

PLACE SCRUTINY COMMITTEE

Thursday 17 January 2019

Present:

Councillor Sills (Chair)

Councillors Wood, Begley, D Henson, Lyons, Mitchell, Owen, Pattison, Prowse and Robson

Also present:

Director (DB), City Surveyor, Service Manager, Community Safety & Enforcement, Interim Principal Accountant (AR) and Democratic Services Officer (MD)

In Attendance:

Councillor Philip Bialyk

- Portfolio Holder Health and Wellbeing, Communities & Sport

Councillor Rachel Sutton

- Portfolio Holder Economy, Culture & Chair of Planning Committee

Councillor Matthew Vizard

- Speaking Under Standing Order 44 (Min. No. 8)

Councillor Natalie Vizard

- Speaking Under Standing Order 44 (Min. No. 8)

1

MINUTES

The minutes of the meeting of Place Scrutiny Committee held on 8 November 2018 were taken as read, approved and signed by the Chair as correct.

2

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

3

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19

In accordance with Standing Order 19, one member of the public submitted a question on maintenance issues in relation to the Built Sports and Leisure Facilities in the city (attached as an appendix to these minutes).

Members agreed, following a vote, to defer any debate on the Built Sports and Leisure Facilities in the city, until the Special Place Committee meeting on 31 January 2019.

A copy of the question had been previously circulated to Members, and these, together with the responses from Councillor Bialyk, Portfolio Holder for Health and Wellbeing, Communities & Sport is appended to the minutes.

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PRESENTATION

An invitation had been extended to Jo Jo Spinks to outline the work of Interwoven and Place Making, using the arts, and links with the university, Councillors and the local community. Unfortunately due to unforeseen circumstances, the presentation was deferred to the March meeting.

ESTIMATES/NEW CAPITAL BIDS CAPITAL PROGRAMME AND FEES AND CHARGES 2019/20

The Interim Principal Accountant presented the report which set out the proposed revenue and capital estimates for 2019/20 in respect of Place Services. The report outlined the strategic framework, changes in accounting practices which impacted all budgets and provided detailed reasons for major changes in the Management Unit estimates. A detailed schedule of the Capital Programme and the proposed Fees and Charges for 2019/20 were included as an appendix.

There had been no changes to the budgets since the presentation to Members, given by the Chief Finance Officer in December 2018. He referred Members to Section Officer 151 comments in the report, which stated that the budget was in line with the updated medium term financial plan and noted that further savings of £2.4 million were needed, in order to balance the budget for the following year.

In response to Members' questions, the Interim Principal Accountant and the Director (DB) responded as follows:-

- A response would be provided to Members on how much the Council received from the New Homes Bonus and its impact on the five year housing supply;
- The St James Weir was not owned by Exeter City Council, however, additional funding had been allocated to install rock armour to prevent further erosion. The work would commence within three weeks, with an estimated cost of £25-30,000 for the stone and £60-70,000 for the placement;
- The work to reduce domestic and commercial rubbish would look at areas with communal bins and streets where black bin liners were placed out. Members would be consulted on the proposed street selections. There were also discussions being held, with residents living on the Quay, about bin placement and design;
- The Business and Commercial Opportunities unit, was previously managed by a Services Manager, but the role had not been filled. The teams had been divided up between other managers;
- Street Cleaning did have resource issues, especially in relation to the number of additional houses being built. The refuse collection had operated very well in recent years, and had managed by making the service more efficient.
- Exeter City Council, as the Harbour Authority, were responsible for the supply of harbour patrollers. There were ongoing communications with neighbouring Local Authorities to provide financial support;
- There was a business case to address updating equipment, to provide a food waste collection and cover the costs for the Materials Recovery Facility (MRF) in Marsh Barton. Food waste was not expected to be part the business strategy, but additional information was still needed;
- The Director (DB) and Chief Executive & Growth Director, had made representations about river health and fish migration to the Environment Agency, who were responsible authority for rivers. Members would be provided more information, when it was available.

