

## **PLACE SCRUTINY COMMITTEE**

Date: Thursday 9 June 2016

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Sharon Sissons, Democratic Services Officer (Committees) on 01392 265115.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

### *Membership -*

Councillors Brimble (Chair), Lyons (Deputy Chair), Foggin, Henson, Keen, Mitchell, Prowse, Robson, Wardle and Wood

## **Agenda**

### **Part I: Items suggested for discussion with the press and public present**

#### **1 Apologies**

To receive apologies for absence from Committee members.

#### **2 Minutes**

To sign the minutes of the meeting held of Scrutiny Committee Economy on 3 March 2016.

#### **3 Declaration of Interests**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

#### **4 Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

**RESOLVED** that, under Section 100A(4) of the Local Government Act 1972, the

press and public be excluded from the meeting during consideration of item 23 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of the Act.

## 5 **Questions from the Public under Standing Order 19**

Details of questions should be notified to the Corporate Manager Democratic and Civic Support at least three working days prior to the meeting. Further information and a copy of the procedure are available from Democratic Services (Committees) (Tel: 01392 265115) and also on the Council web site - [www.exeter.gov.uk/decisions](http://www.exeter.gov.uk/decisions).

## 6 **Questions from Members of the Council under Standing Order 20**

To receive questions from Members of the Council to appropriate Portfolio Holders.

## 7 **Terms of Reference**

To review the implementation of existing policies and to consider the scope for new policies with regard to all aspects of the Council's functions concerning economic activity and tourism, culture, leisure, waterways, markets, RAMM, planning, sustainable development, transport, the environment, licensing, community safety and the Joint Mitigation Committee.

The Portfolio Holders reporting to this Committee will be Portfolio Holder for Place, Portfolio Holder for Economy and Culture and Portfolio Holder for City Development, although there may be overlapping in some areas of responsibilities.

## **PRESENTATION TO COMMITTEE**

## 8 **Portfolio Holders' Statements**

Councillor R Denham (Portfolio Holder for Economy and Culture) Councillor R Sutton (Portfolio Holder for City Development) and Councillor R Hannaford (Portfolio Holder for Place) to present a year end update for 2015/16 and priorities for 2016/17. (2016/17 priorities to be tabled).

(Pages 7 -  
22)

## 9 **Annual Scrutiny Report 2015/16**

To consider the report of the Scrutiny Programme Officer.

(Pages 23  
- 40)

## 10 **Petition - Smythen Street Anti-Social Behaviour**

To consider the verbal update of the Assistant Director Environment following the presentation of a petition at Council on 19 April 2016, from the business owners in Smythen Street, Exeter regarding levels of anti-social behaviour in Smythen

(Pages 41  
- 44)

Street, Exeter.

A copy of the response from the Exeter Community Safety Partnership to the organiser of the petition has been circulated with the agenda.

#### **ITEMS FOR CONSIDERATION BY THE EXECUTIVE**

**11 Exeter Science Park Strategic Plan 2016/17**

To consider the report of the Chief Executive and Growth Director. (Pages 45 - 58)

**12 Recycling Plan 2016 - 2021**

To consider the report of the Assistant Director Environment. (Pages 59 - 68)

**13 Review of Environmental Health and Licensing Statutory Service Plan 2016/17**

To consider the report of the Assistant Director Environment. (Pages 69 - 148)

**14 Safeguarding Policy**

To consider the report of the Corporate Manager Policy/ Communications and Community Engagement. (Pages 149 - 162)

#### **ITEMS FOR DISCUSSION**

**15 Budget Monitoring (Final Accounts)**

To consider the report of the Assistant Director Finance. (Pages 163 - 178)

**16 University Task and Finish Group - Final Report**

To consider the report of the Chair of the University Task and Finish Group. (Pages 179 - 188)

**17 Empty Commercial Properties Initiative Task and Finish Group**

To consider the report of the Chair of the Empty Commercial Properties Initiative Task and Finish Group. (Pages 189 - 192)

**18 Exeter Cultural Strategy 2016 - 2018 - Progress Report**

To consider the report of the Museums Manager and Cultural Lead. (Pages 193 - 206)

**19 Update on Support for Small Businesses**

To consider the report of the Economy and Tourism Officer. (Pages

**ITEMS FOR INFORMATION ONLY****20 Filming in Exeter**

To consider the report of the Projects Officer (Economy and Tourism).

(Pages  
213 - 218)

**21 Appointment of Legacy Leisure Working Group**

To appoint the Members of the Legacy Leisure Working Group for the meeting on 14 June 2016 and subsequent meetings for the year. (Terms of Reference attached)

(Pages  
219 - 220)

6 September 2016 - Wonford Sports Centre/ Northbrook Golf Course (Terracina Meeting Room)

18 October 2016 - Clifton Hill Sports Centre/Pyramids Swimming Pool (Terracina Meeting Room)

7 December 2016 Annual Tour of Leisure Facilities

13 December 2016 - Northbrook Swimming Pool (Rennes Committee Room)

**22 Devon County Council's Highways and Traffic Order Committee ( Exeter) Minutes**

To note the minutes of the meeting of the Devon County Council's Highways and Traffic Order Committee (Exeter) Minutes held on 19 April 2016.

(Pages  
221 - 226)

**Part II: Items for Consideration with the Press and Public Excluded****23 Exeter & Heart of Devon Growth Board Minutes**

To note the minutes of the Exeter & Heart of Devon Growth Board meeting held on 23 March 2016.

(Pages  
227 - 232)

**Date of Next Meeting**

The next scheduled meeting of the Place Scrutiny Committee will be held on **Thursday** 8 September 2016 at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

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## PLACE SCRUTINY COMMITTEE

9 June 2016

### Portfolio Holder Priorities 2015/16 – Year end report

End of year updates against priorities for all Portfolio Holders are included within this report.

Members will note that some Portfolio Holders report to a different scrutiny committee and are unable to take questions at all committees.

#### **2015/16 Portfolio Holder for Economy and Culture: Councillor Rosie Denham**

	<b>Priority</b>	<b>Update</b>
1	Enhance the knowledge economy with particular emphasis on the Innovation Exeter initiative to raise the profile of the area for inward investment and to address skills development	Programme of activities progressing:- specialist advice and discussions with partners have identified that the objective should be "to establish Greater Exeter as an internationally recognised knowledge economy, foremost in the areas of high performance computing, data analytics and applied environmental science, most importantly to raise both skills and income levels for the benefit of residents and businesses across the area." Examples of projects include establishing a "skills escalator" providing a route through different levels of education and training enabling individuals to gain or improve upon their skills starting at school progressing up to post graduate level, upskilling the workforce and to provide potential employees for new or growing organisations; a new Centre for Data Science at the University to promote the development of expertise in data analytics; establishing a collaboration facility for businesses to work with MET office climate data and expertise; reviewing specialist business start-up and growth support and access to finance with a view to scaling this up to increase business formation and growth.
2	Deliver a successful Rugby World Cup 2015	Completed
3	Procure an operator for the new leisure complex	Project plan in place. Competitive dialogue selected as the optimal procurement route. Risk register in place. Key external resources providing legal and consultancy support are now in place. IT resource (procurement portal with data room) currently being sourced. A soft marketing exercise has been conducted which has seen a high level of interest and participation from all the UK's leading leisure operators. Energy audit at Riverside Leisure

	Priority	Update
		centre has been commissioned, with the other sites within the portfolio to follow. The tender pack is being prepared, with a current focus on the PQQ in the context of the 2015 Public contract regulations.
4	Work with the Business Improvement District (BID) Board to progress the City Centre Strategy	Meeting to take place with Exeter BID first week in June 2016 to determine which actions Exeter BID will take forward and ownership of. General update on the City Centre Strategy will be taken to Place Scrutiny Committee September 2016.
5	Review the way we deliver and fund tourism activities in the future	The pressure to find other organisations to share the tourism facilities has reduced. However in May 2016 the BID ambassadors will be using EVIT as a base for their operations, this has generated some additional income. The service has recently taking over the banner bookings within the city centre, a more commercial approach to this operation is in place therefore generating more income. At all centres the staff strive to increase income either through running special events, increasing the amount of tickets sold. The new Custom House facility has been a resounding success, attracting more visitors and generating more income, in addition to normal retail income, income has been gained through expanded ticket sales, commission from art sales and rental income from functions. The staff at the Custom House have also been responsible for the bookings of the public spaces on the Quay and Haven Banks, which has benefited the economy of the whole area.
6	Look at alternative governance arrangements of the RAMM	Report has been circulated to key Members and Senior Officers and meetings held to consider significant issues and map process for taking forward, which it was agreed would resume post Election.
7	Adopt a new Parking Strategy and develop the Parking Action Plan	Strategy and action plan adopted in March 2016
8	Develop a new Waterways Partnership for Exeter to steer the future of Exeter's waterways	The need for a Waterways Partnership was surpassed by the need to establish a Port User Group to achieve compliance with the Port Marine Safety Code and to enable the Harbour Authority to make Harbour Directions. This is in its early stages of formation. The Waterways Partnership has become an informal Advisory Board for the Council to inform its strategic direction on the future management of the Canal and River
9	Progress Exeter City Futures work with Andromeda and	Community Interest Company now set up and ECC are a member with Cllr Denham as the

	<b>Priority</b>	<b>Update</b>
	key partners	appointed Director on the board. Pilot Active Transport programmes are in the early planning stage alongside intensive stakeholder engagement. Community engagement has been recognised as a weakness and will be approached with a social media campaign in June 2016. The buy in of the local residents is essential to this programme's success and longevity. The themes of work for ECF remain Transport, Energy and Health.

**2015/16 Portfolio Holder for City Development: Councillor Rachel Sutton**

	<b>Priority</b>	<b>Update</b>
1	Continue to work towards low carbon initiatives including district heating schemes at Monkerton, City Centre and SW Exeter and sustainable travel proposals including railway station provision and improvements, park and ride and delivery of footpath/cycle networks	District heating scheme at Monkerton has now commenced. Procurement is being investigated for city centre feasibility is being researched for SW Exeter.  New railway station has opened at Newcourt and a further station is underway at Marsh Barton. DCC planning application for Ide Park and Ride.
2	Submit a Development Delivery Plan to the government and start work on a longer-term planning and infrastructure strategy for Greater Exeter	Submission of Development Delivert DPD delayed for the result of the Exeter Road planning appeal. Implications of the appeal decision are being considered. Informal discussions have commenced with the local authorities in the Exeter Housing Market Area regarding a new joint strategic plan to 2040.
3	Negotiate local labour/contractor agreements as part of new planning commitments	The council can only seek to negotiate agreements due to lack of a policy basis in the development plan. Progress has been limited due to other priorities that are also sought through negotiations.
4	Progress delivery of IKEA, Princesshay Leisure and the leisure complex and address issue posed by retail proposals in the Honiton Road corridor and at M5 Junction 27	IKEA is engaged in discharge of planning conditions and preparation of detailed designs to enable it to be in a position to start on site late in 2016. Resolution to approve Princesshay Leisure scheme, S106 being finalised. Moor Exchange appeal defended, B & Q scheme withdrawn. Mid Devon District Council has not yet made a final decision on whether to promote J27 through its local plan.
5	Ensure council consents are in place to deliver the Exe Flood Prevention Scheme	Full planning permission has been granted and no further council consents are required.
6	Work with the University of Exeter to provide appropriate	Reports have been submitted to Planning Member Working Group and Task and Finish

	<b>Priority</b>	<b>Update</b>
	student accommodation	Groups. Schemes have been considered on a number of sites and the University is being encouraged to increase provision at Streatham Campus.
7	Establish the business case for the creation of a new Housing Development Company	Arcadis have prepared a draft scope of services for preparing a business case for a new wholly owned housing company. Fee proposal awaited.
8	Support the Exeter Community Forum in the development of a Community Strategy to inform future spending for New Homes Bonus and Community Infrastructure Levy	The Community Strategy was completed earlier this year and adopted by the Council on the 19 April 2016. Proposals for the Grants Panel Terms of Reference (to allocate funding from the Neighbourhood proportion of CIL and New Homes Bonus funding) will be going through People Scrutiny and Exec/Council June and July. The CIL/NHB funding will be open for applications from September with plans for the first Grants panel meeting to take place in November.

**2015/16 Portfolio Holder for Housing Revenue Account: Councillor Rob Hannaford**

	<b>Priority</b>	<b>Update</b>
1	Agree a new Housing Strategy 2015-2020	A new Housing Strategy has been agreed by full Council.
2	Improve standards in our social housing stock	The future capital programme continues to provide for investment to improve the standards of our social housing stock.
3	Improve the management of our housing assets and achieve greater value for money from housing contracts	Proposals for improving our housing asset & contract management functions will be reported to Members for consideration in the near future.
4	Examine alternative options for communicating with and engaging council tenants	We continue to work closely with the Performance Scrutiny Partnership to look at additional mechanisms for resident engagement and discussions are ongoing.
5	Review the way we deal with reactive repairs	An interim manager has been appointed to review the effectiveness of our reactive repairs function and proposals will be brought forward shortly.

