

EXECUTIVE

TUESDAY, 2 OCTOBER 2018

Present:

Councillors Christophers (Leader), Clemens (Deputy Leader), Bullivant, Barker, Golder, Goodey, Lake and Russell

Members Attendance:

Councillors Clarence, Connett, Dennis, Dewhirst, G Hook, Nutley, Prowse and Wrigley

Officers in Attendance:

Phil Shears, Managing Director

Martin Flitcroft, Chief Finance Officer

Nick Davies, Business Manager, Strategic Place

Fergus Pate, Principal Delivery Officer

Tom Winters, Economy Projects Officer

Sarah Selway, Democratic Services Manager (Exeter City Council)

**These decisions will take effect from 10.00 a.m. on 9 October 2018
unless called-in or identified as urgent in the minute**

174. MINUTES

Minutes of the meeting on 4 September 2018 subject to an amendment to minute no.130 (Greater Exeter Strategic Plan Update) to clarify the Leader stated evidence would be brought forward to formulate a report for the aspiration for a Sports Zone and Concert Hub, they were confirmed and approved and signed as a correct record.

175. MATTERS OF URGENCY/MATTERS OF REPORT BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIRMAN

The Portfolio Holder for Housing & Planning advised Members of the successful funding bid from Homes England under the Housing Infrastructure Fund Marginal Viability Fund Programme for £4,900,000 for the Dawlish Link Bridge, Teignbridge. He thanked the Principal Delivery Officer for all his work which helped to make the bid successful.

176. DECLARATIONS OF INTEREST

There were no declarations of interest.

177. TO NOTE ACTION TAKEN UNDER DELEGATED POWERS AS SET OUT IN PART III OF THE AGENDA

The delegated decisions were noted.

178. TEIGNBRIDGE ECONOMIC DEVELOPMENT PLAN

The Economy Projects Officer presented the report and provided Members with the final version of the Economic Development Plan 2018-2023, incorporating changes following the consultation, and agreement for the Plan to be endorsed for implementation. Members were advised of the '5 years, 5 ventures' initiative which laid out the Council's specific objectives:-

- Supporting & Networking
- Driving Productivity
- Building Partnerships
- Catalysing Growth
- Cooperatives Services

The Economy Projects Officer thanked the Members of the review group, officers, representatives of outside organisations and businesses who had assisted in the production of the Plan.

The draft Economic Development Plan following approval from Executive on 1 May 2018 had been subject to consultation between 14 May and 29 June 2018. The responses were attached to the report together with the amendments made as a result of the consultation.

During discussion Members raised the following points:-

- the impact of Brexit in particular the effect this could have on agricultural workers in the district
- concern with regards to the low number of consultation responses and engagement with the Town and Parish Councils on the plan
- importance that progress on the plan was monitored

In response to questions and comments from Members, the Economy Projects Officer advised that once further data was available with regards to the effect that Brexit had on migrant workers the impact would be assessed, annual reports on the Economic Development Plan would be presented to Members advise on its progress.

The Managing Director stated that performance monitoring of the plan would be incorporated into the quarterly Council Strategy Performance reports that were received by Overview and Scrutiny Committee.

The Portfolio Holder for Economy, Skills and Tourism thanked the officers and the review group for their work into this important plan to take forward the economic development of the district.

RESOLVED that the Teignbridge Economic Development Plan 2018-23 be endorsed for implementation.

179. BUDGET MONITORING - REVENUE & CAPITAL, TREASURY MANAGEMENT LENDING LIST.

The Chief Finance Officer presented the report identifying the principal areas where there were likely to be departures from the approved 2018/19 budget and summarised the likely overall variation based on the information available to the end of August 2018. Members were advised of progress that had been made with achieving savings and efficiencies. He updated Members on progress with the capital programme and funding including the variations by services and on the lending list for treasury management purposes.

Members were advised that Government proposed that New Homes Bonus be abolished from the end of 2019/20, it would be replaced with an alternative form of housing delivery funding in 2020/21. The Council had been part of the Devon pilot Business Rates group this year and would look to bid for 2019/20 although the Government had stated that there would be fewer pilots next year and it was anticipated that the retention percentage would also be lower.

Comments raised from Members; if the economy & assets repairs and maintenance budget progressed as reported then there would be an underspend of £120,000; could the surplus in the car parking income be used to extend free parking in Newton Abbot on Saturday afternoons and noted the savings from Strata and utility costs.

In response to Members, the Chief Finance Officer stated that the spend to date on repairs and maintenance ignored future commitments so an underspend was not predicted, there were variations on the leisure budgets throughout the year but below the reportable figure of £10,000, the surplus on car parking income would be added to the budget variations as it could not be predicated what would happen in the next financial year, the project for the flood prevention at Combeinteignhead was under investigation and likely to occur next year.

The Portfolio Holder for Corporate Resources welcomed the mid-term report noting the variations to date and that the Council had business rates earmarked reserve to help cushion the impact of any initial losses of income as a result of the baseline reset. Although it was still hoped that the Council would be a pilot area next year.

RESOLVED that:-

- (1) the revenue budget variations as shown at appendix 1 be approved:
- (2) the updated capital programme as shown at appendix 2 be approved; and
- (3) the updated lending list as shown at appendix 3 be noted.

180. CALL IN OF PORTFOLIO HOLDER DECISION 12-2018 - PLANNING SITE INSPECTION PROCEDURE

Executive had before it the report circulated with the agenda, which included the Portfolio Holder decision, comments from Town and Parish Councils and the minute from Overview & Scrutiny Committee 10 September 2018.

