look to take advantage of advances in technology.

Members supported the benchmarking exercise.

RESOLVED that:-

- (1) the comparison of the five options considered in sections 14 – 17 of the circulated report be noted, and the preparation of a full business case for capital investment in improvements to the storage and sorting of recycling at the MRF be supported; and
- (2) the allocation of £10,000 to carry out a benchmarking exercise to compare the Councils current service against a kerbside-sort recycling scheme as outlined in Option 4 in Sections 17 and 18 of the circulated report be supported.

(The meeting commenced at 5.30 pm and closed at 5.49 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 16 October 2018.

DRAFT

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Agenda Annex

SEATING IN THE GUILDHALL

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

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

Portfolio Holders

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

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