

STRATEGIC SCRUTINY COMMITTEE

15 January 2026

Present:

Councillor Liz Pole (Chair)

Councillors Mitchell, K, Atkinson, Haigh, Harding, Miller-Boam, Moore, Wetenhall and Knott
(In place of Rolstone)

Apologies:

Councillor Rolstone

Also present:

Strategic Director for Corporate Resources, Head of Legal and Democratic Services & Monitoring Officer, Head of Service - Commercial Assets, Assistant Service Lead – Local Plan, Danny Damarell, Estates Surveyor and Democratic Services Manager

In attendance as Portfolio Holder:

Councillors Bialyk, Vizard, Williams, R., Wood and Wright

27 Minutes

The minutes of the special meeting held on 3 November 2025 were taken as read, approved and signed by the Chair as correct, subject to an amendment to insert the word 'have' on minute no. 18 – “Section 151 officers must sign off a financial model and therefore couldn't have put this forward ethically if it was not believed to work”

The minutes of the ordinary meeting held on 20 November 2025 were taken as read, approved and signed by the Chair as correct, subject to the following amendments, with additions in italics:

- Minute No. 23 - Each yellow sign had the number of the nearest camera on them in order that people didn't need to say where they are and locations of cameras could be shared with councillors *on request but would not be made public*;
- Minute No. 24 - views of those in the current area at East Wonford Hill that had *in previous years* not been below the government objective were important to the action plan;
- Minute No. 24 spelling corrected – butadiene;
- Minute No. 25 addition of - The Chair brought Members' attention to the fact a wrong version of the Motion referred by Council had been included in the Agenda Reports Pack. The correct version was tabled and is appended to the minutes; and
- Minute No. 25 amended to read - the draft Devon and Torbay Local Transport Plan, LTP4, transport plan had no reference to Air Quality until Exeter City Council's feedback had been responded to.

Councillor Wetenhall asked that Democratic Services consider numbering rather than bullet points to aide situations such as amending minutes.

The Chair updated the committee with regard to Air Quality stating that the Strategic Director for Operations anticipated that following the likely appointment of a consultant in early February a timeline would be designed and shared.

28 **Declarations of Interest**

No declarations of interest were made by Members.

29 **Questions from Members of the Public Under Standing Order No.19**

There were no questions submitted by the public.

30 **Questions from Members of the Council Under Standing Order No.20**

In accordance with Standing Order No. 20, the following question was submitted by Councillor Moore in relation to the Portfolio of Councillor Bialyk who attended the meeting. The question was circulated at the meeting to Members of the Committee. The question and response are set out below:

Question: Please provide an update on the Bus Station Wider Options project including the works that have been undertaken and why it went over budget.

Response: The Council has engaged Avison Young to undertake a market and deliverability assessment across the former bus station and the civic centre site. This assessment has also examined high level architectural layout and massing options together with scheme viability and associated deliverability constraints. In order to ensure that a comprehensive regeneration approach had been undertaken, the Council re-engaged Avison Young to undertake a further linked phase 2 assessment which included the Sidwell St retail frontage properties (Eastside row opposite John Lewis). This additional work generated a further fee commitment resulting in an overspend, which will be covered by a virement from the wider Liveable Exeter budget.

Once this assessment has been fully reviewed a report will be brought to the Executive.

Supplementary Question and Response

Does the feasibility only cover housing and retail of feasibility for open spaces and other things such as a market square?

Response: The Leader responded that he would take this back to Directors and supply a written answer.

The Chair invited questions for other Portfolio Holders present.

Councillor Moore asked the Portfolio Holder for Climate, Ecological Change and Communities, Councillor Vizard how the Adaptation Strategy would be incorporated into city council work? Councillor Vizard responded that he would request an update from officers as he had not been directly involved.