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The decision that the planning site inspection procedure is amended so that Parish and Town Council representatives are no longer invited to site inspections, had been called in by Councillor Dewhirst and supported by Councillors Connett, Cook, Cox, Evans, Keeling, Nutley, Parker and Rollason.

Councillor Dewhirst's reason for the call-in was detailed in the agenda report.

The resolution from Overview & Scrutiny was:

Resolved

That the call-in be referred to the Executive with a recommendation that:

- a) Town and Parish Council's should continue to be invited to planning site inspections.
- b) Planning Services meet with Town and Parish Councils to discuss issues raised in the Portfolio Holder decision.

The Business Manager, Strategic Place introduced the item and stated that complaints had been received from stakeholders, who were not afforded the same opportunity to attend site visits. There was an inherent unfairness in the current procedure which opened the Council up to legal challenges. Town and Parish Councils were a statutory consultee and their views were reported in the Planning agenda reports. The Local Government Association and Planning Advisory Service's publication advice on site inspections stated that they should not be used as a lobbying opportunity.

He advised that he had received a letter from the Teignbridge Association of Local Councils affirming their support for the continuation of the attendance of Town and Parish Clerks at site inspections.

A Member stated that the Overview & Scrutiny Committee had a full debate on this issue and were supportive of the continuation of the attendance of Town and Parish's at site inspections. It was also commented that decisions were not made at site inspections and it was particularly beneficial to have Town and Parishes attending when visiting major application sites.

During discussion, Executive Members commented that site inspections should not be used to lobby, what about applicants, objectors and other consultees they did not currently attend and that the site inspections had to be fair and equitable.

The Portfolio Holder for Planning & Housing commented that it was difficult to stop the lobbying at the site inspections and suggested that Planning Site Inspection Procedure should be referred to the Constitution Review which would be undertake in due course.

The Interim Monitoring Officer advised that the Town and Parishes were one of many statutory consultees and their attendance at site inspections gave them an additional advantage. The current process could open the Council up to challenge and a robust procedure should be in place.

The proposer of the call-in reiterated the need for training to be available to Town and Parish Councils to ensure probity as stated in his call-in.

In response to Members, the Business Manager, Strategic Place clarified that whilst there had not been many complaints in the last few years, there had recently been one of a more serious nature and that the Council should have robust process in place to avoid challenge.

What was a major site was subjective and it would be difficult to have two different procedures for site inspections allowing Town and Parishes to attend some site inspections and not others.

The Managing Director stated that it was not the number of complaints but the seriousness of their nature and that the Council would only need one complaint which could be costly to the Council.

RESOLVED that:-

- (a) Town and Parish Council's should continue to be invited to planning site inspections;
- (b) Town and Parish Council's should only be able to answer questions from the visiting site inspection party;
- (c) Officers attend Teignbridge Association of Local Councils to offer training to their members; and
- (d) It was noted that the Site Inspection Procedure would be considered as part of the Constitution Review.

181. EXECUTIVE FORWARD PLAN

RESOLVED that the Forward Plan be noted.

182. DEVON CONTROL BUILDING PARTNERSHIP COMMITTEE MINUTES 27 JULY 2018

RESOLVED that the minutes of Devon Control Building Partnership Committee 27 July 2018 be noted.

183. EXCLUSION OF PRESS AND PUBLIC

That under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

184. LAND WORKS AND MANAGEMENT

The Principal Delivery Officer presented the report agreeing the establishment and ongoing management of Suitable Alternative Natural Greenspace (SANGS) at South West Exeter. This proposal would also allow land transfers to be completed, some of whose terms would require the Council to establish SANGS for public access within prescribed timescales.

Members were advised of the background with regards to the allocation and delivery of SANGS, the Council approval in September 2017 for the acquisition of SANGS, the

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ongoing SANGS management and the financial considerations. It was confirmed that this proposal was for 39 Hectares of SANGS and was necessary to ensure that that housing in South West Exeter could come forward. He advised that the recommendations should include consultation with the relevant Portfolio Holder.

In response to Members questions the Principal Delivery Officer clarified the following:-

- clarified the proposal for the SANGS management;
- outlined the Soft Market Test Process and advised that one substantive response had been received;
- the proposals would unlock houses that were awaiting planning approval;
- the report before Members was a precursor action which was subject to Council approval, if terms could not be agreed a further report would be brought back to Members;
- clarified the position with regards to the Housing Infrastructure Fund (HIF) bids submitted by Teignbridge District Council and Devon County Council.

Executive Members supported the proposals and the recommendation to Council.

The Portfolio Holder for Housing & Planning stated that the proposal met the requirements of the South West Exeter Development Framework which required the provision of 36 Hectares of SANGS to mitigate the impact of the 2,000 dwellings allocated in South West Exeter 1.

RECOMMENDED that Council:-

- (1) Approve a funding approach for establishment and ongoing management of Suitable Alternative Natural Greenspace (SANGS) at South West Exeter. Funds be deployed in consultation with the Portfolio Holder for Planning and Housing.
- (2) Delegate authority to the Interim Head of Commercial Services in consultation with the Portfolio Holder for Planning and Housing to commission a scheme for designing and undertaking works necessary for the creation of approximately 39 hectares of SANGS on and adjacent the site shown at Appendix A of the circulated report;
- (3) Delegate authority to the Business Manager for Spatial Planning and Delivery, in conjunction with the Section 151 Officer and in consultation with the Portfolio Holder for Planning and Housing to secure an arrangement for ongoing management and maintenance of the SANGS.

Chairman