**2015/16 Portfolio Holder for Health and Place: Councillor Keith Owen**



	<b>Priority</b>	<b>Update</b>
1	Address antisocial behaviour by introducing a Public Spaces Protection Order (PSPO)	Extensive public consultation was completed at the end of February 2016 with a report going to Council on 26 July 2016.
2	Increase the recycling rate from 34% to 35% and increase year on year	It is thought that the target 1% uplift in recycling rate will be very difficult to achieve due to a combination of factors that have unfavourably impacted upon the recycling calculation formula, namely increased tonnages from litter bins and street sweepings (residual waste), decreased tonnages in leaf sweepings and garden waste output (counted as recycling), and excluded data on community-based recycling schemes. Unfortunately, these abnormalities to trend equate to a 1% reduction in recycling rate. However, preliminary data analysis is indicating a recycling rate of 35%, but this needs to be externally validated by the Disposal Authority (Devon County Council), which will be completed and published on June 29th.
3	Improve cleansing of the city centre and implement new ways of keeping the city looking good	A 3-year SLA is in place for Exeter BID to fund an additional operative and vehicle to provide additional rapid response, deep cleaning and pavement scrubbing of public spaces within the BID area except for the private shopping centres of Guildhall and Princesshay. In addition, further work is ongoing on mechanisation, improved targeting of resources and demand management.
4	Work with Devon County Council to tackle the issue of weeds and highway verges	Completed.
5	Review management of the Exe Estuary Harbour	The focus for this year is achieving compliance with the Port Marine Safety Code
6	Support Exwick Sports Hub by transferring the playing fields to Exeter College	Heads of Terms have been agreed with the College to grant a long lease of the Exwick and Flowerpots fields subject to Executive approval. This should facilitate the development of the Sports Hub while preserving public access
7	Renew the Gambling Policy	New and improved policy has now been approved by Council and implemented.
8	Reduce the carbon footprint of our vehicles by 3%	Fuel reduction programmes, driver behaviour programmes, refuse rounds optimisation and electrifying fleet have assisted the drive for carbon neutrality with a 7% reduction in fuel use for our Waste Operations (this represents 14,000 litres of diesel fuel saved) and a 4% reduction overall.
9	Consider an evening trade waste collection service	In partnership with BID, a survey of all BID members was conducted in January 2016 to

		ascertain the viability of such a service for the City Centre. Results from this survey indicate an appetite for an evening collection, but further work will be needed to craft an appealing service offering. BID has also indicated that a BID-wide collection of cardboard is being developed for tender, and that an evening collection is likely to be the preferred option.
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**2015/16 Portfolio Holder for Enabling Services: Councillor Ollie Pearson**

	<b>Priority</b>	<b>Update</b>
1	Improve procurement arrangements	The review has been expanded to look at contract management arrangements as well as procurement. This has delayed the report, which is expected to be delivered in June 2016 to officers before options are presented to Members.
2	Maximise income opportunities from the Civic Centre and Guildhall	Work is continuing to maximise revenue opportunities from the rental of spare accommodation with the Civic Centre with a number of organisations currently showing an interest. Prices for the hire of the Guildhall have been increased to bring them in line with the market place.
3	Enable customers to self-serve via digital services	The Digital Platform was finally procured in May. The Council and Strata are meeting the suppliers in June to develop the project plan for implementation. Work has commenced with services on redesigning processes for roll out
4	Progress the development agreement for the Princesshay Leisure scheme at the Bus and Coach Station site	Development Agreement close to completion. Outline Planning application approved subject to S106. New bus depot at Matford under construction. Planning application in for former bus depot site student scheme prior to site disposal. Bus station design being worked up in advance of June public consultation.
5	Implement the recommendations in relation to the ward boundary changes for Exeter	Successful all-out elections were held in May 2015 based on the new electoral wards.
6	Prepare a Corporate Asset Management Plan	Progress has been delayed by Bus and Coach Station project and Corporate Property restructure
7	Deliver a robust health and safety compliance regime for corporate property	Corporate Property restructure now in place and resource has been employed to develop and implement the overarching compliance strategy and day to day practice to effectively manage health and safety risk.
8	Roll out the Renewables	Final works at the Livestock Centre, following

	<b>Priority</b>	<b>Update</b>
	Investment Programme	the installation of the 1.5MW array will enable ECC to supply energy to all 13 leaseholders within the building. The total PV estate installed to date exceeds 2MW, and together with energy saving works completed, a 40% reduction in consumption is expected. An appraisal of the current energy market and available technologies, to form new action plan for future projects/Energy Strategy, is underway.
9	Progress the Council's aim to be an energy-neutral Council	LED lighting installation completed in Civic Centre, progressing to car-park and other Council buildings in 2016 and 2017. More efficient gas boiler has replaced oil-fired boilers at Civic Centre. PV array installations at multi-storey car parks and Matford completed at year end.
10	Produce a plan to get residents registered on the electoral roll	An on-going campaign is held to increase voter registration which includes continual canvassing, targeted advertising in key areas and to coincide with key dates in the election timetable.

**2015/16 Portfolio Holder for Customer Access: Councillor Emma Morse**

	<b>Priority</b>	<b>Update</b>
1	Publish a Homelessness Strategy to ensure efficient and effective management of homelessness	The Strategy has been developed and has commenced the committee approval process for agreement by Council. An action plan has been developed to ensure delivery of the intended outcomes of the Strategy.
2	Work with partners to deliver joint programmes, including Targeted Families, Integrated Care Exeter and Exeter Community Hub	The Council's involvement with Integrated Care Exeter (ICE) has now led to development of a work stream related to Street Homeless and Vulnerably housed customers. This also involved working alongside Exeter CVS and other partners on the development of the offer at Wat Tyler Hub-CoLab.
3	Introduce further initiatives to improve standards in the private rented sector	Work has continued in partnership with the multi-agency Private Rented Forum in addition to more formal interventions via the Council's licensing and enforcement regimes.  Funding has been awarded by an energy company to fund the installation of gas central heating for the first time, as well as the provision of a gas supply. This is being actively promoted to landlords and tenants through the Cosy Devon Scheme

	<b>Priority</b>	<b>Update</b>
4	Prepare for further changes to local welfare including the Local Council Tax Scheme	Devon Steering Group in May voted to change the CTS scheme for 2017-18 throughout Devon to mirror technical changes that have occurred in Housing Benefit, and to introduce a minimum income floor (MIF) which is a concept introduced in Universal Credit. Consultation on this proposal will start at the end of June, led by Devon CC. Results will be reported to People Scrutiny and Executive in November.
5	Help customers with their financial challenges by continuing to work with Job Centre Plus (JCP), providing money management and debt advice and facilitating a Credit Union	The local delivery partnership agreement with JCP regarding Universal Credit has been re-negotiated for a further year to 31 March 2017. The assistance provided by us through this agreement remains the same. The Money Advice Service is being withdrawn by Government therefore we have lost further funding. CAB have appealed. Through the support of the local welfare support scheme, EMAP will continue to March 2017, but if it is to continue beyond that date, funding will need to be found. Only Plough & Share Credit Union submitted a tender and that is currently being evaluated.
6	Revise the Council's policy for the allocation of social housing	The revision to the Policy has been agreed and the revised policy will be implemented this Summer.
7	Work with partners to tackle rough sleeping, within current resources	This area has been addressed in the Homelessness Strategy as well as the ICE work stream which includes a focus on 'Making Every Adult Matter' which focuses on the most vulnerable Rough Sleepers.

COST OF LIVINGUPDATE ON WORK STREAMS AS AT 9<sup>th</sup> JUNE 2016

WORK STREAMS	CURRENT POSITION
<p>(a) Working with young people in schools to provide better careers advice and to raise awareness as to what is available in the local economy.</p>	<ul style="list-style-type: none"> <li>• EHOD ESB has the following position statement on Careers Education Information Advice and Guidance “Individuals particularly Young People and their parents need to have greater confidence that information and advice is independent and up-to-date. The quality of careers education advice information and guidance in schools and colleges continues to be widely criticised. Advice and guidance needs to be freely accessible so that every individual can make informed decisions and navigate the increasingly complex routes to education, training and work”. More information can be found on <a href="http://www.GreaterExeterSkills.com">www.GreaterExeterSkills.com</a>.</li> <li>• HoSW LEP have commissioned Careers South West (via Rosie Bates DCC) to develop a set of Career Education, Information, Advice and Guidance (CEIAG) standards for schools. Exeter &amp; Heart of Devon Employment and Skills Board (EHOS ESB) contributed to this set of standards which now state that CEIAG should always be given with the best interests of the individual which may not be the case for the institution giving the advice.</li> <li>• EHOD ESB Employers are working on the development of World Class Work Experience placements for school age students. These will be accredited through the national standard “Industrial Cadets”. They are being piloted in April/May/June. The eight employers involved in the pilot are committed to the provision of stretching, higher level, specialist skills one week work placements which will add a very valuable insight to the local employment mix and opportunity. [Please consider this as part of the KES below too].</li> <li>• EHOD ESB are collaborating with Education Business Partnership – SW (EBP-SW) and the Careers Enterprise Company to deliver the</li> </ul>

	<p>Enterprise Advisor Service. EBP-SW are recruiting Enterprise Advisors from business to help schools create a successful enterprise and careers strategy that will help young people develop crucial employability skills in preparation for work after education. Enterprise Advisors will be asked to volunteer 8 hours of time each month. This could be meeting with the school, research and sharing information remotely, brokering relationships with other employers or even working directly with students to provide inspirational talks, mock interviews, careers guidance.</p> <ul style="list-style-type: none"> <li>• EHOD ESB are actively promoting the Go Construct website and school experience matching service which enables schools to arrange experiences for students and staff within the construction sector at all levels.</li> <li>• EHOD ESB have prioritised the improvement of Employer Education links. Greater interchange between students, schools, teachers, employers etc can only enhance career decisions and the local economy.</li> </ul>
<p>(b) Skills agenda relating to productivity (Knowledge Economy Strategy).</p>	<ul style="list-style-type: none"> <li>• EHOD ESB designed and ran the highly successful and pivotal ‘Unlocking Big Data – Investing in Human Capital’ event in January 2015 at the Met Office. The legacy of this event is still being felt. In 2016, under the proposed rebranding of ‘Greater Exeter Skills’, we are keen to create a similarly significant event around ‘Productivity’. We would like to take the good practice from 2015 and better it by holding the event at the Met Office in Exeter, by using the interactive real-time participant input and analysis model, and by creating a knowledge and values led inspirational day. Funding is being sought.</li> <li>• Mark Shepherd (EHOD ESB Chair) is working with Chris Evans (Exeter University) and Richard Ball on Innovation Exeter and he is also a member of the HoSW LEP People Group – this joins up a number of initiatives and groups.</li> </ul>

	<ul style="list-style-type: none"><li>• The intervention of the EHOD ESB when the University of Exeter suggested that they could no longer support Big Bang SW was instrumental in securing the event for the city for 2016 and 2017. However, funding from Engineering UK has been reduced and more sponsorship will need to be sought. We are working with the University of Exeter and Education Business Partnership South West to incorporate Big Bang SW into the wider Innovation Exeter initiative. <a href="http://nearme.thebigbangfair.co.uk/SouthWest/">http://nearme.thebigbangfair.co.uk/South West/</a></li><li>• Digital skills are seen as key to improved productivity. EHOD ESB are piloting a Digital Apprenticeship carousel model (where the apprentice learns/works for a number of employers) in partnership with Exeter College and Cosmic. In addition we have and will continue to promote the degree apprenticeship a BSc in Digital and Technology Solutions at the University of Exeter (the first Russell Group university to offer an apprenticeships degree) at our 'Tap in to Top Talent' business breakfast as part of National Apprenticeship 2016. This event was well attended and received and focused on STEM industries and higher and degree level apprenticeships.</li><li>• Apprenticeships at all levels are being promoted by HMG and funding streams for other routes reduced. EHOD ESB worked with DCC, National Apprenticeship Service and Exeter College to deliver NAW 2016 in EHOD.</li><li>• EHOD ESB are working with Education Business Partnership – SW on the STEM. Please see this link as an example agenda <a href="http://greaterexeterskills.com/tag/STEM/">http://greaterexeterskills.com/tag/STEM/</a></li><li>• Members of the EHOD ESB are all committed to progressing this through their own networks.</li></ul>
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<p>(c) Grants – liaising with LEP to ensure that the Council make the most of any available grants and funding.</p>	<ul style="list-style-type: none"> <li>• EHOD ESB has attended and contributed to HoSW LEP specific funding meetings on Employment &amp; Skills generally and with special regard to Digital and Construction. We continue to make the case for Exeter and the Heart of Devon in documents which have had a clear focus on Plymouth and Hinkley. We have convened member meetings including a well attended event (56 delegates) at the Corn Exchange on 21 July 2015 to discuss priorities.</li> <li>• within the ESIF opportunities and agreed a collaborative rather than competitive approach. We will support partner organisations with proposals which complement our mission. Unfortunately significant delays with European, Skills Funding Agency and Hinkley have had severe effects on the capacity and capability of our training providers.</li> <li>• We receive the HoSW LEP updates and newsletters with ESIF and other funding updates but our focus is on Employment &amp; Skills. EHOD ESB is not on the ‘look out’ for infrastructure, capital or any other funding opportunity from which ECC may be able to benefit.</li> <li>• Funding is an issue. We can only deliver where funding is available. EHOD ESB will always be proactive and opportunistic about looking for funding.</li> <li>• In addition we provide some level of influence and direction.</li> </ul> <p>Exeter is working with neighbouring local authorities to roll out business support across East Devon, Mid Devon and Teignbridge. If successful, this will be the subject of a grant application to the LEP for match funding to increase the level of business support available.</p> <p>(provided by Partnerships &amp; Project Manager, Economy &amp; Tourism Department)</p>
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<p>(d) Availability of financial advice – it was suggested that the private and voluntary sectors could work together to achieve this.</p> <ul style="list-style-type: none"> <li>- Availability and access to affordable credit.</li> <li>- Debt Strategy – to look at the immediate future as more families need access to more finance.</li> </ul>	<p>Funding for Local Welfare Support ceased on 31.03.2016, however we have sufficient budget left to continue providing crisis support for this year. It has also allowed us to continue funding the Exeter Money Advice Project (EMAP) with CAB and Homemaker SW for a further year.</p> <p>That project is about to trial a new approach with customers whereby case working is undertaken jointly by CAB/Homemaker SW and a Senior Collection Officer from our Payments &amp; Collection Team, so that at the stage where the customer can be considered as 'fixed', the Senior Collection Officer continues to case work the customer in order to bring about behaviour change, so that hopefully the customer doesn't go back into arrears.</p> <p>Since the introduction of Universal Credit (UC) in Exeter in November 2015, we have had a partnership agreement with the Department for Work and Pensions (DWP) to provide some support services to UC claimants including:-</p> <ul style="list-style-type: none"> <li>• Support for claimants to make their UC claim online</li> <li>• Personal budgeting support to manage a single monthly payment</li> </ul> <p>Where necessary, we draw on our EMAP colleagues to assist us with this. This arrangement will be reviewed ahead of the full digital rollout of UC, and will only continue if sufficient funding is made available by DWP. So far, even with low numbers of claims and the most straightforward of cases, dealing with Universal Credit customers is taking significant resources within the Benefits and Welfare, Customer Services and Payment and Collection teams.</p> <p>With regard to procuring the services of a credit union, one tender submission has been received which is currently being evaluated.</p> <p>As part of their work in compiling an overall picture of debt, the Payment &amp; Collection Team have been looking at Council Tax arrears and which group has the largest debt.</p>
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Initial information shows that of all the cases that have council tax to pay and receive no council tax support, only 9% are in arrears. Of the cases that get maximum 80% council tax support (working age only), 33% are in arrears. The most worrying statistic though is the cases that get some council tax support but not the full 80%. Again this is working age only, and 70% of those cases are in arrears. The amount that those cases owe is very low (£191k) compared to the amount owed by people not getting any council tax support (£1.6m), but it indicates they are struggling to pay, and of course it will be those cases that will take the most time and resources from staff. More work is being carried out in this area, which will be shared with the Cost of Living Forum once completed.