The Chair gave an update on Item 10 stating that she had met with Councillor Read as author of the motion and that South West Water had declined to attend and declined to use the proposed template. They had however provided links to where information was held which would be included in the minutes. With support of Councillor Read the Chair proposed that this item be put on the work plan to be timetabled at a later date as scrutiny was unable to satisfy the intentions of the motion. The Chair suggested that external agencies be invited to give wider evidence and also informed the committee that the Portfolio Holder had met with South West

Water who had agreed to attend Harbour Board, of which Councillor Read was a member and that they would welcome an invitation to scrutiny at another time.

The Chair proposed the moving of this item, seconded by Councillor Atkinson and following a unanimous vote was CARRIED.

31 **Portfolio Holder report - Councillor Bialyk, Leader of the Council**

The Leader of the Council, Councillor Bialyk presented his report drawing attention to the following points:

- a) a provisional finance presentation last evening had been provided by the Strategic Director for Corporate Resources and Head of Service - Finance and the council looked to be in a good position for the next two to three years;
- b) strategic partnerships continued with the Exeter Partnership being collegiate and areas being discussed were set out in the report. He would speak to officers about sharing notes from the meetings with members;
- c) members would hear more in due course about the City of Culture bid;
- d) the council was a partner in the Exeter Civic University Agreement and there was a link to a video in the report. He would speak to the university with regard to circulating the minutes to members;
- e) the matter of moving the site of the Materials Reclamation Facility would come before the Executive in due course;
- f) Senate Court would be the subject of an item at a special council meeting in February;
- g) there were a number of commercial and social asset issues but Laings had progressed. Finance must be considered. The accommodation at Whipton Gardens was first class and the residents he had met were pleased and it was hoped that phase B could be brought forward soon;
- h) Trews Weir was being dealt with;
- i) he would visit the city wall at the City Gate the following day with a team and inspect that and a number of other sites;
- j) contractors had been engaged at Clifton Hill which would bring forward affordable housing for over 55s which was at a cost but was the most appropriate way forward;
- k) Mary Arches would come to planning committee in due course;
- l) office relocation would be coming to council at a special meeting in February;
- m) as a non-constituent and non-voting member of the Combined Authority he represented the districts along with the Leader of Torridge Council. A peer review had been completed which had looked at governance and making it relevant to people. A Strategic Mayoral Authority was being considered as this was the direction of travel from government and where investment would come into the county;
- n) with regard to Local Government Reorganisation he believed that this would happen and a strong bid had been put forward with support from all parties in the room as well as Plymouth. A letter in response to the Minister had been sent and the minutes of the council meeting would be sent when prepared and he had directed those who had asked to make representations to the Minister.

The Leader responded to Members' questions in the following terms:

- a) he was not unhappy to meet with St David's ward councillors about Mallinson Bridge but wanted to speak to Directors first so as not to raise false hope. He was convening a meeting with the Leader of Devon County Council about a number of issues and would discuss Mallinson Bridge or how those funds could be redirected within the city;

- b) procurement was complete for the remainder of the Laings work and a process was in place for the project to be completed and he wished to formally apologise to residents in the areas for having to live in the environment as it was;
- c) Whipton Gardens Phase B would be in line with what had previously been stated, social and affordable housing;
- d) with regard to local government reorganisation the Chief Executive would be convening a meeting with all group leaders to give an opportunity to discuss the way forward;
- e) he had responded to the Leader of Devon County Council who had offered democratic services support in order that elections could go ahead and he did not want to put the Council's proposal at risk;
- f) there weren't as many second homes in Exeter as in South Hams and he had asked Devon County Council new administration whether funds could be identified and ring-fenced and the response he received was that the budget had been set before they took control. He had asked whether this would be in the budget for the coming year and was awaiting a response;
- g) properties owned by the city council would not be used for PBSA; and
- h) that he welcomed any questions not asked to be emailed to him and responses would be circulated to the committee.

Councillor Pole moved from the Chair, seconded by Councillor Kevin Mitchell, that the Strategic Scrutiny Committee notes the Leaders Portfolio Holder Report and the feedback received and following a unanimous vote was CARRIED.

A break was taken at 6:22pm and the meeting reconvened at 6:26pm

The Chair explained that Councillor Ruth Williams, as Portfolio Holder had attended meetings where the Mallinson Bridge had been discussed, Harbour Board and ECQT, which Councillor Read had also attended.

