

## **PLACE SCRUTINY COMMITTEE**

Thursday 31 January 2019

### Present:

Councillor Sills (Chair)

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

### Also present:

Director (JY), Director (BA), City Solicitor & Head of HR, City Surveyor, Corporate Manager Democratic and Civic Support and Democratic Services Officer (SLS)

### In Attendance:

Councillor Philip Bialyk	- Portfolio Holder Health and Wellbeing, Communities & Sport
Councillor Rachel Sutton	- Portfolio Holder Economy and Culture
Councillor David Harvey	- Portfolio Holder Place & Commercialisation
Councillor Cynthia Thompson	- Speaking Under Standing Order 20 and 44
Councillor Chris Musgrave	- Speaking Under Standing Order 20 and 44
Councillor Richard Branston	- Speaking Under Standing Order 44
Councillor Matthew Vizard	- Speaking Under Standing Order 20 and 44
Councillor Natalie Vizard	- Speaking Under Standing Order 44

10

### **DECLARATION OF INTERESTS**

No declarations of disclosable pecuniary interest were made.

11

### **QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19**

In accordance with Standing Order 19, 22 members of the public submitted questions in relation to Clifton Hill, including the Exeter Ski Club and also the green space associated with the site. (Attached as an appendix to these minutes).

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

12

### **QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER** **20**

In accordance with Standing Order 20, Councillors Mrs Thompson, Musgrave, M. Vizard, and Prowse submitted questions on matters relating to the Clifton Hill Leisure site, the Materials Recycling Facility (MRF), the city's multi-storey car parks and pay and display parking in respect of the bus station redevelopment.

A copy of the questions had been previously circulated to Members, and these, together with the appropriate responses from Councillor Bialyk, Portfolio Holder Health and Wellbeing, Communities & Sport, Councillor Harvey Portfolio Holder Place & Commercialisation, and Councillor Sutton Portfolio Holder Economy and Culture for the Portfolio Holder City Transformation, Councillor Denham, are appended to the minutes.

13

### **UPDATE REPORT ON THE BUILT SPORTS AND LEISURE FACILITIES**

Councillors Mrs. Thompson, Musgrave, Branston, N Vizard and M Vizard attended the meeting and spoke on the item under Standing Order 44.

The Director (JY) presented an update on the interim Built Sports and Leisure Facilities plan agreed by Council in June 2018. The agreed plan included the decision to permanently close Clifton Hill Sports Centre and to sell the site. The City Surveyor was charged with commissioning a feasibility study for the disposal of the site, to include the sports centre and the surrounding area, with the exception of the allotments, to achieve best value for the Council. However, Council had agreed that the site should be used for residential development and not for Purpose Built Student accommodation.

The Director drew Members' attention to six key themes included in the report:-

- to update Members on the good progress of the £3 million investment that the Council made last year for improvements at Wonford Sports Centre, Riverside Swimming Pool Leisure Centre and Exeter Arena/Isca Centre. The investment programme was nearing its target completion date of 31 March 2019, and early indications were that the work would come in under budget.
- following the recently discovered structural issues with the roof and the pool surrounds at the Riverside Swimming Pool and Leisure Centre, a recommendation to Council and request would be made for a further capital budget of £4.4 million to fully renovate and reopen the facility.
- a recommendation to Council for the sale of the whole Clifton Hill site for a mixed residential development excluding Purpose Built Student Accommodation, on best value grounds, with an estimated capital receipt in the region of £9 million.
- a recommendation that an area of the site would be retained by the Council to ensure that a public open green space remained on the site. This area should be a minimum 10% of the total land area, but the detail of the exact location and dimensions of the site would be agreed prior to the sale.
- a recommendation to Council and a request for a budget of £200,000 to cover the investigation and groundworks for the marketing and sale of the site and to ensure the delivery of an optimal capital receipt for the Council, and
- Members would be asked to note that permission to consult on the draft Physical Activity Strategy and the Supporting Built Facility Strategy would be considered at Executive on 12 February.

The Director reminded Members of the original decision to sell the site which was clearly set out in the report, with officers requested to identify a best value option for disposal of the whole of the site for residential use. The City Surveyor gave a financial summary of the viability work that had been carried out. The valuer's clear

advice was that to achieve the best value, the whole site should be offered for sale. The City Surveyor explained that the indicative value for the whole of the site for residential purposes was likely to be in the region of £9 million. This value did not include any element of student accommodation. It was noted that delegated authority to the City Surveyor had already been given to take the necessary steps to ensure the Clifton Hill land was not used for Purpose Built Student Accommodation for a variety of reasons.