The revised Benefit Cap is due to come into force this year. Introduced in 2013, the benefit cap places a limit on how much a household can receive in welfare benefits. Households with disabled family members are excluded, as are those entitled to Working Tax Credit. When introduced in 2013 the level was set with reference to average earnings. From some point in 2016/17 the limit will be reduced from £26,000 per year to £20,000 (£500 per week down to £385). We anticipate up to 100 households in Exeter will see a reduction in their Housing Benefit entitlement. We are still waiting for a list from DWP, now due to be provided later in May 2016, of potentially affected cases. Once we have this information we will begin work to mitigate the impacts on these families ahead of the introduction of the cut, expected in November 2016. Our Discretionary Housing Payments allowance has been increased by 14% (£20,311) this year to help us support those customers who are affected for the first time or who will see their benefit income drop for a second time in three years. Affected households are mostly larger families with at least three children, in rented accommodation and with little or no work history. These customers often require a large amount of support from officers over an extended period of time to remove themselves from the effects of the cap. Exemptions for carers are expected to be introduced before the lower cap applies.

[\(provided by System Lead Finance Officer, Customer Access\)](#)

**FUTURE OF EXETER QUAY****UPDATE ON RECOMMENDATIONS AS AT 9<sup>th</sup> JUNE 2016**

OUTSTANDING RECOMMENDATIONS	CURRENT POSITION
<p>4. Liaise further with Stagecoach and Devon County Council to ensure that the new promotional branding for the Quay, once available, is featured and advertised through the local public transport system and promotional literature.</p>	<p>The branding design has been decided by ECQT, however, branding guidelines are required before it can be used and these guidelines have to be sourced externally. Signage specialists Wood and Wood have quoted for drafting the guidelines and a further meeting of ECQT is scheduled for July to deal with this aspect. The guidelines have to be in place before the brand can be advertised externally and therefore they need to be agreed and in place before Stagecoach and Devon County Council are approached regarding promotion.</p>
<p>5. Approach Ring and Ride Providers to enquire whether they could provide a circular transport route linking the City with the Quay during weekends/school holidays.</p>	<p>The Ring and Ride provider in the city is ECTA (see <a href="http://www.exetercta.co.uk/ringride.asp">http://www.exetercta.co.uk/ringride.asp</a>).</p> <p>However, if someone wants to start running what is effectively a bus service, there are legal procedures that they need to go through first. There's also a somewhat complicated overlap between community transport and regular bus services.</p> <p>There is already a service to the Quay during the middle of the day on Mondays to Saturdays. This is a DCC-supported service (in view of their logo on the timetable), which means they are likely to have gone through a tender exercise which Stagecoach won. I expect they were able to offer a competitive bid using a vehicle that would otherwise be idle between the peak periods. It does not appear to be affected by the service reductions on which DCC has just consulted.</p> <p>It would be essential to liaise with DCC because there probably wouldn't be room in the market for another service to the Quay if the current one needs financial support.</p> <p>Given the likely legal procedures to be followed and possible practical/financial aspects to be taken into account – do Members of the Place Scrutiny Committee wish to pursue this line of enquiry further?</p>

<p>7. Explore the opportunity to establish a formal partnership for management of the Quay involving stakeholders and traders, bearing in mind wider ongoing discussions around the future management of the waterways.</p>	<p>Wider ongoing work continues and a Traders' Association is established and self sufficient. The Association will come to the Council on an ad hoc basis regarding any issues which they wish to discuss. They also have a regular slot within the Agenda for the Exeter Canal and Quay Trust meetings.</p>
<p>9. Investigate opportunities, in the long term, for externally funded improvements to the Quay area.</p> <p>10. Request that the Planning Members' Working Group review the Masterplan for the Quay area to establish whether it requires updating and whether it meets with the Council's current aims and priorities.</p>	<p>Recommendation 9 is best investigated following the approval of a new Masterplan.</p> <p>The review of the Masterplan for the Quay area report is due to go to Place Scrutiny on the 8<sup>th</sup> September having already been considered by the Planning Members' Working Group.</p>

Final

**REPORT TO:** PEOPLE SCRUTINY, PLACE SCRUTINY, CORPORATE SERVICES  
SCRUTINY AND EXECUTIVE  
**Date of Meetings:** 2nd June, 9th June and 29th June 2016 and 12<sup>th</sup> July  
**Report of:** The Scrutiny Programme Officer,  
Democratic Services and Civic Support  
**Title:** Annual Scrutiny Review Report 2015/2016

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Council

**1. What is the report about?**

To provide an annual update to the respective Scrutiny Committees as to the Scrutiny work achieved during the municipal year 2015/2016.

**2. Recommendations:**

The Annual Scrutiny Report 2015/2016 is acknowledged and approved.

**3. Reasons for the recommendations:**

- a) To track the progress of the Scrutiny function and process at Exeter City Council.
- b) In order that Members may comment as to the progress and direction of Scrutiny over the past year, together with proposals for the forthcoming year.
- c) To ensure that the Scrutiny Committees are kept fully up to date as to the Task and Finish Groups and what they have achieved.
- d) To illustrate how effectively Scrutiny continues to work at Exeter City Council contributing towards an accountable, transparent and democratic process.
- e) To acknowledge the results achieved through Scrutiny during the municipal year 2015/2016.
- f) To raise the profile of Scrutiny at Exeter City Council and to promote confidence in the democratic process.

**4. What are the resource implications including non financial resources:**

None.

**5. Section 151 Officer comments:**

There are no financial implications contained in this report

**6. What are the legal aspects?**

None identified.

**7. Monitoring officer Comments**

This report raises no issue of concern to the Monitoring Officer.

**8. Report Details:**

This report concentrates on providing Members with an overview of the work and achievements of Scrutiny over the past municipal year together with the proposed direction of Scrutiny for the forthcoming year.

The detail of this report appears in the attached Appendix and can be divided into eight main areas:-

- The Scrutiny Work Programme
- Task and Finish Group priority topics
- Follow up on previous Task and Finish Group recommendations
- Summary of Task and Finish Group work
- Training and profile
- Current improvements
- Future improvements
- Timetable for the forthcoming municipal year

Through the Annual Scrutiny Work Programme Meeting in June 2015, Members identified priority topics for Task and Finish Group investigation as follows:-

- Homelessness
- The University and its impact on the City
- Equality and Diversity
- Empty Commercial Properties
- Growth and Marketing Exeter
- Water Ingress in Council Properties
- Parking Review

Topics identified as suitable for Member Briefings included:-

- Transport
- Rough Sleepers
- Universal Credit
- Integrated Care Exeter

In addition to this, updates tracking the progress of approved recommendations from previous Task and Finish Group were provided to the relevant Scrutiny Committees in respect of:-

- Income Generating Measures
- Cost of Living Forum
- Future of Exeter Quay
- Financial Reporting
- Council's Role in the Community and Tackling Isolation
- Social Media

The topics of training, profile, current improvements, future improvements and timetabling for the forthcoming year are also detailed within the Appendix accompanying this report.

**9. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, Economy safety and the environment?**

Not applicable.

**Anne-Marie Hawley : Scrutiny Programme Officer,  
Democratic Services and Civic Support  
Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report: None**

Contact for enquiries : Anne-Marie Hawley  
Phase I : Room 2.3  
(01392) 265110

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## **ANNUAL SCRUTINY REPORT 2015/2016**

### **APPENDIX**

#### **The Scrutiny Work Programme 2015/2016**

The Annual Scrutiny Work Programme Meeting which took place on 9<sup>th</sup> June 2015 allowed Members to establish whether they were satisfied with the substance and direction of the proposed Scrutiny Work Programme for 2015/2016. All Members were invited to put forward their suggestions for Task and Finish Group topics prior to the meeting and those topics were prioritised taking into account the Council's current aims and objectives.

Topics identified which resulted in Member Briefings included:-

- Transport
- Rough Sleepers
- Universal Credit
- Integrated Care Exeter

#### **Task and Finish Group Priority Topics**

Were established as:-

- Homelessness
- The University and its impact on the City.
- Equality and Diversity
- Empty Commercial Properties
- Growth and Marketing Exeter
- Water Ingress in Council Properties
- Parking Review

#### **Follow up on previous Task and Finish Group recommendations**

It is essential that progress of approved recommendations is tracked and that the parent Scrutiny Committee receives periodic updates. During the 2015/2016 term, updates were provided in respect of:-

- Social Media
- Income Generating Measures
- Cost of Living Forum
- Future of Exeter Quay
- Financial Reporting
- Council's Role in the Community and Tackling Isolation

## **Summary of Task and Finish Group work 2015/2016**

### **Homelessness (People Scrutiny Committee)**

A combination of Members and Officers from both Exeter City Council and Teignbridge District Council formed the membership of this Group since the joint Homelessness Strategy 2016 to 2021 would set out how the two councils and their combined partners would work together to tackle homelessness over the next five years. Cllr Harvey was elected as Chair of the Group and both Councils maintained their own responsibility for reporting lines back to their respective Committees.

#### **Group Objectives:-**

- To help shape and form the new Homelessness Strategy and Action Plan.
- To identify and establish a list of other service providers within Exeter – who does what?
- To obtain views from key service providers which may help the Council to shape the new Homelessness Strategy and Action Plan.
- To establish what funds are available.

#### **Group Recommendations:-**

The Group submitted an interim report to Exeter City Council's Scrutiny Community Committee on the 10<sup>th</sup> November (Minute 53) with interim recommendations simplified under two separate headings:-

#### ***The proposed structure of the new Homelessness Strategy and Action Plan:-***

- (i) To agree that the Homelessness Strategy should be developed across the Exeter and Teignbridge area to increase opportunities for local residents and reduce administrative burden on the services of developing two separate strategies for a combined service.
- (ii) To agree that the Homelessness Strategy should primarily adopt the four key common themes of:-
  - Health and Protection;
  - Money Matters and Money and Employment;
  - Access to Services;
  - Accommodation Options and Private Rented Accommodation
- (iii) That the Strategy should consider, amongst other responsibilities, how the Council should address homelessness in respect of ex-servicemen and women.

#### ***Proposed Action Plan:-***

- Regular review of the Action Plan and review meetings with agencies for the purposes of monitoring the Plan and altering where necessary to reflect any new challenges.
- A cross boundary list of available resources including properties spanning both Exeter and Teignbridge areas should be prepared and circulated.

- Access to information on cross boundary areas to be made available by each Authority.
- Identifying larger empty properties and working towards bringing these properties back into use in the context of tackling homelessness.
- Better signposting when enquiries are received - one information registration form to be used by both Exeter and Teignbridge so that the individual only has to give details once and they are passed to the relevant Authority for action immediately.
- Mapping of services and agencies on an ongoing basis to avoid duplication of work and avoid wasting resources.
- Mapping out different pathways to help people with different needs so that they are assisted quickly and effectively.
- Staff training with particular emphasis on “soft assessment” skills. For example, specialist training in how best to speak with and to obtain relevant information from ex-servicemen and women generally and to evaluate what type of properties would or would not be suitable.
- Monitor the impact of welfare reform on homelessness to allow for schemes to be developed to prevent homelessness or respond quickly when households have been impacted.
- Create a credit card size contact information card which can be placed with various agencies (letting agents and hospitals for instance) which individuals can easily keep and refer to.
- Better website information which is easily accessible for individuals in relation to where and how they can access help.

A further interim report was submitted to Exeter City Council’s Scrutiny Community Committee on the 19<sup>th</sup> January 2016 by the Assistant Director, Customer Access and introduced by the Joint Housing Needs Lead Officer (Minute 3). The report put forward a draft Homelessness Strategy for Committee Members’ comments prior to the Consultation process with recommendations which were approved as follows:-

- To agree the content and aims of the draft Homelessness Strategy 2016 – 2021 as a draft for Consultation.
- To undertake a public consultation to gain feedback from stakeholders and other interested parties.