32 Petition - To extend Article 4 direction to include all of Hillcrest Park & Doriam Close

The Chair invited the petition organiser to present the petition.

The petition organiser presented the petition making the following points:

- a) he had seen the report and looked at the supplementary planning documents, policy and National Planning Policy Framework(NPPF), paragraph 54;
- b) he wished to paint a picture of who the petitioners were, a community right on the edge of the university and welcoming of students who were part of the community;
- c) this was a walking route and the entrance to the Belvedere estate;
- d) they welcomed the pedestrian linkage being added when East Park was developed;
- e) the roads in question had housing which was suitable for families and in an affordable price bracket but sadly a target for student landlords;
- f) there was a high proportion of bungalows which were suitable for the elderly or those with limited mobility;
- g) Hillcrest Park was very narrow, private and single track which presented issues such as restricted width and 40% of residents had to park on the street which made access difficult for emergency vehicles;
- h) Doriam Close had more issues with turning for vehicles;
- i) the NPPF focused on local amenity and well-being and there had been issues with refuse facilities, access and parking;
- j) more students would mean more parking issues and likely more refuse; and

- k) last year refuse had not been collected for 6 weeks due to access.

The Chair invited Councillor Palmer to the table to speak as she had registered under Standing Order No. 44.

Councillor Palmer spoke on the item making the following points:

- a) she thanked residents for raising the matter;
- b) she was surprised by the report which she believed showed little understanding or empathy for the impact on the St James ward;
- c) entire streets were depleted of permanent residents and other streets spent half the year in isolation and the other half suffering from noise and anti-social behaviour(ASB);
- d) there was no evidence that PBSA returned properties to residential use in article 4 areas;
- e) outside Article 4 areas there was creep and residents were selling their homes after decades due to volume of cars and noise,
- f) Cowley bridge Road had suffered the same as half the road given Article 4 status and half was not;
- g) older residents had lost their community and gained a huge PBSA;
- h) the method for calculating the number of HMOs was flawed;
- i) she had campaigned for HMO licensing;
- j) there was a HMO in Hillcrest, 6 further in Patricia Close which were not highlighted here. The Office for National Statistics says council tax records should not be used for this purpose;
- k) Article 4 was often too late and reactive;
- l) 2nd and 3rd year students wanted to live out of the university so this demand would not end. Landlords would continue to buy properties in non-restricted areas;
- m) the community welcomed students but wanted a preventative long term solution with community balance; and
- n) she urged reflection on the report, clearer data on student housing which existed but wasn't accounted for.

The Assistant Service Lead (Local Plan) presented the report making the following points:

- a) comments were noted from the petition organiser and Councillor Palmer;
- b) he had personal and professional experience of the area in question;
- c) the report had been written in the context of the requirements of the NPPF;
- d) Article 4 worked as a planning tool which removed permitted development rights within a designated area. Planning permission for development and changes of use would be required which wasn't outside of Article 4 areas;
- e) he had reviewed the NPPF to consider how best to recommend to respond to this petition and there was insufficient evidence therefore the recommendation was as stated in the report;
- f) Article 4 had been in place since 2010 and updated in 2014 and 2023. Revision was a labour-intensive consultative process;
- g) report comments on amenity and well-being as stated in the petition;
- h) paragraph 54 had sub-clauses as to when Article 4 maybe considered reasonable and section B referred to local amenity and wellbeing whilst section C referred to robust evidence and the smallest geographical area possible. This had been considered. Evidence to consider the presence of HMOs in the area came from two sources of data, HMO licenses and council tax exemptions data, for properties occupied by students. There were no records of either in the streets concerned. The most reliable datasets available did not provide evidence of HMOs.

- i) he had spoken to Devon County Council (DCC) colleagues who weren't aware of any specific issues related to parking or accessing the two roads in question;
- j) NPPF paragraph 54, C stated that Article 4 should relate to the smallest geographical area possible which had been established and reviewed three times, most recently 2 years ago suggesting that another extension wouldn't justify a revision; and
- k) a lack of quantitative data and clear restrictions therefore recommendation.