Place Scrutiny Committee supported the draft Revenue Estimates for 2019/20 including the proposed Capital Programme, Fees and Charges for further consideration by Executive on 12 February 2018 and the Special Meeting of the Council on 26 February 2019.

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PARKING TARIFFS

The Service Manager Community Safety & Enforcement presented the report which set out the increase to both car park tariffs and the number of pay and display parking sites from April 2019. There would be a maximum of a 10% tariff increase to premium zone 1 and 2 car parks and a 50p increase to zone 3 car parks. The parking increases would support the Councils' plan to reduce congestion within the city.

In response to questions from Members, the Service Manager Community Safety & Enforcement informed that:-

- Bromhams Farm car park was added in the 2018 parking tariffs report, but was currently on hold due to negotiations with Devon Wildlife Trust;
- The increase to Council car parking charges were intended to help reduce the congestion in Exeter and were part of a recognised strategy to reduce the number of vehicles coming into the city and encourage the use of public transport;
- The 4% increase in vehicles using car parks referred to in the report, was an annual comparison. The pattern for the final quarters of both 2017 and 2018 indicated a 6% decrease.
- A line in the budget provided details of income generated from penalty tickets;
- The footfall in the city was down by 1%, but congestion and financial impacts would be regularly monitored;
- The fee for Coach Parking at Haven Road would remain at £5 a day. This would encourage the use of coaches, and help reduce the number of cars coming into the city;
- The free car parking at George V playing field would be monitored by City Council Staff.

Members noted that the rise in car parking fees was a difficult and unpopular action for the Council, but was necessary to help reduce congestion in the city to support environmental issues.

Place Scrutiny Committee supported and recommended approval by Executive of the following:-

- (1) The amendment of the Car Parking Places Order 2014 as set out below:-
 - a) To increase tariffs at Premium, Zone 1 and Zone 2 car parks by a maximum of 10% within the existing linear pricing structure as set out in the table below.

- b) To increase the tariffs at Zone 3 car parks by 50p as set out in the table below.

Premium Car Parks (Guildhall, Mary Arches, John Lewis)		
Stay	Current Tariff	Proposed Tariff
1 hour	£3.00	£3.30
2 hours	£4.00	£4.40
3 hours	£5.00	£5.50
4 hours	£6.00	£6.60
5 hours	£7.00	£7.70
6 hours	£8.00	£8.80
7 hours	£9.00	£9.90
All day	£15.00	£15.00
Zone 1 Car Parks (Bampfylde Street, Bartholomew Terrace, Harlequins, King William Street, Magdalen Road, Magdalen Street, Matthews Hall, Princesshay 2, Princesshay 3, Smythen Street)		
Stay	Current Tariff	Proposed Tariff
1 hour	£2.00	£2.20
2 hours	£3.00	£3.30
3 hours	£4.00	£4.40
4 hours	£5.00	£5.50
5 hours	£6.00	£6.60
6 hours	£7.00	£7.70
7 hours	£8.00	£8.80
All day	£12.00	£13.00
Zone 2 Car Parks (Belmont Road, Bystock Terrace, Cathedral & Quay, Haven Road 1, Howell Road, Richmond Road, Parr Street, Topsham Quay, Triangle)		
Stay	Current Tariff	Proposed Tariff
1 hour	£2.00	£2.20
2 hours	£3.00	£3.30
3 hours	£4.00	£4.40
4 hours	£5.00	£5.50
5 hours	£6.00	£6.60
All day	£10.00	£11.00
Zone 3 Car Parks (Flowerpot, Haven Road 2 & 3, Holman Way, Okehampton Street, Tappers Close, Turf Approach)		
Stay	Current Tariff	Proposed Tariff
1 hour	£0.50	£1.00
2 hours	£1.00	£1.50
3 hours	£1.50	£2.00
4 hours	£2.00	£2.50
All day	£3.00	£3.50
Zone 3 Car Parks with Maximum Stay (Bromhams Farm, Clifton Hill, Gordons Place, Station Road (Exwick))		

1 hour	£0.50	£1.00
2 hours	£1.00	£1.50
3 hours maximum stay	£1.50	£2.00
Coach Parking at Haven Road 3 (per day)	£5.00	£5.00
Quarterly Commuter Season Ticket	£375.00	£375.00
Residents Annual Season Ticket	£150.00	£150.00
Bartholomew Terrace Business Permit	£250.00	£250.00
Cathedral & Quay Business Bays	£750.00	£750.00

- (2) To restrict parking to a maximum 4 hour stay at King George V Playing Fields (Appendix 1); and
- (3) Delegated authority be given to the Director (Place) to consider any objection that may be received.