A further meeting of the Group was held on the 7<sup>th</sup> April 2016, specifically to consider the outcome of the Consultation. The Group’s comments will accompany a further report to the People Scrutiny Committee on the 2<sup>nd</sup> June 2016, Executive on the 14<sup>th</sup> June 2016 and Council on the 26<sup>th</sup> July 2016, asking for the revised final draft Homelessness Strategy and Action Plan to be approved for immediate implementation.

**The University (Place Scrutiny and People Scrutiny Committees)**

Cllr Brimble was elected Chair of this Group which met on several occasions between October 2015 and January 2016.

Group Objective:-

- To continue to develop and improve the positive relationship between the City and the University, for the good of both and the residents of Exeter, working towards promoting further growth within the City.

Given the broad remit of this subject, the Group settled upon focussed investigations concentrating upon the following areas:-

- a) Retaining graduates within the City.
- b) Anti-social behaviour and noise issues.
- c) Waste, recycling and littering.
- d) Parking (and the sustainability of the University's travel plan).
- e) Planning and Student Accommodation.
- f) Encouraging students to volunteer in the communities across the City.

Each topic was dealt with by way of a separate meeting to ensure dedicated discussion. Council officers with the relevant expertise were invited to attend together with a wide range of external guests such as the:-

- Employment Liaison Officer, Exeter University
- Innovation Centre Director
- Assistant Director, Marchmont Observatory, Exeter University
- Community Liaison Officer, Exeter University
- Student Opportunities Manager, Students' Guild
- Director of Estate Development, Exeter University
- Director of Membership Services and People Development, Exeter University
- Representative from the Exeter St James Forum
- Travel Plan Co-ordinator, Exeter University

Group Recommendations:-

At the time of drafting this report, the Group is due to submit its report to the People Scrutiny Committee on the 2<sup>nd</sup> June for comment and to the Place Scrutiny Committee on the 9<sup>th</sup> June setting out the following recommendations for consideration and approval:-

**Topic 1: Retention of Graduates**

The Council:-

- 1) Facilitates a meeting between the Federation of Small Businesses, the Chamber of Commerce, Exeter University and the Council's Economy Department to encourage a joint approach to retaining graduates in the City.

- 2) Shares the list of companies (particularly technology companies) with Exeter University to develop the aim mentioned in Recommendation 1.
- 3) Facilitates a networking event to encourage and support a good relationship between key organisations, businesses and Exeter University and Colleges.
- 4) Explores the opportunities available to support the Innovation Centre in increasing the number of start up weekends held and developing them into a regional network that involves Exeter residents.

### **Topic 2: Anti-social behaviour**

The Council:-

- 5) Encourages the Students' Guild to expand the "big street party" event to cover different areas across the City.

### **Topic 3: Waste, recycling and littering**

The Council:-

- 6) Explores the opportunities for sponsorship and provision of cardboard bottle carriers to student households which also advertise where recycling facilities are located.
- 7) Explores the possibility of a pilot scheme where temporary recycling facilities are situated in highly populated student areas at the end of term.
- 8) Enquire whether student wardens are able to support the educational work of the Council's Recycling Team in visiting student houses identified as a priority.
- 9) Encourage the students, with the support of the Students' Guild, to make a promotional, educational video on effective waste and recycling which other students can easily access on line.

### **Topic 4: Volunteering**

The Council:-

- 10) Sponsors a student volunteering award to be presented at the Guildhall and publicised via the Exeter Citizen and Exepose publications.
- 11) Liaise with the Student Opportunities Manager (Students' Guild) to explore buddying community groups with student volunteers.
- 12) Encourages key organisations to highlight and publicise the good work that student volunteers already do for their organisations across Exeter.

### **Topic 5: Planning and Student Accommodation**

The Council:-

- 13) Encourages and supports the Students' Guild to explore the possibility of Co-operative Housing.
- 14) Reviews the level of developers' contributions to infrastructure in respect of student accommodation, should an overall review of the Community Infrastructure Levy charging schedule be undertaken in future.
- 15) Positively highlight, through a timely press release, the management requirements that accompany planning approvals on Purpose Built Student Accommodation blocks (PBSA's); the Central Government funding that PBSA's bring to the City and the effect of students moving from Houses in Multiple Occupation (HMO's) to PBSA's.
- 16) Arrange for a Scrutiny Task and Finish Group to investigate the possibility of an HMO/landlord accreditation scheme, engaging with key partners to explore the possibilities and how the Council could support work which may already be underway.

## **Topic 6: Parking**

The Council:-

- 17) Supports the University in developing their updated Sustainable Transport Strategy, ensuring, in so far as is possible, the involvement of both Exeter City Councillors and Officers.

### **Ancillary Work Arising from Group investigations:-**

- Enquiries for comparative statistical information concerning graduate retention between Exeter and other similar cities resulted in an invitation from the Higher Education Statistics Agency to participate in the testing of their new University statistics system.
- The Group identified that the Students Guild were no longer receiving the weekly planning list. The Guild are now signed up to the Gov.delivery system which also includes other information relating to bins, waste and recycling; council tax and benefits; planning; community news and events; elections and the latest Council news.
- The Community Volunteering Co-ordinator, Students' Guild will provide a list of the different projects (including discipline linked) taking place by postcode to the Council's Community Involvement and Inclusion Officer so that Councillors can see what projects are taking place in their wards. The Guild will also liaise with the Council to write a short piece for the Exeter Citizen about student volunteering in the City and how charities can register as providers.
- Relevant officers from key organisations such as the Council and the University are due to meet to discuss communications and other issues particularly relating to waste, recycling and littering. It is hoped that a student focus group will be involved in any work which may be taken forward in future together with the University, the Guild, managing agents and resident associations using social media as a conduit.

### **Equality and Diversity (Corporate Services Scrutiny Committee)**

The Council continues to place great emphasis on setting out its vision for Equality and Diversity and to reflect the values inspired by Exeter's communities.

Cllr George was elected as Chair of this Group and an initial overview of the current position was provided by the Policy Officer and the Human Resources Business Partner.

#### **Group Objectives:-**

- To help shape and form the new Equality and Diversity Policy and Action Plan.
- To obtain views from key organisations which may help the Council to shape the new Equality and Diversity Policy and Action Plan.

The Group had the benefit of reviewing three consecutive drafts of the Policy commenting that:-

- The policy should be about engagement of the Council externally and not just in relation to the workforce – a communities focussed policy.
- The policy needs to contain a vision statement (in the Council's capacity as an employer and deliverer of services) right at the beginning explaining:-
  - ✚ What the context of the policy is and why we are doing it.
  - ✚ That our aim is to represent, serve and provide services and employ people as equals with values inspired by our communities.
  - ✚ That no matter who you are or what your background is you will be treated equally.
  - ✚ Setting out the beliefs and values of the Council.
  - ✚ That the policy is about eliminating discrimination in Communities and also within the Council whilst advancing equalities and equal opportunities.
  - ✚ That values will provide a foundation for cohesive communities, strong communities and in order to achieve this we must make sure that any barriers are removed to opportunities and narrow the gap between communities.

It was acknowledged that in the future, Council policies and action plans which may be linked with the Equality and Diversity Policy will need reviewing and updating.

The work of this Group is ongoing and will abridge the Election period. The next steps will be to:-

- (a) Conduct a consultation during June 2016 to seek a wide range of views, comments and suggestions on the draft policy.
- (b) Share feedback with the Task and Finish Group and amend the draft policy if appropriate.
- (c) Submit a copy of the final draft policy for Committee approval.

### **Empty Commercial Properties (Place Scrutiny Committee)**

Housing remains a key priority for the City and the focus of Objective 3 of the Council's Core Strategy is to provide decent homes for all. Under occupation of larger houses and vacant properties continues to present an ongoing challenge for the Council as well as the City overall in terms of maximising use of existing properties thereby creating more housing within the City.

The Group elected Cllr Raybould as Chair.

#### **Group objectives:-**

- To identify suitable empty commercial properties within the City which could be capable of conversion to residential premises.
- To encourage the owners of such properties to consider converting them into residential premises.
- To provide information to the owners as to outside organisations from which they could seek advice as to how to go about converting their properties to residential.
- To investigate whether our systems can be updated to generate a regular report identifying suitable properties so that regular enquiries can be made.

With assistance from the Economy Department, Business Rates, Housing Development, Property and the Planning Department, the Group were able to draw together a list of empty commercial properties which were likely to have the potential for residential use. In addition, all Members were asked to highlight any properties that they were aware of and a press release appealed to members of the public to do the same, so that the Group could consider responses in the overall context of a final list.

### **Growth and Marketing Exeter (Place Scrutiny Committee)**

Cllr Lyons was elected as Chair of this Group, which abridged the Election 2015 period so that external guests could attend and contribute to the discussions before the Group finally settled on proposed recommendations. The Managing Director of a South African Company (which had recently re-located to Exeter) attended to speak about why his company chose Exeter. Members were able to ask questions and discover the positives, ie, what the Council was doing well to encourage businesses to re-locate to Exeter, as well as what the Council could be doing better.

#### **A Reminder of the Group Objectives:-**

- To identify the opportunities within the City which are not being progressed or not being progressed in the way they should be.
- To find out who our competitors are – what are they doing marketing wise and who are their partners?
- Draw comparisons with areas which have strong inward investment and marketing campaigns. What are other cities doing that Exeter is not?
- Identify ways in which the Council can persuade our neighbours, big stakeholders and businesses to contribute.

The Chair of the Group submitted a report to the Scrutiny Economy Committee on the 21<sup>st</sup> January 2016 whereupon the following recommendations were approved (Minute 10).

#### **Group Recommendations:-**

- (i) A review of the current staffing levels and budget available for the Economy and Tourism Department is undertaken by Senior Management in conjunction with the Economy and Tourism Team.
- (ii) A business case in respect of (i) is to be submitted to the Scrutiny Economy Committee for consideration.
- (iii) The sharing of Economic Development expertise between neighbouring local authorities across the wider areas of East Devon, Mid Devon and Teignbridge is formalised by way of an agreement.
- (iv) An Economic Development conference is held, led by Exeter City Council's Economic Development Team, also involving East Devon District Council, Mid Devon District Council and Teignbridge District Council, Exeter University and Exeter College to include combined presentations aimed specifically at new businesses.



Senior Management and the Economy and Tourism Team are due to report back to the Place Scrutiny Committee and Executive at the earliest opportunity in accordance with the approved recommendations.

**Water Ingress in Council Properties**  
**(People Scrutiny Committee)**

This review followed on (independently) from the report of the Assistant Director, Housing which was submitted to Scrutiny Community Committee on the 9<sup>th</sup> September 2014 (Minute 44) and Executive (Minute 91) on the 16<sup>th</sup> September 2014. This report set out the impact that the extreme weather conditions over the winter of 2013/2014 had on some Council homes. The report also advised Members as to what work was required to tenanted and leasehold properties to make good the damage caused and identified how the work could be funded and the likely scale of resources required.

The Group were keen to review how the Council had handled this situation and whether any lessons could be learnt for the future. The Assistant Director, Housing and the Service Lead, Housing Customers were able to provide Members with an overview and answer questions.

The Group's findings were reported to the Scrutiny Community Committee on the 8<sup>th</sup> September 2015 (Minute 42).

The Group were particularly interested in answers to two issues:-

1. How many properties were affected and how many were dealt with under emergency provisions?
2. Was the process too drawn out?
3. It was established that the main factors for the time frame were:-
  - a significant spend was required which required Committee approval, hence the Water Ingress to Council Housing Stock report which had been submitted to the Scrutiny Community Committee on 9<sup>th</sup> September and Executive on 16<sup>th</sup> September 2014;
  - the process had to go out to tender because of the potential value of the contracts. This ensured compliance with the Law, Financial Regulations and the City Council policy;
  - the work had to be carried out at the best time so success and speed were both weather dependant; and
  - there was great demand for contractors and scaffolding at the time because others were also having the same problem.

In total 330 properties were affected and 49 were dealt with under the emergency provisions with the anticipated completion date for the work remaining on target for Autumn 2015.

The Group agreed that the Council and its officers had been reliable with the cost figures and the projected time frame; the work was well within the authorised spend and the advice and action taken by Officers was commended as the best. The Group were satisfied that the Council had not under delivered.

The Group reported their findings to the Scrutiny Community Committee on the 8<sup>th</sup> September 2015 (Minute 42).

### **Parking Review Spotlight Review (Place Scrutiny Committee)**

This Group continues to monitor and review the work in progress having provided feedback this year on the consultant's report and the draft Strategy, contributing towards the final draft of the Parking Strategy, working closely with the Assistant Director, Public Realm and the Service Manager, Public Realm.

The Group met on the 15<sup>th</sup> July 2015, 29<sup>th</sup> September 2015 and the 1<sup>st</sup> February 2016, following which the Assistant Director, Public Realm introduced a report to the Scrutiny Economy Committee on the 3<sup>rd</sup> March 2016 which sought approval for the adoption of the new Parking Strategy for the period 2016 – 2026. The Strategy encompasses a new strategic approach to the parking services provided by the Council.

The Scrutiny Economy Committee (Minute 23) supported Executive endorsement of the Parking Strategy 2016 – 2026 welcoming a new strategic approach to the parking services provided by the Council, with a focus on four key objectives of economic growth, parking capacity, congestion and parking income.

This Group will continue post Election and their role will evolve to provide feedback as to the implementation of the various strands of the Strategy and to track progress, reporting directly to the Place Scrutiny Committee at regular intervals.

### **Training and Profile**

- Scrutiny Induction Training for Members was carried out on the 9<sup>th</sup> June 2015. Feedback from those who attended as to the structure and content of training will be used to shape the training offered in 2016.
- Gloucester City Council Members have expressed an interest in visiting Exeter City Council to understand more about how our Scrutiny process works based on our positive reputation.
- Exeter City Council led and hosted a joint Authority Scrutiny Event which took place on the 16<sup>th</sup> July 2015 involving both Teignbridge District Council and East Devon District Council.