The Director acknowledged the level of concern raised by residents in the locality over the permanent closure and potential sale of the Clifton Hill Sports Centre site in its entirety, and specifically in respect of the future of the public green space and the Ski Slope amenity. She referred to the indicative layout of the future site, and explained that the area identified in Appendix 2, and also shown on the slide presentation, was highly likely to be the area retained as the open space: however, the exact dimensions would be determined alongside sale negotiations to ensure the maximum design and layout benefits were achieved for the site as a whole.

The Director also reported on the progress of the investment in the other leisure facilities and the significant step change already achieved through the quality improvements and the introduction of virtual technology into Riverside and Wonford Centres. The Director showed a series of photographs showing the improvements achieved so far. She went on to advise Members that consultations on the Draft Physical Activity Strategy and the Draft Built Facilities, Playing Pitches, Play Areas and Parks Strategies were due to take place between March and May 2019. Further information on the proposals would be shared widely with stakeholders with a final report and supporting business plans coming to Council in July 2019.

Councillor Mrs Thompson attended the meeting under Standing Order 44 and spoke about the likely capital receipt differential between selling the whole site and just the immediate area around the Clifton Hill Sports Centre building. She suggested that the capital receipt from the latter would be close to the figure that could be achieved for the whole site. She advocated if this was the case, this would enable the Ski Slope, Rifle Range, Golf Driving Range and informal areas of open space to continue to provide a valuable recreational use for the community. She also commented on the possibility of a legal challenge should student accommodation not be considered as an option for the site. Councillor Mrs Thompson requested that the potential sale of the site should be added to the Council's Risk Register to ensure formal monitoring of the progression of the sale and future development.

Councillor Musgrave attended the meeting under Standing Order 44 and stated that it would have been preferable for the operation of the leisure facilities to have been retained in-house. He also referred to the loss of the sports hall at Clifton Hill Sports Centre and suggested that additional gym equipment could not be seen as a suitable replacement for those who participated in sports such as indoor netball or football. He had visited the Exeter Ski Centre and was concerned about the potential loss of this valuable asset and local amenity, and particularly the effect on the members of the Adaptive Ski Club. Newtown was one of the most densely populated areas of the city and the removal of any areas of green space would compound the level of air pollution in this area. He commented on the level of scrutiny of this matter and questioned the figures quoted for the repair of Clifton Hill, amidst the level of funding being allocated for St Sidwells Point. He referred to previous correspondence with the City Solicitor and Monitoring Officer when he raised concerns about the potential increase of value of property owned by the Exeter Labour Party in the immediate vicinity of the site. Councillor Musgrave asked Members of the Committee to reject the recommendations in the report and

call on the Executive to repair the Clifton Hill Sports Centre, protect the green space, save the Ski Slope and request Legacy Leisure, as operator, to fund the repairs of the Riverside Swimming Pool and Leisure Centre.

Councillor Branston attended the meeting under Standing Order 44 and suggested that whilst a developer would not consider the Clifton Hill site to be significant, it was deemed a large and valuable piece of land to the local residents and one of the last genuinely open areas of land in the ward. He reminded Members about the campaign to save a relatively small piece of land at Bull Meadow Park, where the residents were equally passionate about its protection for future generations. He accepted that St Sidwells Point was being built, but it would not offer a like for like replacement of an amenity for the Newtown ward. The Save the Green Space Campaign had highlighted the valuable flora, fauna and wildlife habitats on the site. He felt there could be a balance between the interests of a developer and the Council fulfilling the commitment to implement its policy of promoting health and wellbeing, and improving the quality of life for residents. The Wild Zones consultation included many constructive ideas, and he suggested a Working Party be formed to carry out a review of the study to enable some recommendations to feed through to the Executive.

