

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 13 December 2016

The Right Worshipful the Lord Mayor (Cllr Thompson)

Councillors Ashwood, Baldwin, Bialyk, Branston, Brimble, Bull, Denham, Edwards, Foale, Foggin, Gottschalk, Hannaford, Hannan, Harvey, Mrs Henson, Keen, Lamb, Leadbetter, Lyons, Mitchell, Morse, Musgrave, Newby, Owen, Packham, Pearson, Prowse, Robson, Sheldon, Sills, Spackman, Sutton, Vizard, Wardle, Warwick and Wood

68

APOLOGIES

Apologies for absence was received from Councillors D. Henson and Holland.

69

MINUTES

The minutes of the meeting held on 18 October 2016 were moved by the Leader and seconded by Councillor Sutton, taken as read and signed as correct.

70

OFFICIAL COMMUNICATIONS

The Lord Mayor referred to the devastating fire at Cathedral Yard and the subsequent loss of some historic city centre buildings that had occurred on Friday 28 October. The events of that weekend showed that, in the face of adversity, the City rallied round to ensure life carried on as normal with some tremendous efforts by individuals and organisations. Not least of course, were the efforts of emergency services, particularly the Devon and Somerset Fire and Rescue Service, who managed to control the ever changing situation despite the difficult circumstances, as well as the staff of the City Council, some of whom were on duty, for most if not all, of that weekend in question, as well as in the still ongoing recovery stages. The fund raising for those affected by the fire had been exceptionally generous and much appreciated.

The Lord Mayor advised Council that Ron Crabb the Council's Mace Sergeant would be retiring after over 23 years of working for the Council. Arrangements were currently being made for a formal retirement event and the Councillors would be told of when that would be. As this would be the last Council meeting before Ron's retirement, on behalf of all current Councillors, as well as past Mayors, Lord Mayors and Councillors, she wished Ron a well-deserved retirement.

The Leader thanked Ron Crabb for all he had done for the Council over the past 23 years, this was supported unanimously by the Members. Ron was presented with a gift from the Members.

71

PLANNING COMMITTEE - 31 OCTOBER 2016

The minutes of the Planning Committee of 31 October 2016 were presented by the Chair, Councillor Sutton, and taken as read.

In respect of Minute 88 (Planning Application No.16/082/03 – Former B&Q Store Alphington Road, Exeter) and in response to a Member, the Chair welcomed the proposed new pedestrian crossing that would connect Alphington and St Thomas and hoped that the County Highways and Traffic Orders Committee (HATOC) would progress this as soon as possible.

RESOLVED that the minutes of the Planning Committee held on 31 October 2016 be received.

72

PLANNING COMMITTEE - 5 DECEMBER 2016

The minutes of the Planning Committee of 5 December 2016 were presented by the Chair, Councillor Sutton, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 5 December 2016 be received.

73

LICENSING COMMITTEE - 1 NOVEMBER 2016

The minutes of the Licensing Committee of 1 November 2016 were presented by the Chair, Councillor Spackman, and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 1 November 2016 be received.

74

PEOPLE SCRUTINY COMMITTEE - 3 NOVEMBER 2016

The minutes of the People Scrutiny Committee of 3 November 2016 were presented by the Chair, Councillor Wardle, and taken as read.

RESOLVED that the minutes of the People Scrutiny Committee held on 3 November 2016 be received.

75

PLACE SCRUTINY COMMITTEE - 10 NOVEMBER 2016

The minutes of the Place Scrutiny Committee of 10 November 2016 were presented by the Chair, Councillor Brimble, and taken as read.

In respect of Minute 44 (Update on City Centre Strategy) and in response to a Member regarding congestion charges, the Portfolio Holder for Economy and Culture stated that the Council, together with Exeter City Futures, would consider options to reduce traffic congestion in the City which could include sources of income.

RESOLVED that the minutes of the Place Scrutiny Committee held on 10 November 2016 be received.

76

CORPORATE SERVICES SCRUTINY COMMITTEE - 24 NOVEMBER 2016

The minutes of the Corporate Services Scrutiny Committee of 24 November 2016 were presented by the Chair, Councillor Sheldon, and taken as read.

RESOLVED that the minutes of the Corporate Services Scrutiny Committee held on 24 November 2016 be received.

77

EXECUTIVE - 8 NOVEMBER 2016

The minutes of the Executive of 8 November 2016 were presented by the Leader, Councillor Edwards, and taken as read.