In addition to this Exeter City Council also hosted:-

- The Westminster Overview and Scrutiny Seminar on the 4<sup>th</sup> September 2015 from which it was interesting to discover that Westminster and Exeter approach scrutiny in a similar way operating a comparative process.
- The South West Council's Scrutiny Event on the 6<sup>th</sup> October 2015.
- The Association of Democratic Service Officers' Scrutiny Event in October 2015.

- Local Democracy Week – hosting a students’ debate session covering the topics:-
- ✚ *Should Great Britain remain in the EU?*
  - ✚ *Should Exeter be one of the dispersal zones for refugees in the South West of England? If so, should there be a criteria to distinguish between economic migrants and those fleeing persecution or war or should assistance be given to all regardless of the reason?*
  - ✚ *Electoral Reform – Do you agree that the “first past the post” system is “bad for voters, bad for government and bad for democracy?”*
  - ✚ *E-voting –v- traditional voting – which is best and why?*
  - ✚ *Do we need the House of Lords? If so, in what format and in what capacity should they act?*

In 2016, it is intended that an entry for the Centre for Public Scrutiny “Good Scrutiny Awards” will be submitted reflecting the work of our Task and Finish Groups. The Awards are designed to recognise and celebrate the good scrutiny work which happens in public service across the country demonstrating transparency, accountability and inclusiveness in the public arena. This will provide a further opportunity for Exeter City Council to nationally show case our scrutiny work, demonstrating how an effective scrutiny process adds real value, attains tangible results and provides ongoing improvements and achievements in the level and quality of service we provide for the Citizens of Exeter.

### **Current Improvements**

On the 9<sup>th</sup> February 2016 a report was submitted to the Executive (Minute 31) by the Corporate Manager Democratic and Civic Support, which set out the recent work and recommendations of the Review of the Constitution Working Group for consideration.

In direct relation to the scrutiny function and process, Executive supported the following proposed changes which Council approved on the 23<sup>rd</sup> February (Minute 10):-

- Three Scrutiny Committees to continue albeit with different responsibilities which are better aligned to the responsibilities of the Portfolio Holders;
- Each of the Scrutiny Committees to comprise of 10 members, with their meetings held on the first, second and fourth Thursdays of every other month;
- New Terms of Reference for each of these Scrutiny Committees which respectively will now be known as People Scrutiny Committee, Place Scrutiny Committee and the Corporate Services Scrutiny Committee;
- Revised call in arrangements where any seven Scrutiny members (irrespective of the Scrutiny Committee on which they serve) can trigger a call-in of an Executive decision (this is a change from the previous arrangement of any 5 members of a specific Scrutiny Committee being the trigger-factor);

- Executive to meet every second Tuesday of the month (bank holidays allowing) and to continue to comprise of 8 members. This will allow for a more regular and evenly spread cycle of Executive meetings, thereby minimising delays in decision making.

These improvements will ensure that the Council continues to work as efficiently as possible.

### **Future Improvements**

Encouraging members of the public to become involved in the scrutiny process at Exeter City Council can only serve to diversify and improve the effectiveness of our scrutiny function.

At the Council meeting on the 23<sup>rd</sup> February 2016 (Minute 13), the Corporate Manager Demoratic and Civic Support was asked to draw together a report as to the practicalities of implementing the proposals set out below – the report to be brought to Executive at the earliest opportunity.

- Council Committee meetings and Full Council meetings to be held out of the Civic Centre and Guildhall on a rolling basis, giving a greater opportunity for Exeter residents to engage with the Council's decision-making processes;
- Web broadcasts of Full Council and all Council Committee meetings (where such meetings are held in The Guildhall and Civic Centre) be provided;
- Question Time to the Council Leader at the commencement of Full Council Meetings. This may or may not include questions written in advance.

### **Timetable for forthcoming municipal year:-**

17/05/16	:	Annual Council meeting (Membership of Scrutiny Committees to be decided)
01/06/16	:	Scrutiny Induction training for Exeter Members
02/06/16	:	First People Scrutiny Committee Meeting
09/06/16	:	First Place Scrutiny Committee Meeting
22/06/16	:	First Audit and Governance Committee Meeting
29/06/16	:	First Corporate Services Scrutiny Committee Meeting
13/07/16	:	Annual Scrutiny Work Programme Meeting
26/07/16	:	Council meeting and confirmation of Task and Finish Group membership nominations
01/08/16	:	Commence with first tranche of Task and Finish Groups

## **Conclusion**

This has been yet another busy year for scrutiny at Exeter City Council. We continue to promote pro-active scrutiny, encouraging more Members to become involved in issues and decisions at an early stage. Task and Finish Groups maintain a vital role in this respect providing Members with the opportunity to target and conduct more specific and tailored investigations into priority topics. Recommendations are made which focus on ways of improving the day to day workings of the Council, its policies and finding solutions to local issues. The approach taken is key to securing successful, tangible outcomes. Lateral thinking and retaining an objective perspective are essential components to good scrutiny, together with combining such elements as a multi organisational approach, utilising internal and external knowledge and expertise and engaging with individuals and agencies to gain a broad range of views.

At the conclusion of this municipal year, I would like to take this opportunity to thank the Members, Officers and guest speakers who have given up their time to participate specifically with Task and Finish Group investigations.

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**Civic Centre, Paris Street, Exeter, EX1 1JN**  
**[www.exeter.gov.uk](http://www.exeter.gov.uk)**

Mr S

**Please ask for:** Community Safety Partnership  
**Direct Dial:** 01392 265147  
**Email:** [community.safety@exeter.gov.uk](mailto:community.safety@exeter.gov.uk)  
**Our ref:** RN/JW  
**Your ref:**  
**Date:** 25 May 2016

Dear Mr. S

**Re: Petition received from businesses regarding criminal activities and anti-social behaviour**

Thank you for your petition relating to the above received on 19 April 2016, which is addressed to the Council, Devon County Council and any relevant authority (not specified).

The Exeter Community Safety Partnership (CSP) includes Exeter City Council, Devon County Council, the Police, and other relevant authorities, and is therefore best-placed to respond to the concerns expressed in the petition. The Community Safety Partnership (CSP) is very aware of issues described in the petition and has been working with a number of partners to develop solutions. However the issues faced are complex in nature and require a variety of interventions to effect lasting change. Whilst enforcement action is one such intervention, it is not considered to be an effective tool to use in isolation.

With respect to the views expressed in the petition, we wish to disagree with the statement that Gabriel House is not fit for purpose. On the contrary it provides a valuable service in housing vulnerable people with complex needs and is very successful in supporting them into sustainable accommodation, rather than remain in a vicious cycle of living on the street and unsuitable short-term accommodation. Without this provision, we believe that the problems being experienced by the petitioners would be far greater.

When there has been clear evidence of anti-social behaviour and criminal activity emanating from premises, agencies have acted with determination. This includes the closure of a retail premises in South Street as a result of anti-social behaviour linked to the sale of New Psychoactive Substances (NPS's - commonly known as Legal Highs).

It is recognised that the unacceptable behaviour occurring within the city centre has been increasing over recent years, and there is a link with the growing use of NPS's. As a direct result of this, Exeter City Council has consulted widely with partner agencies, the public and other stakeholders in seeking views on a proposed Public Spaces Protection Order (PSPO) covering the whole of the city centre and part of St. Thomas ward. Unfortunately despite individual letters being delivered to all businesses within the area of the proposed Order (a substantial number),

the resulting engagement from the business community was disappointing. The PSPO will be discussed by full Council on 26 July 2016 and a decision whether to implement the Order, made. Details of the proposals put out to consultation can still be found at [www.exeter.gov.uk/pspo](http://www.exeter.gov.uk/pspo).

In order to provide a comprehensive response to the petition, we have addressed a number of points individually.

- **Dog Fouling** – staff from the Council’s Community Safety and Enforcement Team will undertake further patrols of the area. We understand that there appears to be identifiable owners who regularly allow their dogs to foul the area, and therefore the Council will send advisory letters to these dog owners as a preventative measure in the first instance, which in turn may be followed by enforcement action where evidence of non-compliance is found.
- **Drug taking and discarding of needles** – at present New Psychoactive Substances are not illegal to supply, possess or take. Whilst new legislative controls come into force imminently, these will only cover the supply of such substances. However, if the Council approves the PSPO in July then this will give the Police the means of tackling the consumption of New Psychoactive Substances in public spaces.

Devon and Cornwall Police have and continue to put considerable resource into disrupting the supply and possession of illegal drugs. Only recently Devon and Cornwall Police along with other Community Safety Partners conducted a Closure Order on a property in Smythern Street due to anti-social behaviour and drug activity. Where a member of the public has information that could assist the Police’s work in this area, we would encourage them to report it to the Police directly, or anonymously via Crimestoppers on 0800 555 111.

The Community Safety Partnership continues to work with colleagues in Public Health to reduce the irresponsible discarding of hypodermic needles. Provision has been made at pharmacies across the city where people can dispose of needles safely and pocket size needle disposal boxes are made available. Exeter City Council does treat irresponsibly discarded needles as a priority and will seek to attend a location as quickly as possible when contacted on 01392 265010. Furthermore, needle disposal bins are shortly to be piloted in 3 sites within the proposed PSPO area.

- **Noisy, rowdy and dangerous behaviour** - where such matters are reported, they will be responded to, and appropriate action taken.
- **Knife incident** – such matters are always investigated thoroughly by Devon and Cornwall Police and where evidence leads to the arrest and charging of a suspect, they will be dealt with through the criminal justice system.
- **Thefts** – criminal activity of any nature is unacceptable and Devon and Cornwall Police will pursue enforcement action where appropriate.

The business community can also have a role to play in helping to prevent such instances occurring in the first place and the CSP would encourage it to share responsibility in being part of the solution. The CSP fully supports Exeter Business Against Crime (EBAC); this partnership is an effective way of businesses working together to prevent instances of theft and other criminal behaviour occurring and to share information between themselves, the Police and Council when instances occur. Through this partnership business can be linked in via a dedicated radio link to



the Exeter City Council Control Room where CCTV can assist in monitoring situations that are occurring. In addition, the Neighbourhood Police Team are part of the EBAC partnership and are linked in to the communication network. To join EBAC, please contact Simon Lane on 01392 265528.

The CSP have been working with the management at Gabriel House to help reduce and resolve the issues associated with groups congregating in the streets around Gabriel House and causing anti-social behaviour. The people involved in these groups often have complex needs and are not necessarily residents of Gabriel House, although they may have some connection their residents. There are similar issues with groups elsewhere in the City Centre, and not just around Gabriel House - since mid-January the Police have been working closely with the City Council and it's Outreach Team from Julian House, in engaging with those sleeping rough on the streets, ascertaining the root causes for their rough-sleeping and linking them up with accommodation and appropriate services.

Exeter CSP is committed to working with Gabriel House, St. Petroc's and other providers in formulating appropriate interventions intended to weaken any 'street attachment' that members of the street community have, diverting them into more positive pathways, which amongst other things includes accommodation support, addiction support and mental health support, as well as enforcement. To put actions to words, it formed the Street Attachment Group (StAG).

The Street Attachment Group has been running now since February 2016, and is supported by attendees from a broad selection of organisations including both councils, Police, Make Every Adult Matter (MEAM), volunteer organisations, charities and the business community (e.g. Mr. C. Bulley, Chief Executive of the Exeter Business Improvement District). The group is well-supported and has achieved a number of outcomes in reducing the amount of people living and surviving on the streets of Exeter and mitigating the anti-social behaviour associated with this.

Dealing with the street attached is complex and requires a number of different approaches and solutions to manage the issue in the longer term. In its first 3 months StAG has progressed a range of positive actions:

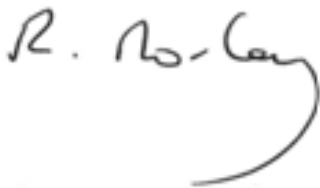
- Completed an audit of the street community, and made recommendations from the intelligence gleaned from this.
- Developed a stronger more effective approach with partners working in concert to tackle the overall issue.
- Operated monthly information-sharing meetings between partners from MEAM, St Petroc's, Gabriel House, Police and Council Housing to help identify the priority people, consider solutions and to keep a dynamic update on the current position and numbers currently living and surviving on the streets of Exeter - this has led to a number of people being housed or moved onto new areas.
- Contributed to the development of Police Operation Cornerstone which relates to policing and dealing with anti-social behaviour and crime in the city from the street attached. This includes a mix of engagement, referral and enforcement as a final resort. Currently there are a number of individuals being dealt with for offences related to public order, drug and ASB offences.

- Approved a business engagement package as a practical aid to support businesses in how to best manage issues with the street attached. These are being facilitated and run by the Police with the help of the Street Homeless Assertive Outreach Team. More directed work is ongoing to tackle issues occurring at particular premises within the city centre.
- Reviewed and enhanced the 'Exit Offer' for the street attached by improving service alignment and reducing the likelihood of drop-out.
- Extended the extra sleep provision at Gabriel House beyond the winter period to get more people off the street.

The impact of this work is beginning to visibly materialise on the street with reduced numbers of people living on the streets, and a decrease in begging.

As another model of positive collaborative working with businesses, there has been extensive progress made with respect to licensed premises playing a key role in the evening and night time economy. 66 licensed premises have joined the Best Bar None Scheme which is aimed at reducing alcohol related crime and anti-social behaviour through the delivery of education, training and the promotion of best practice. This helps makes the city centre safer and broadens its appeal as a destination to visit especially during the evening. The scheme has seen the introduction of Street Marshals, a multi-agency Help Zone and premises working closer together to enhance the safety of the city during the evening and night time economy. The Community Safety Partnership would welcome such a collaborative approach with the businesses involved in the petition; if you would like to pursue this then please contact Mr. R. Norley, Assistant Director Environment, Exeter City Council on 01392 265170.