The petition organiser responded to Members' questions in the following terms:

- a) it was known that there are a number of students living at one property alongside the family who live there;
- b) DCC wouldn't be aware of parking issues as the road is private and managed by the residents; and
- c) he believed the interpretation of the NPPF was incorrect as there was high student occupancy at East Park which had been constructed and opened in 2023, since the previous review and this had caused material change and impact on amenity.

The Assistant Service Lead (Local Plan) responded to Members' questions in the following terms:

- a) he could not assume why an HMO did not show as the data belonged to other teams;
- b) the report was specific to the two roads in question as it was in response to the petition;
- c) the review in 2023 chose to use a measure of percentage of HMOs in a postcode area as the previous method had caused confusion;
- d) a threshold of 20% had been applied;
- e) the most recent review had been only been implemented for one year therefore it would be difficult to draw conclusions on the impact at this stage;
- f) he would note the point about considering what other evidence could be looked at, including the number of times refuse vehicles were unable to access a road;
- g) explained the different classes of use of properties including HMOs, Class C4, a dwelling house with 3-6 unrelated people living there;
- h) there was no specific trigger point for review of Article 4 areas and this was not within the Supplementary Planning Document;
- i) an area could be extended slightly further than data suggested due to the presence of HMOs but this had not been done in a preventative way and this area didn't previously meet the requirements of the NPPF.
- j) Article 4 must have a boundary and there would always be areas which fell just outside and a balance must be struck in minimising travel distances for students against the needs of permanent residents;
- k) there was no current timetable for review;
- l) he would clarify whether PBSA or co-living blocks required their own postcode and therefore would not impact current postcode areas; and
- m) PBSA and co-living was not included in the criteria for Article 4, only HMOs.

The Chair invited the Leader as Portfolio Holder to speak on the matter.

The Leader stated that he would be asking questions of the Director with regard to this topic as he appreciated that it was a sensitive area and that the local community were affected. He also stated that he would like to discuss this with the Portfolio Holder for City Development as he was not aware if a petition was a trigger point for a review of Article 4 and that he would circulate a response. The Leader accepted

that PBSA had not reduced HMOs although these had not expanded at the same rate as previously.

The Chair clarified that there were 25 homes in Hillcrest and 27 in Doriam Close.

Councillor Harding proposed, seconded by Councillor Knott, that the following be added to the recommendation:

“that the petition be held to inform any future Article 4 review”

During debate on the amendment Members’ made the following points:

- a) there was no timeframe for review and he believed that there was a need to look into this in greater detail now;
- b) there was no evidence on a technical basis that a review was required;
- c) this was important as all councillors were concerned about the in which HMOs encroached and changed an area not just a street; and
- d) the amendment firmed up what has been agreed with the Leader.

Following a vote the amendment was carried and became the substantive.

During debate on the substantive a Member raised concern that there was no timeframe for review which would not help the residents who had petitioned but he was reassured by the Leader regarding a selective licensing scheme and he would send information about other council who had implemented such a scheme.

The Assistant Service Lead (Local Plan) clarified technical planning policy stating that there was a lot of national change expected this year and one would be in relation to SPDs. This would involve a different type of document being put together and it may not be possible to amend current SPDs.

Councillor Kevin Mitchell proposed seconded by Councillor Moore an amendment, which following a vote was NOT CARRIED, “that a review of the council's policy with regard to updating the Article 4 directions be undertaken”.

The Assistant Service Lead (Local Plan) explained that this would be a substantial piece of work and the Local Plan examination was the team’s current focus and the hearing related to this would be held between March and May. A review of Council policy and procedure relating to how a new/amended Article 4 Direction could be considered would be a quicker process than an actual review of the Article 4 Direction itself.

Following a vote the substantive motion, as amended, was CARRIED.

The meeting adjourned at 1940 and reconvened at 1945.