RESOLVED that the minutes of Executive held on 8 November 2016 be received and, where appropriate, adopted.

78

EXECUTIVE - 6 DECEMBER 2016

The minutes of the Executive of 6 December 2016 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of Minute 141 (Delivering the Parking Strategy; Tariffs, Designations and Permits - Addition) and in response to a Member, the Portfolio Holder for Economy and Culture stated that the Parking Places Order would be made in line with legislative requirements in due course.

In respect of Minute 143 (Proposals for Restructuring Senior Management) the Leader proposed an additional recommendation:-

In the event that this restructure results in the redundancy (voluntary or otherwise) of a member of the Senior Management Team which gives rise to a severance payment in excess of the cap set out in the Council's Pay Policy Statement 2015/16, the Council hereby approves such payment and authorises the Chief Executive & Growth Director to make that payment.

This was seconded by Councillor Sutton and supported by the Members.

RESOLVED that the minutes of Executive held on 6 December 2016, with the additional recommendation to minute 143, be received and, where appropriate, adopted.

79

NOTICE OF MOTION BY COUNCILLOR NEWBY UNDER STANDING ORDER NO. 6

Councillor Newby, seconded by Councillor Leadbetter, moved a Notice of Motion in the following terms:-

"I ask that this Council through its Leader and Chief Executive write to the Fire Minister Brandon Lewis MP to request under the Fire Service Act 2004 that a member of the Council sit on the County Fire Authority so that a clear voice from this City is heard in how the Fire service is run and how the monies raised through Council Tax are used".

The Leader supported the motion.

The Notice of Motion was put to the vote and carried.

80

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

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

“Exeter City Council notes that the Government requires 44 Footprint Areas across the UK to prepare NHS Sustainability and Transformation Plans for their area which will:-

i. Contribute to cuts of at least £2.5bn nationally this year, and £22bn within the next five years, to wipe out the NHS so-called financial deficit; and

ii. achieve this by implementing ‘new models of care’ that are set out in NHS England’s 5-Year Forward View (2014).

NHS bodies are severely limited in how they can oppose these cuts because they risk losing access to the £8bn NHS Transformation Fund.

However, local authorities are in an excellent position to make clear their complete opposition to the programme.

Exeter City Council therefore calls on Devon County Council to join together with other Councils and campaign groups to widely publicise the details of all proposed cuts and changes to local NHS services.

We further call on Devon County Council to refuse to sign up to any STP, until the local proposals have been subject to a full and proper consultation.”

In presenting the Notice of Motion, Councillor Musgrave highlighted that he was proud that his party had created the NHS over 60 years ago and that the NHS was vital providing free health for the residents of this country. He hoped that he would get cross party support to resist the Sustainability and Transformation Plans. The NHS was no longer financially sustainable and the closure and relocation of some services in Exeter were affecting local residents and causing stress on local services. The City Council in supporting this motion would therefore assist the County Council in resisting the plan.

A Member stated that the County Council had passed a motion opposing these Government proposals and this motion would help the County Council in challenging the Sustainability and Transformation Plan.

Another Member stated that the provision of social and health care should be combined and all political parties should work together to find a solution to ensure the long term sustainability of the NHS.

All Members fully supported this motion.

The Notice of Motion was put to the vote and carried unanimously.

81 **QUESTIONS FROM A MEMBER OF THE COUNCIL UNDER STANDING ORDER NO. 8**

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

Question – I would like to ask the Leader of the Council to report on his negotiations with Plymouth City Council, regarding the formation of Devolution Deal for the Southwest, to include an elected Mayor?

Question - Please would he detail who is has been in discussions with.....does this include Torbay Council? Which other Council?

Question – *Is this a precursor to a South Devon Unitary?*

Question – *Finally facing confirmed that such a deal would include a directly elected Mayor - does he think such a person, who in theory could live in Plymouth, would best represent the interests of Exeter and East Devon?*

The Leader thanked Councillor Leadbetter for allowing him the opportunity to clarify what had taken place on the matter of a devolution bid and what has been reported in the media over the weekend. He replied that:-

“All Members would be aware that the Heart of the South West Councils 17 local authority leaders began working on a potential bid for devolution of powers and funding well over a year ago.

In February this year we formally submitted to the Secretary of State a prospectus as an opening position for negotiations for a devolution deal. As John Osman, the lead member for the bid had acknowledged, we had received no response from the Secretary of State. Indeed, further letters had gone unanswered.