Yours sincerely



Robert Norley  
Assistant Director Environment  
Exeter City Council

Yours sincerely



Superintendent Samantha de Reya  
Local Policing Area Commander

**REPORT TO:** PLACE SCRUTINY COMMITTEE  
**Date of Meeting:** 09 June 2016  
**REPORT TO:** EXECUTIVE  
**Date of Meeting:** 14 June 2016  
**Report of:** Chief Executive & Growth Director  
**Title:** Exeter Science Park Strategic Plan 2016 /17

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Executive Function.

**1. What is the report about?**

1.1 To adopt a revised Strategic Plan 2016/17 in light of recent funding and business opportunities made available to Exeter Science Park.

**2. Recommendations:**

2.1 That Place Scrutiny Committee note and Executive support the report and support the proposed change in strategy set out in Strategic Plan for Exeter Science Park for the period 2016/17.

**3. Reasons for the recommendation:**

3.1 To ensure the future success of Exeter Science Park, due to Exeter City Council being a funding partner in Exeter Science.

**4. What are the resource implications including non financial resources:**

4.1 Officer time attending Exeter Science Park board meetings and officer time working with the Science Park to attract inward investment into the Park.

**5. Section 151 Officer comments:**

5.1 The Section 151 Officer is an alternate Director on Exeter Science Park Limited and as such has been involved in meetings regarding the Science Park's financial position and reviewed the Strategic Plan in both draft form and the final version. The Section 151 Officer believes that the adopted strategic plan provides a better opportunity for the company to achieve its aims and deliver the growth in jobs and businesses that the owners envisaged.

**6. What are the legal aspects?**

6.1 None identified.

**7. Monitoring officer Comments**

7.1 This report raises no issues of concern to the Monitoring Officer.

**8. Background**

- 8.1 The Vision for Exeter Science Park is: ***To be the destination of choice for knowledge-based businesses in South West England and a key driver of economic growth.*** The mission comprises four key strands:
- To drive growth in knowledge-based science, technology, engineering, mathematics and medicine related enterprise in the region through collaboration and open innovation;
  - To be a prime location for successful development of science-based businesses supported by very high levels of sustainability and an excellent quality of life
  - To promote the region's world-leading scientific capability and international ambition;
  - To contribute significantly to the Government's innovation agenda by encouraging knowledge transfer between the research base and innovative business.
- 8.2 It was clear that the strategy for the development of Exeter Science Park needed to be revised due to a number of external factors:
- The fall in land values accompanying the recession
  - An opportunity arose to bring forward Phase 2 developments, when the Met Office announced its intention to site its high performance computer on the Science Park
  - The construction of the Met Office high performance computer provided an opportunity to develop a plan for a Global Environmental Futures Campus on the Science Park, which could attract a significant number of businesses to the Park working within the weather and climate change data field.
- 8.3 The revised Exeter Science Park Strategic Plan 2016/17 was approved by its shareholders at a board meeting in March 2016. A copy of the Strategic Plan 2016/17 can be viewed in Appendix 2.

## 9. Future Position

- 9.1 Exeter City Council continues with its seat on the board of Exeter Science Park to protect its investment and to ensure the Science Park adjusts its own business model to local, national and international market conditions and opportunities put before them.

## 10 How does the decision contribute to the Council's Corporate Plan?

- 10.1 Even though Exeter Science Park is located outside the local authority of Exeter City Council, it contributes too many of the City Council's purposes:
- Stronger City
  - Building a stronger sustainable city
  - Help me run a successful business
  - Deliver good development
- The Science Park promotes the city as a great place to do business, supports the local economy and creates high-net worth jobs.

## 11. What risks are there and how can they be reduced?

- 11.1 Exeter City Council continues with its seat on the board of Exeter Science Park to help and inform the board directors.

## 12. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults; economy; safety and the environment?

12.1 No decision required.

**13. Are there any other options?**

13.1 Report is for information only. If members seek a revision or an amendment to the attached strategy officers, as shareholders, would be instructed to inform the Exeter Science Park board of our concerns.

**Karime Hassan, Chief Executive & Growth Director**

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:

Democratic Services (Committees)

Room 2.3 01392 265275

Appendix 1

# ESPL Strategic Plan 2016-17



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#### **1.3.3. Changing Organisation Structure**

#### **1.3.4. Alternatives, Risks and Competition**

#### **1.3.5. Implementation**

### **Figure 1.A: Summary of the Financial Parameters**

### **Appendix I Gateway Policy**

## 1. StrategicBusinessPlan

### 1.1 Vision

To be the destination of choice for knowledge-based businesses in South West England and a key driver of economic growth.

More specifically the mission comprises four key strands:

- To drive growth in knowledge-based science, technology, engineering, mathematics and medicine related enterprise in the region through collaboration and open innovation;
- To be a prime location for successful development of science-based businesses supported by very high levels of sustainability and an excellent quality of life;
- To promote the region's world-leading scientific capability and international ambition;
- To contribute significantly to the Government's innovation agenda by encouraging knowledge transfer between the research base and innovative business.

### 1.2 The Business Strategy from Dec 2013

The purchase of the land for Exeter Science Park by SWERDA and its assignment to Devon County Council formed the basis for the original strategy for the development of the Park set out in an agreement between these parties and Eagle One in 2008. It was intended that the Park be developed in two phases: Phase 1 in conjunction with Eagle One as the development partner and later Phase 2 with a newly-appointed and possibly different partner. The concept enshrined in the agreement was that income from land sales associated with the construction of buildings on Phase 1 for tenants from the knowledge base and an hotel, accrued in an account held by DCC and would be used to fund the operation of the Park and specifically the construction of a multi-occupancy Science Park Centre to house a large number of early-stage high growth businesses. This model was activated when Exeter Science Park Limited was formed in 2010 and the Further Agreement between all parties was enacted.

This initial strategy was frustrated by a combination of factors so that by December 2013 the strategy for the development of the Park needed to be fundamentally revised. Among those factors, the fall in land values accompanying the recession meant that even if the sales area originally predicted had occurred the revenue would have been inadequate to build the Science Park Centre and fund the operation of the Park. In the event, the demand for business and hotel accommodation declined so much that the predicted land sales did not occur.



From December 2013 ESPL has been operating under a revised strategy made necessary by these conditions and made possible by loan funding from the HoTSW Local Enterprise Partnership and the use of the funds of ESPL's shareholders: DCC, UoE, EDDC and ECC. In this strategy the first half of the Science Park Centre building has been primarily funded by the HoTSW loan and the terms of the loan were such that repayment can be delivered by a combination of land sales on Phase 1 and rental income from the operator of the Science Park Centre, with the whole being underwritten by shareholders. As buildings were developed in Phase 1 this would generate the momentum and brand equity to seek an external partner to fund the speculative development of Phase 2.

Under this strategy the first half of the SP Centre has been successfully built using loan funding and an operator appointed to run it: UoE's Peninsula Innovations Ltd subsidiary, PIL. PIL has signed a 15-year lease with ESPL without any service level or other attainment targets (thereby avoiding the need to go to tender) but implicit in which is the extension of the innovation support success at the UoE Innovation Centre, currently run by PIL. Take up of space in the SP Centre since its opening in May 2015 has been modest initially but there are some encouraging signs: experience elsewhere suggests the initial lag in take up is not unusual.

The Phase I developer, Eagle One, and its agent LSH, have not made any land sales since the start of Phase 1 of the Park. Their business model for Phase 1 is to construct single buildings for sale onto a third party investor upon occupation by the user. There is considerable doubt that this model will prove attractive to knowledge-based businesses undertaking high-risk, high growth development. At the same time rental rates for the existing stock of office buildings outside of the Park have provided stiff competition. Such properties are probably suitable for some knowledge-based activity and have been priced significantly below those which are deemed necessary for a new-build on Phase 1 of the Park with its special characteristics which are required to command a premium to cover costs. The obvious consequence is a loss of income and a failure to build the brand, both of which threaten the strategy.

Within this plan period an opportunity arose to bring forward the initial development of Phase 2 when the Met Office declared its intention to site its high performance computing facility and collaboration space on a Phase 2 location. That has enabled a case to be made for investment of £12.7m in the infrastructure for Phase 2 using public money ahead of other development on the Park which will increase its attractiveness to an eventual investing partner as will the presence of the Met Office. To that extent this development is consistent with the overall strategy of December 2013 although not a part of it.

Furthermore the construction by the Met Office of 2 buildings on the Park provides an opportunity to develop a plan for a wider 'Global Environmental Futures Campus' which can act

as a significant attractor of businesses working with weather & climate change data and with broader big data & data analytics and associated skills & support.

In summary, land sales have been significantly below those envisaged in the December 2013 plan and some key assumptions in the last business plan are no longer valid. If no change of strategy is implemented it is impossible to see how the Park can be developed in a reasonable timescale. Notwithstanding these difficulties a total of 60 000ft<sup>2</sup> of space in addition to Eagle House (which itself has 4 000ft<sup>2</sup> rented to a tech start-up) is in place or under construction on the Park but it is quite significant to the Board that none of this has been funded by the private sector.

## **1.3 The Revised Strategy**

### **1.3.1 Background**

Thus the revised strategy for the development of the Park recognises the constraints on spending and the nature of the clients which ESPL can expect to attract to the Park. It also recognises the need to strengthen the brand of the Park before ESPL seeks an external development partner. Improved understanding gained over the last two years of the nature of science park development partners suggests that there is a risk in taking on a large private sector funder too early. Unless a clear brand identity is established before a development partner is engaged there is a danger that the appetite will be for property development at the expense of the science park ideal expressed in our Gateway Policy, Appendix I, and the generation of high-quality knowledge related jobs.

The revised strategy has been developed in the light of two opportunities which have arisen since the previous plan was written:

- The provisional award to ESPL in 2015 of £10m of Growth Deal 2 (GD2) public sector grant funding for a range of projects (the detailed business cases for which have been submitted in March 2016 in anticipation of the release of funds in 2016-17);
- The designation of Exeter Science Park as part of the LEP's enterprise zone with associated business rate benefits for clients which could strengthen the revised land sales assumptions in the new plan.

The offer of GD2 grant funding has been made by the LEP as a result of shareholders' actions in bidding for the funding and will become irrevocable, subject to approval of the detailed business cases, in June 2016. This funding is to be used for the construction of buildings on Phase 1 land which will be owned or part-owned by ESPL. This will enable ESPL to generate significant rental income free from the constraints associated with income from land sales which can only be used for capital expenditure.

The designation of Exeter Science Park as a part of an Enterprise Zone results from another initiative of our Shareholders. It provides benefits to future tenants on the Park that should render the property offer from the Park, when combined with other benefits, significantly more attractive than comparable properties outside of the Park.

### **1.3.2 Strategy**

The strategy for the development of the Park to fulfil the vision is therefore for ESPL to become an entity which owns assets in the form of buildings and land that it will develop speculatively or with private sector clients to house knowledge-based businesses. The buildings will be leased to such businesses either in stand-alone configurations or within an extended Science Park Centre. The strategic intent is that this approach generates an unencumbered revenue stream that can be used to sustain the Science Park Company in order to market the Park to clients, maintain its infrastructure and most importantly build the brand of the Park to the point where its value as a Science Park is evident to, and valued by, potential development partners for Phase 2.

### **1.3.3 Changing Organisation Structure**

In order to adopt this strategy involving as it does building developments with clients, marketing and branding as well as asset ownership and exploitation, the exiting company structure must be further developed.

In pursuit of this goal:

- The Board has already been strengthened by the appointment of three new independent directors;
- Board members are being brought closer to the operational activity through sub-groups which have oversight and delegated decision-making;
- The formal secondment of a property specialist from DCC to ESPL has been implemented from Dec 2015;

- The company is taking advice from HR professionals about the best mechanism it should adopt to secure its workforce: the company will explore whether it should become an employer in its own right rather than rely upon the current secondment arrangements for staff.

### **1.3.4 Alternatives, Risks and Competition**

Strategically, there are just two alternatives to the strategy proposed.

It would be possible to leave the current strategy unchanged which would see exceedingly slow development of Phase 1 of the Park with very little opportunity for marketing due to a negligible revenue income for operations. It is the view of the Board that this will fail to deliver the objectives of the Park in an acceptable timescale, ignoring the funding available from government to drive economic growth, and risking the company's viability.

It would also be possible to seek an external development partner now to enhance the financial resources being committed and deliver a property solution. This strategy puts at great risk the very rationale of the Science Park as a special area devoted to nurturing a knowledge-based economic engine to exploit the science base of the region. Experience has shown that the private sector has little appetite for investment in a science park where the gateway policy will be tightly adhered to, and would otherwise develop little more than a modestly enhanced business park with little distinctive character and which would not meet the aspirations of stakeholders: it too is not recommended.

If the ideal of the Park embodied in its Gateway Policy is maintained then the competition is international and the differentiator for ESP will be the attractiveness of the local science base relative to others. It is this notion which leads to the idea of sectoral focus for a Park driven by the expertise of the knowledge partners. The science base must therefore offer what cannot be obtained elsewhere and this rests with our stakeholders and not directly with the Park. The Park must provide the supportive environment for high-risk and high-growth businesses to flourish.

Conversely if the Gateway Policy is relaxed then the competition is from a wider spectrum of business parks locally and not nationally or internationally and the distinguishing feature will simply be the property offer and costs. This is not an option that can be contemplated because the costs for ESPL are likely to be higher than those of a straightforward business park.