33 **Unauthorised Encampments**

The Chair invited the representative from Isca Bowling Club to present their evidence, which they did making the following points:

- a) the club had an elderly demographic who were quite concerned when they could not get through between caravans, dogs were running look or when there were greater numbers of travellers in the car park;
- b) there had been 7 or 8 caravans in the smaller car park beside the bowls centre and sometimes it had not been possible to get through due to excrement;
- c) there had been a lot of rubbish and some abuse;

- d) one member of the bowling club had been bitten by a dog and children had thrown eggs;
- e) during the Ladies World Cup there had been an order in place preventing parking there as the gym had been used by rugby players and he asked why that order could not remain and why a special order was required each time;
- f) his priority was the welfare of club members;
- g) he was aware that height restriction barriers were coming but they were not in place as yet but he wondered if travellers would then park on the road leading to the arena;
- h) it would be good to have better communication with the council to know what was happening as they were only aware of the current issues from discussion with the travellers on site; and
- i) he didn't wish to put club members through these issues and believed that it was the Council's responsibility to tell them they were able to park there.

The Bowling Club representative answered Members' questions in the following terms:

- a) he didn't think that welcoming travellers and discussing their needs would work as there was currently the option to park in the large arena car park yet the small one was used;
- b) the club would like the council to contact their secretary who liaised with the council over other matters;

The Strategic Director for Corporate Resources commented that the Council's position was not to tolerate and that this was the first time. He stated that in every other instance an immediate decision had been made not to tolerate but time was often taken to go through the process which had caused delays.

The Chair stated that she was aware that the height restriction barriers had been ordered and would likely be installed in the first half of this year. There would be four barriers, two at the entrances to the car park and the other two perhaps at Exhibition Way.

The Chair invited TravellerSpace to the table to present their evidence.

TravellerSpace presented making the following points:

- a) that the organisation had twenty years of experience supporting gypsies and travellers;
- b) the issues heard had been around for decades and different approaches had not worked therefore everyone must work together;
- c) it was understood that everyone found it difficult people appeared on their doorstep;
- d) there was a list of reasons why unauthorised encampments were negative and across the country more effort was needed to create recognised safe stopping places, especially for those with significant welfare issues and those who were vulnerable;
- e) it was known that gypsies and travellers had a lower life expectancy than settled residents, as well as other low health indicators showing that these communities were not thriving but they had a right to live and travel in this country; and
- f) TravellerSpace would act in the interests of gypsies and travellers and would not share information without consent.

TravellerSpace responded to Members' questions making the following points:

- a) it was important to consult with gypsies and travellers over safe areas as there were differing needs dependent on the community and their needs;

- b) TravellerSpace were able to facilitate conversations about appropriate stopping places and there were other authorities such as Leeds and Bristol who had experimented with different approaches;
- c) nationally there were less places to park therefore travellers ended up parking in places which were unpopular with residents;
- d) examples of good practice would include agreement for people to stop for approximately three months and arrangements for waste, litter, foul drainage as well as agreement to leave the area tidy. A welfare assessment would be carried out upon arrival with signposting as a result. This would allow their lifestyle to be pursued without constant conflict;
- e) another option would be a permanent authorised site with eight to ten pitches meeting appropriate planning regulations;
- f) Bristol had meanwhile sites which had varying success as some communities like them whereas others find them more difficult especially if they want their children to be in school as they would like to stay longer than the rules allow;
- g) it would be helpful to plot communities as they moved through different districts, especially to map seasonal movements;
- h) if people knew that there was somewhere safe to park they would be interested unless there were too many barriers;
- i) people would feel safer if there was a recognised place they could be for a period of time; and
- j) Cornwall had transit sites.

The Chair stated that there was some provision for sites within the local plan.

The Chair invited officers to update on the status of renewing the injunction at the Arena.

The Estates Surveyor explained that she was the point of contact for traveller encampments and there had been an increase in unauthorised encampments but these were not all gypsy or travellers, some were people experiencing homelessness with nowhere safe to go. She stated that in 2022/23 there had been 10 unauthorised encampments, in 2023/24 15 and 2024/25 33 with 11 instances at the Arena. She also explained that Teignbridge and Devon County Council had permanent sites with the County one having 11 pitches which had all been full for thirty years.