Councillor N Vizard attended the meeting under Standing Order 44 and also thanked Members of Place Scrutiny for the opportunity to speak as one of the three ward Members. She acknowledged the need to fund and sustain leisure provision, as well as much needed housing in the city, but referred to the number of concerned residents who had spoken at the meeting about the potential loss of the green space and the Ski Slope. She invited Members to visit the site, and assess the likely impact of the development on Newtown. Although a minimum 10% green space had been proposed, she wished to ensure that the trees and wildlife habitats were retained, and was concerned that, if the site was developed without restriction, there would be a detrimental effect on the local and city wide environment. It would present too great a risk to be left to the responsibility of a private developer who would have to consider financial gains over environmental concerns. The ward members had received many impassioned pleas about the future of the site, and she hoped that the hopes and aspirations of the close knit local community would be taken into account. The long standing tenants of the Exeter Ski Club had ensured that the site was well maintained, and provided a community resource for local schools and particularly disabled users, who otherwise would have to travel long distances. She felt that the ski slope would offer little value to a developer, but which provided an affordable and accessible amenity for the city, at no cost to the City Council. The protection of the ski slope and green space could still enable a sale of the site to take place as well as supporting the Council's many ambitions.

Councillor M Vizard attended the meeting under Standing Order 44. He acknowledged the decision had been made for the closure of the Clifton Hill site, the intended investment being made in leisure facilities across the city, and the possibility of additional housing, but he was nevertheless concerned about realising the sale of the Clifton Hill site, and loss of the amenity in the ward. He considered the residents around Clifton Hill had been unduly penalised and sought some consideration that a value should be collectively placed on green space, environmental and air quality benefits, community wellbeing, open air leisure spaces and housing. He asked Members to consider the views made before and at the meeting of the Save the Clifton Hill Green Space Campaign and that the site be sold in lots, to allow its different aspects and uses to be preserved. He made the following pleas - that the Brickworks be retained by the City Council as a historic local asset; the driving range and ski slope be retained, the trees protected in the Council's ownership and the green space, between the trees along the rear of the

sports centre, the ski slope, the tarmac road to the east of the site and the natural bordering of hedgerows to the west that backs onto Portland Street be protected. He welcomed the recommendation for retention of 10% of green space in the report, but was concerned that any potential developer may not meet that obligation. It was in the Council's gift to identify the area. He asked Members to consider the environment and green space on this site, and that the residents' concerns be taken heed of for future generations.

Members made the following comments:-

- the value of green space in the city was discussed at the 17 January meeting of this Place Scrutiny Committee in respect of proposed land disposal at Bull Meadow Park. The Member appreciated that the reasons behind the report at this evening's meeting were more complicated, but he still saw the value in the green public space and remained uncomfortable over any future sale. He had visited the site and was concerned about the level of public green space to be retained and whether that would just be a small patch of grass, as residents would not value as they do their current space. He also referred to the Ski Slope and had not appreciated the importance of the amenity of the site to the local community. He asked for further work to be carried out on the options to retain that facility on the far side of the site. He suggested that as the allotments were not being included, achieving the best value capital receipt from the site would not be possible. He also sought further clarification on the delegation of authority to act and which Director would be responsible.
- that in the event of closure, the potential distances that the users of the Adaptive Ski Club would have to travel. The Member felt that the Council should seek to continue to accommodate them as it appeared that so many people, and children in particular, had been helped at this facility.
- that the impassioned pleas on the value of the informal use of the green open space and the ski slope, and appreciation of the difference between a more formal park setting and wild space should be acknowledged. He also spoke about the disproportionate effect on the Newtown ward and that the Clifton Hill site presented an opportunity to benefit the wider city. He acknowledged the need for best value and the difficulty of achieving potentially less value than for the whole site. He felt it was appropriate that the allotments were excluded from the sale and that some green space was being reserved from the sale, but he added that there was also a choice not to sell the Ski Slope. He suggested that best value could still be achieved, with a capital receipt generated from the rest of the Clifton Hill build site. He did not fully support the conclusions of the report and felt that Members must listen to the community. He referred to the recent request for the disposal of land at Bull Meadow Park but felt that it was important to balance what was good for the wider local community.
- there had been a lack of opportunity to view the feasibility assessment for the site and the Member was not sure how he could make a decision without reading the document. He had visited the site and considered the green open space was distinctively different from Belmont Park and should continue to be protected. In his view, any development on that site would impact on the green space dynamic as well as Ski Slope which were incredibly valuable assets to the community.
- any proposed development should be presented to the Planning Member Working Group to ensure that any developer would be aware of Members' expectations of the site.