## 1.4 Implementation

In this strategic document we present simply headline financial information based upon the best current estimates of income from land sales, development costs and operating costs and loan repayments. These headline figures arise from the implementation of the changes of strategy outlined above in order to generate revenue for the company to operate successfully and contain the following changes from the December 2013 plan:

- Actual land sales at end-2015 of £0.45m are used instead of the Dec 2013 plan number at the end-2015/16 of £1.24m;
- The use of an additional £2.0m of shareholder loans for the construction of the SP Centre in place of shareholder funds;
- The use of the £2.0m of shareholder funds for ESPL revenue costs in place of funds which were (erroneously) assumed to come from the (capital) Development Account held by DCC;
- The investment of £10m grant funding in 2016/ 17 - plus some matched funding from private sources – in three new buildings which ESPL will own and rent out;
- Higher overhead costs arising from the need to increase staff from 1.6 FTE to 3.5 and a planned increased expenditure of £60K p.a. in targeted marketing campaigns for the Park.

These changes will require careful management of:

- An accelerated rate of occupancy and use of the SP Centre;
- The development of the 3 GD2-funded building projects; Management of the associated risks such as state aid compliance;
- Rigorous work to secure the assumed rental revenues;
- Early warning on any shortfalls in capital funding;
- Greater leverage of the knowledge base in the science park offer than has currently been achieved.

There is complexity in managing some of these strategies not least because some of this work is beyond ESPL's immediate control and shareholders and stakeholders will be required to take greater responsibility for ensuring that there is, for example:

- Practical alignment of objectives between the local councils, UoE, Met Office, ESPL and local business;
- A clearer vision for the Global Environmental Futures Campus planned for the Redhayes Cluster in Phase 2 where the UoE and the Met Office can increasingly align their needs, with ESPL taking a supportive role;
- A greater involvement of the UoE and the Met Office in general in developing and connecting the knowledge base to local, national and international businesses;
- Significantly improved Science Park Centre occupancy levels based on targets: 50% by July 2016; 80% by end-2016;
- Assuming that the collaborative working required to achieve these individual plans in support of the new strategy is in place – and shareholders have given their support for this – the resulting financial performance is viable.

**Gerry Shattock**

**6th May 2016.**

## 1. Appendices

### Appendix I Gateway Policy

#### 1 Gateway Policy and User Clause

The Parties intend that the Site will be marketed for use as a Science Park for purposes which satisfy and fall within the UKSPA Science Park definition (and any uses ancillary thereto). The Operator may only select occupiers provided they comply with the parties' intentions for the Science Park referred to above and the Gateway Policy conditions described in points 1.1.1a)-c). All proposed tenancies must be approved by a selection committee nominated by the Sci Park Co. The Council will be obliged to grant leases to the Sci Park Co on the recommendation of the Selection Committee.

For occupiers selected on the basis of conditions 1.1.1 d)-e) the Steering Board/ SPV itself must be asked to approve eligibility.

The Gateway Policy conditions are:-

- 1.1 Whether or not a potential occupier's use would fall within the following:-
  - 1.1.1 Any science related use which:-
    - (a) Is knowledge-based, involving research and development of products or services, including where appropriate supportive manufacturing activities and/or relevant ancillary education, teaching, training, knowledge accumulation and development; and/or
    - (b) involves active collaborations with universities, higher education, institutes, research or similar organisations and/or
    - (c) Is a technology based service;
    - (d) Which falls within class B1(b) of the Town and Country Planning (Use Classes) Order 1987 together with uses ancillary thereto which fall within Classes B1(a) and (c) and B2 of that Order;
    - (e) and/or any other science related use or use which is complementary to or supportive of the Science Park project as approved by the Sci Park Co such as the Hotel Management Suite and Ancillary Use Accommodation proposed for Phase 1.
- 1.2 These criteria will also be used to determine whether or not the Council has acted reasonably in the event that its consent is withheld to an occupier selected by the Developer.
- 1.3 The Gateway Policy and user clauses in Long Leases which have already been granted will be reviewed and amended from time to time to include (1) such other uses as are reasonably consistent with the UKSPA Science Park Definition and (2)

such uses as would generally be acceptable on a science park in the United Kingdom (having regard also to the aspirations set out in **Clause 1.2**), (3) any other uses which are permitted on the Site by the Council .

- 1.4 Each Long Lease will contain a user clause which for the first 25 years of the term, preserves the character of the site as a Science Park by reflecting the provisions of **Clauses 1.1.1 and 1.3** of this Gateway Policy, the wording of such user clause to be agreed between the Council and the Developer (such agreement not to be unreasonably withheld).
- 1.5 The provisions of this policy shall be incorporated into the objects of the SPV and shall only be capable of being changed or relaxed if 75% (by value of their relevant interests in the Site) of the members of the SPV approve any such change or relaxation.
- 1.6 Any part of the Site which is sold to any third party (whether by the Developer or the Council and whether sold as a developed plot or an undeveloped plot and whether leasehold or freehold) and whether before or after the End Date shall be sold subject to such restrictive covenants for the benefit of the remainder of the Site as shall ensure compliance with the Gateway Policy in respect of such parts of the Site as is sold and the provisions of this **Clause 1.6** shall survive beyond the End Date.
- 1.7 Each Long Lease for a Plot shall be in an agreed Form in accordance with the Masterplan whether constructed by the Developer or a third party.
- 1.8 The parties acknowledge that the Gateway Policy can be changed varied or amended in anyway or a new policy introduced by the SPV but not in such a way that would materially change the parties objectives to develop a high quality Science Park.
- 1.9 Subject to **Clause 1.8** the parties agree that if there are any changes to the Gateway Policy by the SPV that these will be adopted by all parties in place of the Gateway Policy provided that the Developer will be under no obligation to adopt the revised Gateway Policy for Phase 2B if it is substantially more restrictive than the Gateway Policy.



**REPORT TO: SCRUTINY COMMITTEE PLACE AND EXECUTIVE**

**Date of Meeting: 9 June 2016 and 14 June 2016**

**Report of: Assistant Director Environment**

**Title: Recycling Plan 2016-2021**

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Executive

**1. What is the report about?**

To present the Council's Recycling Plan for 2016-2021 and to review progress made since adoption of the 2011-2016 plan

**2. Recommendations:**

Scrutiny Committee Place supports, and Executive approves, the 2016-2021 Recycling Plan (Appendix 1)

**3. Reasons for the recommendation:**

The measures outlined in the plan will reduce the environmental impact of Exeter's waste and put us in a stronger position to contribute towards the UK's 2020 recycling target.

**4. What are the resource implications including non financial resources.**

The Key Delivery Programmes 206/17 listed in Appendix 1 will take place within agreed revenue budgets. The business case for kerbside food waste collection will identify any additional resource requirements and sources of additional income.

**5. Section 151 Officer comments:**

The costs associated with the introduction of a food waste collection service will be added to the Medium Term Financial Plan along with any income streams identified once the Business Case has been completed. The implications will be reported to Members when approval is sought for the implementation.

**6. What are the legal aspects?**

The EU Waste Framework Directive states that the United Kingdom must recycle at least 50% of its household waste by 2020. To date, however, no statutory targets have been set for local authorities have been set.

The 2011 Waste (England and Wales) Regulations require local authorities to provide separate collection of paper, glass, metal and plastic to facilitate recycling.

## **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

## **8. Report details: Review of Recycling Plan 2011-2016**

The Recycling Plan is reviewed annually, with an update on progress and an action plan for the year ahead. The Recycling Action Plan 2016/17 was presented to Scrutiny Committee Community and to Executive in March 2016. This report presents the longer term plan for the next five years.

### **8.1 Principles of the Recycling Plan**

Our Recycling Plan 2016-21 continues to endorse the Waste Hierarchy, which lists the preferred options for dealing with waste in descending order of desirability:

PREVENTION - most preferred  
REUSE  
RECYCLING AND COMPOSTING  
OTHER RECOVERY (e.g. incineration with electricity generation)  
DISPOSAL TO LANDFILL – least preferred

Therefore, reducing the amount of waste arising in the first place is at the top of the hierarchy. This is discussed in further detail in paragraph 8.2 below.

Provision of a high-quality, easy-to-use recycling service continues to be a key principle. Since 2011, the popularity of the web sites and social media as communication tools has increased and this is now an important part of our recycling communication efforts. We have also increased digital access to waste and recycling services, so that customers can now look up their collection day, download a collection calendar, report a missed collection, check which materials to recycle and order new containers online.

We continue to operate our own Materials Reclamation Facility (MRF) to sort the materials we collect for recycling. Our collection method and ability to sort materials to the high quality required by reprocessors has helped to protect our income during a period of volatile commodity prices.

### **8.2 Waste reduction**

It is encouraging that in 2014/15, Exeter ranked 20<sup>th</sup> lowest out of 229 English local authorities for the total amount of waste produced per head, at 304kg per year (former BVPI184a). This indicates that we have been successful in minimising the amount of waste produced in the first place, which ranks above recycling in the waste hierarchy (“reduce-reuse-recycle”). It vindicates policies such as alternate weekly recycling /rubbish collections,

charging for the collection of garden waste and applying a 'no side waste' policy alongside provision of appropriately-sized rubbish containers.

Since the 2011-2016 plan was published, the following measures have been taken:

- 92% of the city now receives a biweekly household waste collection
- Allocation of grey bins is based on the size of each household, with 180 litres rather than 240 litres as the standard size
- The 'no side waste' policy for grey bins was extended in November 2015 to include overfilled bins which had rubbish sacks placed on top

Several local authorities, including East Devon DC, have introduced or trialled three-weekly collections of grey bin waste. Early indications are that these schemes have been successful in nudging households to recycle more and to reduce waste sent for disposal. The ongoing progress of these schemes will be monitored.

Exeter continues to support, through the Devon Authorities Strategic Waste Committee, waste reduction projects such as the 'real nappy' campaign, the Turntable furniture reuse project and a Devon Reuse Project to engage with communities, including workshops in Exeter.

### **8.3 Progress towards recycling targets**

Exeter's recycling rate has plateaued at around 34% over recent years, which is well below the current UK average of 44% and our local target of 40%. The reasons for Exeter's low recycling rate relative to the rest of the UK include:

- Lack of a separate food waste collection suppresses our recycling rate by 8 percentage points
- The nature of Exeter's urban housing stock means there is less garden waste available for separate collection
- For district councils such as Exeter, the tonnage of waste managed at Civic Amenity Recycling Centres does not count towards the recycling rate.
- Recycling education and awareness efforts have not increased in recent years. The Council's recycling team has reduced from six to three FTEs and in 2014 and 2015 these resources were partially diverted to the reorganisation of waste collection rounds. This had little impact on recycling rates but has 'future proofed' the Waste Operations service by enabling us to accommodate the projected growth in household numbers for the next three years with existing resources
- Since 2013, waste from premises such as schools and charity shops has been recorded as domestic rather than commercial waste and this has inflated our reported domestic refuse tonnage by over 800 tonnes per year.

Appendix 2 shows the annual recycling statistics for 2014/15. The 2015/16 figures will be published at the Devon Authorities Strategic Waste Committee on 29 June.

Increasing participation in the current recycling service will enable progress towards a 40% recycling rate to be made. Improving the recycling rate of our current service by one percentage point per year is one of the strategic priorities of the 2016-21 Recycling Plan. Specific measures to achieve an improvement in our recycling rate were described in the Recycling Action Plan in March 2016, and these are shown in the Key Delivery Programmes 2016-17 on the Recycling Plan 2016-21.

Food waste accounts for 36% of household waste currently being sent for disposal. Some food waste can be avoided through better advice and education, but food will remain a large percentage of the household waste stream. Targeting this material with a separate collection will enable a significant improvement in our recycling rate to be made. This will require a significant change to our collection vehicle fleet and delivery of new waste containers to all households. Preparing a business case for food waste collections and introducing a service as soon as possible will be one of the strategic priorities for 2016-2021. Devon County Council has agreed to share a proportion of the saving in waste disposal costs that will arise from increased recycling. This sharing of savings will help to fund investment in vehicles, containers, communications etc that a new food waste collection scheme will require.

## **9.0 Other key developments since 2011**

### **9.1 Environmental Impact**

The Exeter Energy Recovery Facility opened in June 2014. This facility processes Exeter City Council's non-recycled waste and exports electricity to the national grid.

Reducing the environmental impact of our waste operations has been achieved by exceeding our target to reduce fleet emissions by 3% in 2015/16, and by the installation of solar panels on the roof of the MRF. In 2015/16 the amount of diesel used by our refuse and recycling fleet reduced by 14,000 litres over the previous year. Significant reorganisations of our collection rounds in 2014 and 2015 have enabled us to accommodate the planned increase in homes in Exeter for the next two years without increasing the size of our fleet.

### **9.2 Local authority partnerships**

In 2013-2015 the Devon local authorities worked on a business case for a joint waste authority, initially Devon-wide then for a 'cluster' comprising Teignbridge DC, Exeter City Council, East Devon DC and Devon County Council. The key principles of a joint waste authority would be the pooling of budgets and resources, so that improved recycling collection systems are funded by savings from economies of scale, reduced waste disposal costs, and a common service provision across a larger geographical area. Although the waste cluster did not proceed, the Devon authorities are continuing to work on implementing these principles, particularly with regard to separate food waste collection and the sharing of waste disposal cost savings between the County and District Councils.

Exeter City Council has sought other opportunities to work collaboratively with neighbouring authorities. These include Exeter's MRF processing over 900 tonnes of domestic recycling for South Hams DC in 2014, and 165 tonnes per year of commercial recycling for Mid Devon DC. We have also begun a trial officer-sharing arrangement, with our MRF Manager sharing his expertise in marketing of recyclable materials with Mid Devon DC.

Working with neighbouring authorities to achieve higher performance and be more cost-effective is a strategic priority of the 2016-21 Recycling Plan.

**11. How does the decision contribute to the Council's Corporate Plan?**

Improving this service helps to reduce the Council's operating costs by achieving income from recycling, and increases the environmental sustainability of Exeter.