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BULL MEADOW RECREATION GROUND

Councillors M Vizard and N Vizard attended the meeting having given notice under Standing Order 44 to speak on this item.

The City Surveyor presented the report, which followed a request by Exeter Homes Trust Ltd, to purchase an area of Bull Meadow Park at the end of Temple Road to enable the redevelopment of the existing scheme of 12 almshouses, to provide 31 almshouses. The land to be purchased was shown in the circulated report, which also showed the location of Bull Meadow Park, detail of the proposed turning head and its location within Bull Meadow Park. There were no strategic or operational reasons for retaining the land and that the proposed use was acceptable to both Planning and Parks teams.

The City Surveyor explained that disposal of non-strategic land were normally delegated to him in consultation with the Chief Finance Officer. The intention was to build a public highway turning head, which had been considered to be the best option to support the re-development of the almshouses site. A provisional agreement had been reached with Exeter Homes Trust, subject to planning consent.

However, due to the high volume of interest from local residents, following the advertisement to sell the land, the level of objections and notably a petition received, it was his view that the decision on the principle of disposal required Member consideration at the Place Scrutiny for decision by Executive Committee.

Councillor Speaking Under Standing Order 44

Councillor N Vizard commented that there had been an unprecedented opposition to the sale of the land, but expressed her thanks to the City Surveyor for opening up the decision to Members. She requested Members of the Place Scrutiny Committee

to not support the request for Exeter City Council to sell the land at Bull Meadow Park.

There had been an overwhelming public objection and she emphasised the importance for Members to acknowledge the opposition from local residents, stakeholders and community leaders to refuse the sale. She noted that the report could be misleading, as it did not show the open space and the area designated by the zip wire, which had reduced the area of green space available for multi-use sports and community activities.

Councillor N Vizard explained that the area was a vital community open space, which needed to be retained and was not a small area of land to be disposed of, which would have a cruel impact on the community, which was already concerned about other land in the area, with no indication of resolution. The area was used by local residents and visitors for various community activities such as dog walking, ball sports and picnics.

There had been an unprecedented negative community response to the notification to sell the land, with additional responses mentioned in the report, and another 400 signatures provided in a paper petition. She stated that Members must weigh up the merits of the retention of public open green spaces against the development of the almshouses. The developers architect had confirmed that the situation was not an either or situation, and had alternative options available, with this option being the preferred option. An alternative, would be to access the site from Fairpark Road, had been discounted by Exeter Homes Trust and Planning Officers. The Waste Collection Manager had also commented that the turning head would be a useful improvement, and would be beneficial for park visitors. Requests had been received from local residents to not sell the land and there was no record of accidents in the area.

It was known that the Council had to save money, however Council receipts were not substantial enough to ignore the passionate opposition and pleas of the local community. She emphasised that it was acceptable for the Council to say no, not to the whole development, just to the loss of the park land. There were other concerns about the disruption from construction vehicles during the development period and the potential safety hazards, which she highlighted as a planning consideration, but felt was an opportune time to comment on it.

Councillor N Vizard summarised that it was possible for the development to go ahead without the loss of the park land. The report suggested that there were only two options, either the Council sold the land and the development went ahead or that it did not sell and the development could not go ahead, which wasn't the case. The developer's architects had stated that there were alternative options available, with this option being more cost effective. It was not City Council policy to sell assets to save developers money, regardless of the benefit of the development. Delivery and service vehicles could access through the wider and more accessible Fairpark Road, which would be a better option.

The proposal to sell the land was against the collective wishes of the local community, who used the land for various community activities.