- concern over the delay in establishing why the roof at the Riverside Pool was not structurally sound. The Member commented on the recent funding for the Pyramids and suggestion of a community sports village on the Exeter Arena site. He was disappointed that funding would be allocated to the Riverside Swimming Pool and Leisure Centre, and considered this could have been used to carry out repair work at Clifton Hill. He referred to the lease still running at the Exeter Ski Club and was unaware of any additional funding to deal with any ensuing legal issues. He suggested Members vote against the recommendation and requested a report be made later in the year when all of the appropriate documentation, including the Equality Impact Assessment had been provided.

In response to a Member's question, the City Surveyor stated that the cost of the fire damage at the Riverside Swimming Pool and Leisure Centre was covered by insurance, but additional works required to the building were not covered.

Councillor Wood proposed that a Working Group be formed, and there followed a discussion to clarify the remit of such a Group. It was suggested that any Working Group should discuss the Wild Zone report, an Equalities Impact Assessment and the valuation report for the site. The City Solicitor and Head of HR stated that the remit of the Working Group would need to be established, but was concerned that there was little opportunity to form the Group and meet, before the Executive meeting on 12 February. She also confirmed that the feasibility/valuation report was confidential, but that arrangements have been made for Members to view that document prior to the meeting of Executive. The Director (JY) would ensure that an Equalities Impact Assessment would also be available for Members of Executive for their meeting on 12 February.

Councillor Prowse proposed that the matter be deferred for consideration at a later date. Councillor D Henson seconded the proposal. Following a vote by Members, the recommendation was not agreed.

Councillor Mitchell sought to make a proposal to amend the removal of all of recommendation 2.1(a) to be replaced with a recommendation to sell the area currently covered by the Clifton Hill Leisure Centre, the car park and backland, but excluding the ski slope and all of the green open space. Councillor Mitchell was unable to gain the support of a seconder.

The Director said that she would make every effort to provide further information to the Executive on the financial and other impacts of selling the site without the ski slope area.

Councillor Wood proposed the following, which was seconded by Councillor Robson and requested an amendment to the recommendation 2.1(a) to Executive with the addition of 'to exclude the Ski Slope', which was agreed.

Place Scrutiny Committee supported the report and requested Executive to recommend approval by Council of the following with the inclusion of the amendment:-

- (a) sale of the Clifton Hill site, (excluding the Ski Slope) for a mixed residential development to generate the best value capital receipt to offset the previously agreed costs of compensation, upgrades to leisure facilities and to provide investment for other Council priorities including the future development and improvement of other leisure sites; and

- b) allocation of a budget of £200,000 to cover the ground investigation works, marketing and selling of the site to deliver the optimal capital receipt to the Council;
- (c) allocation of a further capital budget of £4.4 million to allow for the full replacement of the flat roof and rebuild of the floor structure surrounding the pool at the Riverside Swimming Pool and Leisure Centre.

Place Scrutiny Committee supported the report and requested Executive to approve the following:-

- (a) Delegated authority be given to the Director (JY) in consultation with the Portfolio Holder Health and Wellbeing Communities & Sport to agree the exact location and dimensions of an area of the site, (a minimum of 10% of the overall land area) to be retained by the Council in such a way that it does not unreasonably negate the value of the site. This is to ensure that a public, open green space remains on the site;
- (b) Delegated authority be given to the City Surveyor to take the necessary steps to ensure the Clifton Hill land is not used for purpose built student accommodation;
- (c) the good progress on the works associated with the £3 million budget agreed for the essential enhancements to the fabric of the buildings and replacement of essential plant and mechanical systems and interior enhancements; Exeter Arena, Wonford Sports Centre and Riverside Swimming Pool Leisure Centre and on the £950,000 budget agreed in November 2017 for Pyramids Swimming Pool and Leisure Centre be noted;
- (d) the need for further capital investment at the Riverside Swimming Pool and Leisure Centre be noted; and
- (e) the draft Physical Activity and Built Facilities strategies, (setting out the longer term sustainability and development plans for Riverside Swimming Pool and Leisure Centre, Wonford Sports Centre; Exeter Arena and ISCA Centre; Northbrook Swimming Pool and Northbrook Golf Course) are being recommended for public consultation with final recommendations due to be presented to Council in July 2019.

(The meeting commenced at 5.30 pm and closed at 9.40 pm)

Chair