The reason was not a mystery. The Secretary of State, Sajid Javid, when recently in Exeter told the Leaders the Devolution of powers and funding would be dependent on the Councils agreeing to sign up to an Elected Mayor/Leader that would be accountable for the new powers and funding that Government would devolve to Council. Currently most Local Government Leaders in the Heart of the South West are ruling out an Elected Mayor model. Therefore, our Heart of the South West (HotSW) submission sits in a pending tray.

In October last year, when the Leaders wrote to the MPs to inform them what we were doing, John Hart and John Osman stated: “We have in our hands a historic opportunity to create jobs and wealth, improve health and social care and deliver better connectivity and resilience for 1.7million people and businesses in Devon, Plymouth, Somerset, and Torbay.” They were right, this was an historic opportunity, but ruling out an Elected Leader/Mayor means we would miss this opportunity.

Accordingly, when the Secretary of State visited Exeter and I had a meeting with him, I asked him would he be willing to consider other options for progressing a Devolution bid. He told me he would consider anything. Both the Leader of Plymouth and I separately came to the conclusion that it was incumbent on us for the sake of our residents, businesses, our communities and our universities that the Councils explore all options. To this end we thought it would appropriate for us to meet the Mayor of Torbay.

A meeting was put in the Mayor of Torbay diary by Plymouth and three weeks, later on the eve of the meeting, he informed us he would not meet. Through his Chief Executive, he suggested a Unitary Devon without Plymouth is probably the best option for the future. Instead of meeting the Mayor, Plymouth and Exeter City Councils met the Torbay Chief Executive and David Thomas, Leader of the Conservative group in Torbay. We had a single conversation to discuss whether there was any merit in considering an Elected Leader model for the basis of a devolution deal that would unlock the powers and funding from government. I have also had breakfast with the Leaders of East Devon and Teignbridge. On the basis of these single conversations - someone had sought an advantage through the press to suggest that we were proposing a super Council and breaking up Devon.

I can categorically state this is not a pre-cursor to a South Devon Unitary. I have repeatedly stated, and indeed, Council had agreed this Council's presence in a

devolution bid should only be on the basis of no change to the structure of Local Government.

Also, any suggestion of a unitary council for this area showed a fundamental misunderstanding of the devolution agenda. A Solent combined authority was being set up by Southampton, Portsmouth and The Isle of Wight; a West of England combined authority was being set up Bristol, Bath and South Gloucestershire. Neither of these combined authorities was forming a super, unitary council. But they were looking forward to around £1bn of funding, new powers and an Elected Leader who would represent their various interests.

At the Leaders' meeting at Padbrook last Friday, John Osman sought to tie the Council's hands from exploring any other options from the one that was simply not going anywhere. I was not prepared to do this. If it was an historic opportunity last year, it was still an historic opportunity today. The Council badly need this investment in infrastructure. A potential £1 billion of funding demands the Council take it seriously and with some pace. Targeted investment in urban areas which were magnets for growth was a proven model that the Council could ill afford to reject even being able to talk about.

Turning to the question could a person living in Plymouth represent the interests of Exeter and East Devon. Currently your Leader of Devon County Council, Councillor John Hart, lived on the doorstep of Plymouth and I assume you were content that he looked after the interests of all of us in Devon. Likewise the Chairman of the Local Enterprise Partnership (LEP) lived outside Exeter and looked after the interests of businesses from Plymouth to Sedgemoor. If I may say so, this was a shallow point to make, when the Council was trying to find a way to unlock powers and funding from Government. Can I just remind all of us, when the Council went cap in hand to Devon County Council (DCC) for funding to build a new bus station to serve the rural communities in Devon, the County Council said they did not have the funding. Moreover, even with your apparent support, the Council still could not get any funding from the LEP. Indeed, DCC would not borrow for capital investment full stop. Hence why a £billion funding was so important to all of us.

For the record, all that had happened is the Council have said it must explore the option on an Elected Mayor if this was the price the Government had set to access devolution powers and a £billion funding."

In response to two supplementary questions from Councillor Leadbetter, the Leader clarified that the Leader of Devon County Council, Councillor John Hart, had responded to himself that he had no ambition for a Unitary Devon but would consider this option if he was asked to by a Government Minister. No brochure had been produced setting out plans with regards to the talks that were currently taking place.

(The meeting commenced at 6.00 pm and closed at 6.45 pm)

Chair