Councillor Speaking Under Standing Order 44

Councillor M Vizard stated that the arguments were concerned with the loss of part of the field at Bull Meadow, the unprecedented number of objections from residents, there being no significant financial gain to the Council and there being alternative

options available. He stated that for a Council to sell off any public park land, there should be exceptional reasoning, which was not the case. There was an opportunity for Members to support their local community and requested Members of the Committee to not support the recommendation.

In response to questions from Members, the City Surveyor explained that Bull Meadow was a park rather than a playing field and that disposal was not a matter for Sport England consideration.

Members discussed the disposal of the land and representations received, commenting that: the principle when the Council disposed of land, was that something needed to be given back; there would be an increase to the volume of traffic to the area; there were alternative options available to maintain the development of almshouses, without losing the land; Members had a responsibility to listen to the view of local residents.

Place Scrutiny Committee requested, subject to planning consent, that Executive not support the disposal of the area of land at Bull Meadow Park.

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HATOC HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

To receive the minutes of the Exeter Highways and Traffic Orders meeting held on 6 November 2018.

(The meeting commenced at 5.30 pm and closed at 6.36 pm)

Chair

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**PUBLIC QUESTION RECEIVED for Place Scrutiny Committee – 17 January 2019
from Peter Cleasby**

To Councillor Bialyk Portfolio Holder Health and Wellbeing, Communities & Sport

Question

The report from the Director to the Executive meeting on 12 June 2018, entitled “Built Sports and Leisure Facilities”, includes the following statement at paragraph 8.4, referring to the Clifton Hill Sports Centre: “The on-going maintenance of the facility has also been hindered by the contractual split of responsibilities between the Council as landlord and Legacy Leisure/Parkwood Leisure as the facility operator, and the time taken to negotiate whose responsibility repair and other works are.”

Will the Council please?

- (a) explain why agreement on exactly who was responsible for what was not clarified before the contracts with Legacy Leisure and Parkwood Leisure were signed off;
- (b) confirm that this lack of clarity of responsibilities applies to all leisure facilities covered by the contract;
- (c) state whether this lack of clarity of responsibilities has contributed to the need for remedial repairs (1) at the Pyramids Swimming Pool and (2) at the Riverside Leisure Centre
- (d) estimate how much additional Council expenditure across all leisure facilities has been incurred because these responsibilities were not clear; and
- (e) state what lessons have been learned from this situation for application to the new leisure operator contract

Councillor Bialyk Portfolio Holder Health and Wellbeing, Communities & Sport responded to the questions:-

Response (a)

The original industry standard contract had been agreed in 2010. The Council were responsible for the fabric of the building and the replacement of electrical and mechanical plant. The operator was responsible for the servicing of electrical and mechanical plant and for keeping the interiors of the buildings in good decorative order.

In practical terms with ageing facilities the lack of clarity occurs when a problem such as a leak in a roof occurred causing damage to interior and exterior fabric and surveyors from different parties had to agree what the root cause was and who was responsible for the remedial costs. This had led to protracted contractual negotiations which in turn had contributed to delays in taking remedial action. Records could be checked to see who was responsible.

Response (b)

Yes, where built facilities were part of the contract

Response (c)

No, although this had led to protracted contractual negotiations which in turn had contributed to delays in taking remedial action.

Response (d)

There were no direct additional costs incurred as far as the Council could tell.

Response (e)

The key lesson was, where possible to have full repairing lease arrangements with new operator and a clearer contracted quality assurance role for the Council as landlord. This approach was being designed into new contracts, which would be going out for procurement later in the year. There had been great care taken on reasonability and lessons had been learnt.

Mr Cleasby was invited to respond, commenting that the final part of the response from Councillor Bialyk was important, and had provided him great reassurance for a difficult period. It was unfortunate that the original contract had been drawn up in such a way, to allow for such a protracted negotiation to take place.

As much as it would have been possible to quantify any impacts on the facilities, it could not have been an advantage to keeping the facilities in good order. He thanked the Place Scrutiny Committee and noting he was encouraged by the way forward.