The Team Leader – Housing and Litigation made the following points:

- a) the Council had a duty under the Equality Act and used agents to determine the needs of an encampment which was fed back to Heads of Service who would decide whether to tolerate or not;
- b) one issue was a lack of space in Exeter so often operational land was targeted and due process must be followed;
- c) travellers usually left of their own volition and proceedings were withdrawn;
- d) the women's rugby world cup was a specific instance where it was known that groups often stopped at the Arena and the importance of the world cup and would cause disruption to the city and there was legal precedent in the Midlands which led to the council seeking an injunction with powers of arrest for a short period of time;
- e) there was trespass in other areas but not all conditions for an injunction would be met;
- f) extending the injunction at the Arena was being investigated but this would not be possible across the whole city;
- g) injunctions could not go on forever but if an injunction was successful in reducing ASB an injunction could still be renewed but a balanced approach must be taken; and

- h) relevant stakeholders had been contact with regards to the potential of renewing the current injunction, Devon County Council, Teignbridge District Council and Plymouth City Council as well as the barrister who had assisted previously.

The Chair stated that Basingstoke had two or three sites on a rolling programme. She also pointed out that the section on the Council website pertaining to homelessness and reporting, had a drop-down list which didn't appear to have a relevant choice for encampments. The officer explained that she was not aware of encampments being reported through homelessness logs.

During discussion Members' made the following points:

- a) there were a number of threads within discussions, which were: protected characteristics, a growing number of homeless van-dwellers, and residents making contact who were unhappy;
- b) it would be good to identify a temporary or seasonal site with appropriate consultation but in the context of LGR officers may have a different focus and it may be useful to convene a meeting of relevant stakeholders;
- c) it was source of great shame not to have a transit site in Exeter especially as a Welsh consultation showed that the ideal size for a site was that of a football pitch and the Council should be investigating the means to provide such a space;
- d) height barriers were all very well but these had been cut in the past and it would be better to have a feasibility study looking at how and where a site to offer sanctuary could be provided;
- e) there was not EQIA included and there could be targeting of those with protected characteristics but it was difficult to find alternatives when there was no safe stopping place;
- f) negotiated stopping could be more effective than reviewing the policy;

The Team Leader – Housing and Litigation and Apprentice Solicitor set out the costs:

- a) £47,000 spent internally over the last 3 years;
- b) £404 per application in court fees;
- c) £150 process service fees;
- d) 532 hours spent over the last 3 years at a rate of £35 per hours; and
- e) Estates costs and cleanup were difficult to determine as these were included in service budgets but this had been separated out since September 2025 therefore greater detail would be available in future.

The Monitoring Officer clarified for the committee that police also had powers to deal with travellers or trespassers on land should there be any damage, disruption or distress caused. The police could direct people to leave the land. In addition, section 62a of the Criminal Justice and Public Order Act have additional power to police if there was no evidence of ASB but only where there were alternative transit sites.

Following discussion and consensus being sought, Councillor Miller-Boam proposed, seconded by Councillor Moore, the following recommendations:

- a) the definition of an unauthorised encampment in the protocol be reviewed;
- b) officers are asked to note the evidence given today both written, verbal, from the community and organisations and members, to inform work on the protocol going forward; and
- c) that the Executive explore the viability and impact of a negotiated stopping policy.

Following a vote the recommendations were unanimously CARRIED.

34 **Motion Referred by Council - Rivers 2 and transparency template**

As explained by the Chair at the beginning of the meeting, this item was deferred.

35 **Forward Plan of Business and Scrutiny Work Plan**

Members commented on the work plan.

It was agreed that a Portfolio Holder update on City Development would be taken in the new municipal year, that the bike parking item would be scoped at the meeting in April and that the Rivers item would be added back onto the work plan for timetabling.

Following a unanimous vote the draft Scrutiny Work Plan as amended was **AGREED.**

The meeting commenced at 5.30 pm and closed at 9.09 pm

Chair