**12. What risks are there and how can they be reduced?**

There is a risk of failing to meet the income targets agreed in the service revenue budget. This can be mitigated by taking the above actions to reduce costs and improve householders' participation in the service.

**13. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?**

Promoting take-up of recycling services reduces the environmental impact of household waste.

**14. Are there any other options?**

Failure to adopt a realistic five-year Recycling Plan could delay progress towards our strategic targets.

**Robert Norley**  
**Assistant Director Environment**

**Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report:-**

None

Contact for enquires: Simon Hill, Cleansing and Fleet Manager ([simon.hill@exeter.gov.uk](mailto:simon.hill@exeter.gov.uk); tel 01392 665011)

Democratic Services (Committees)  
Room 2.3  
01392 265275

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# Exeter City Council Recycling Plan 2016-21

## Our mission

High quality waste collection service that minimises the environmental impact of waste.

## How we currently provide the service

- We offer a biweekly collection service to over 90% of the city, collecting recycling one week and rubbish the other week.
- We collect paper, card, plastic and metal packaging commingled in a single bin
- We provide a network for 68 recycling bank sites principally for glass but also for textiles and paper
- We provide a choice of recycling services for commercial waste customers
- We provide a chargeable, opt-in garden waste collection service

## Our principles

- Implementing the waste hierarchy (dealing with waste in the following order of preference: reduce – reuse – recycle – energy recovery - landfill)
- Providing a reliable, simple-to-use recycling scheme for our customers and telling them how to use it
- Keeping control of the sorting of our recyclates to ensure we have quality products to sell to reprocessors
- Maximising the use of technology to improve efficiency and customer access
- Minimising the environmental impact of our waste operation

## How we measure our success

- Recycling rate (% of household waste sent for recycling)
- Waste disposal (Kg per household of non-recycled waste sent for disposal)
- Income achieved from sale of recyclates and recycling credits

## Key delivery programmes, 2016-17

- Implement targeted communications to encourage more recycling among specific communities: students in private rented accommodation, social housing tenants, other low-recycling neighbourhoods
- Increased digital media presence complemented by double-page spread in Exeter Citizen
- On a trial basis, implement a community reward scheme to encourage and recognised improved recycling behaviour in targeted areas
- Develop a proposal for recycling litter bin waste

## Strategic priorities (2016-2021)

- Improve the recycling rate for our current service by one percentage point per year
- Complete business case for kerbside food waste collection & introduce this as soon as possible
- Work in partnership with neighbouring local authorities and other organisations to achieve a better, more cost-efficient service

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EXETER 2014/15

Status: COMPLETE

Data Source: Statistics Payments and Recharges (SPR). National Recycling Data available from WasteDataFlow. www.wastedataflow.org

RECYCLED (Household Waste)			
		2013/14	2014/15
Glass	Bring Bank	2073.860	2044.230
	Kerbside	46.540	85.180
	Third Parties	76.767	44.220
	Recycling Centres	225.900	240.100
	Sub total	2423.067	2413.730
Paper	Bring Bank	167.820	167.040
	Kerbside	3719.090	3521.880
	Third Parties	697.663	398.795
	Recycling Centres	102.460	92.240
	Sub total	4687.033	4179.955
Card	Bring Bank	0.000	0.000
	Kerbside	1383.410	1172.010
	Third Parties	20.460	16.140
	Recycling Centres	731.220	737.120
	Sub total	2135.090	1925.270
Textiles	Bring Bank	50.279	56.772
	Kerbside	5.540	7.520
	Third Parties	310.942	286.438
	Recycling Centres	131.681	146.200
	Sub total	498.442	496.930
Plastic	Bring Bank	0.000	0.000
	Kerbside	1233.410	1487.760
	Third Parties	3.560	3.040
	Recycling Centres	235.621	210.367
	Sub total	1472.591	1701.167
WEEE	Bring Bank	1.808	0.000
	Kerbside	12.435	5.940
	Third Parties	22.203	0.000
	Recycling Centres	1372.062	1367.459
	Sub total	1408.508	1373.399
Organic	Green Waste (WCA)	2402.270	2786.980
	Third Parties	0.000	0.000
	Recycling Centres	4285.380	4975.305
	Sub total	6687.650	7762.285
	Other	Bring Bank	13.849
Kerbside		468.705	446.770
Third Parties		200.995	211.374
Recycling Centres		5787.346	6168.852
Sub total		6470.895	6900.988
SUB TOTALS	Bring Bank	2307.616	2342.034
	Kerbside	6869.130	6727.060
	Third Parties	1332.590	960.007
	Green Waste (WCA)	2402.270	2786.980
	TOTAL WCA	12911.606	12816.081
TOTAL WDA (Recycling Centres)	12871.670	13937.643	
TOTAL HOUSEHOLD RECYCLED	25783.276	26753.724	

RECYCLED (Non Household Waste)			
		2013/14	2014/15
WCA	TRADE	406.980	405.900
	Fly Tipped (08Ft, 44F)	0.000	0.000
	Other	5.220	0.000
	TOTAL WCA	412.200	405.900
WDA	TRADE	25.300	45.275
	Soil & Rubble	1600.620	1665.560
	Plasterboard	135.640	165.860
	IBA (Recovery)	0.000	327.900
	Other	0.000	0.053
	TOTAL WDA	1761.560	2204.648
TOTAL NON H/H RECYCLED		2173.760	2610.548

NON RECYCLED (Household Waste)		
	2013/14	2014/15
Dustbin	22074.100	22854.920 <sup>3</sup>
MRF (Reject)	586.942	784.087
Bulky Collection	0.000	0.000
Healthcare (incinerated, Inc IBA)	139.874	141.802 <sup>3</sup>
Street Cleansing	1445.900	1301.940 <sup>3</sup>
IVC (Reject)	0.000	0.000
Other	0.000	0.000
TOTAL WCA	24246.816	25082.749
Recycling Centres	3163.029	851.091 <sup>3</sup>
Recycling Centres - ERF	0.000	2181.950
IVCrf (pre process reject IVC)	0.000	0.000
TOTAL WDA	3163.029	3033.041
TOTAL NON RECYCLED (WCA+WDA)	27409.845	28115.790

NON RECYCLED (Non Household Waste)		
	2013/14	2014/15
TRADE - C&I (04t / 04ti)	2980.690	2141.026 <sup>3</sup>
TRADE - C&D (14t)	0.000	0.000
TOTAL WCA - TRADE	2980.690	2141.026
Fly Tipped (08F+ 08Fa)	0.000	0.578
Other (Non Household)	0.000	0.000
TOTAL WCA - OTHER	0.000	0.578
Recycling Centre (WDA) (Asbestos)	36.500 <sup>3</sup>	44.785
TOTAL NON RECYCLED (WCA+WDA)	3017.190	2186.389

SUMMARY - HOUSEHOLD WASTE		
	2013/14	2014/15
RECYCLED (WCA)	10,509.336	10,029.101
COMPOSTED (WCA)	2,402.270 <sup>3</sup>	2,786.980
TOTAL (REC & COMP) (WCA)	12,911.606	12,816.081
TOTAL (NON RECYCLED) (WCA)	24,246.816 <sup>3</sup>	25,082.749
TOTAL HOUSEHOLD (WCA)	37,158.422	37,898.830
TOTAL HOUSEHOLD (WDA)	16,034.699	16,970.684
TOTAL HOUSEHOLD (WCA+WDA)	53,193.121	54,869.514

SUMMARY - LACW <sup>1</sup>		
	2013/14	2014/15
TOTAL (REC & COMP) (WCA)	13,323.806	13,221.981
LANDFILL (WCA)	27,087.632	5,115.961
ENERGY RECOVERY (ERF) <sup>2</sup> (WCA)	139.874	22,108.392
TOTAL (NON RECYCLED) (WCA)	27,227.506	27,224.353
TOTAL LACW (WCA)	40,551.312	40,446.334
TOTAL LACW (WCA+WDA)	58,384.071	59,666.451

PERFORMANCE		
	2013/14	2014/15
NI191 (kgs residual per h/h)	453	468
NI192 (Recycling Rate %)	34.7%	33.8%
NI193 (% MSW landfilled) <sup>3</sup>	99.5%	18.8%
BVPI 84a (kgs waste per head) <sup>4</sup>	311.2	311.2
Recycling Rate (H/H) (WCA + WDA)	48.5%	48.8%
Recycling Rate (RCs) (WDA)	82.1%	83.7%
NOTE: Recycling Centres includes non household		

WASTE GROWTH		
	2013/14	2014/15
TOTAL HOUSEHOLD (WCA)	3.3%	2.0%
TOTAL HOUSEHOLD (WDA)	10.7%	5.8%
TOTAL HOUSEHOLD (WCA+WDA)	5.4%	3.2%
TOTAL LACW (WCA + WDA)	0.9%	2.2%

POPULATION		
	2013/14	2014/15
DWELLING STOCK	119,397	121,800
	53,570	53,570

<sup>1</sup> LACW - Local Authority Collected Waste

<sup>2</sup> ERF input: Includes IBA. Includes Healthcare Waste (incinerated).

<sup>3</sup> NI193 for information only. WDA & UA Indicator.

<sup>4</sup> Indicative figure for DAWRRC only - Includes reuse.

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## **REPORT TO SCRUTINY COMMITTEE PLACE, EXECUTIVE AND COUNCIL**

**Date of Meeting: Scrutiny 2 June 2016 / Executive 12 July 2016 / Council 26 July 2016**

**Title: Environmental Health and Licensing Statutory Service Plan**

### **Is this a Key Decision?**

Yes

### **Is this an Executive or Council Function?**

Council Function

### **1. What is the report about?**

To seek approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2016/17 (Appendix I). The Statutory Service Plan sets out the Council's regulatory function in respect of food safety, health and safety, licensing, Environmental Permitting and other statutory functions over the forthcoming year. A draft copy of this Plan is attached to this report, available in the Members' Room, on the Council's website or available on request.

### **2. Recommendations: -**

- 1) That Place Scrutiny Committee supports the Statutory Service Plan 2016/17 and the work being conducted by the service in co-ordinating Anti-Social Behaviour and Community Safety;
- 2) Requests Executive of 12 July 2016 to support the Statutory Service Plan 2016/17 and recommend to Council the approval of the
  - a) Statutory Service Plan 2016/17; and
  - b) authorises the Assistant Director Environment to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

### **3. Reasons for the recommendation:**

- 3.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan). The key aim of the plan is to demonstrate how the Council will fulfil its regulatory obligations in respect of its food safety service.
- 3.2 Section 18 of the Health and Safety at Work, etc. Act 1974 places a duty on the Council to make adequate arrangements for enforcement of health and safety. The Health and Safety Executive (HSE), requires the Council to produce an annual Health and Safety Service Plan.
- 3.3 The Statutory Service Plan incorporates:
  - the service aims and objectives;

- information about all enforcement and related services provided by the Council's Environmental Health and Licensing Service
- the Action Plan for 2016/17 detailing the actions and improvements for the service in an effective, risk based, proportionate & consistent way over the forthcoming year; and
- the financial arrangement for providing the service.

#### **4. What are the resource implications including non financial resources.**

The Action Plan will be carried out within the existing resource allocation as detailed in both the Statutory Service Plan and Revenues and Estimates for 2016/17.

There are no reductions, restructuring and/or redundancy implications as the key changes identified in this report do not give rise to any additional resource requirements. However, in delivering to the changed requirements there may be some training implications for existing staff, which will be accommodate within budgets.

#### **5. Section 151 Officer comments:**

5.1 There are no additional financial implications contained in this report.

#### **6. What are the legal aspects?**

6.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan). The key aim of the plan is to demonstrate how the Council will fulfil its regulatory obligations in respect of its food safety service. In the current Framework Agreement and Code of Practice, the Food Standards Agency indicates that full compliance with all inspection frequencies will be expected.

6.2 Section 18 of the Health and Safety at Work, etc. Act 1974 places a duty on the Council to make adequate arrangements for enforcement of health and safety; these arrangements should be presented in a plan as required by the Health and Safety Executive (HSE). Responsibility for Health and Safety at Work enforcement lies with the HSE and Local Authorities (LAs). Councils are generally responsible for enforcement at premises in which non-industrial activities are undertaken, whilst HSE is responsible for industrial activities.

6.3 The Licensing Team play an important role in maintaining a safe and vibrant city by ensuring that licensable activities are effectively regulated, and where non-compliance is found, effective action is taken. Licensing functions are self-funding and following the implementation of the EU Services Directive and subsequent court decisions, licence fee income must reflect the cost of the service and cannot be used to fund other areas of the Council's activities.

#### **7. Monitoring Officer's comments:**

Members should note that the in-house legal team have no capacity to take enforcement action following the removal of the Licensing and Prosecution Solicitor

post in the last round of budget cuts. This position may have to be re-evaluated should there be a demonstrated need to take enforcement action in the courts.

## **8. Report details**

### **Key Achievements in 2015/16:**

#### **8.1 Programmed Interventions**

The service inspected 508 food businesses during the year. Out of those targeted for inspection 98% were inspected. Self-inspection questionnaires (SIQ's) were also used during the year as an alternative regulation strategy for low risk businesses and to ensure resources are directed towards high-risk activities. SIQ's are a cost-effective means of maintaining contact with this group as well as providing the business with a useful means of keeping up to date with changes in law and other related issues affecting their business.

#### **8.2 Service Requests**

Environmental Health and Licensing is responsible for investigating complaints relating to food safety, health and safety regulation, infectious disease control, air quality, environmental permitting, contaminated land, licensing, anti social behaviour, statutory nuisance and also for providing health promotion and training activities for businesses.

A review into the way that the service handles nuisance complaints was conducted during 2014/15 and resulted in the transfer of the co-ordination of anti social behaviour response into the service. During 2015/16, 122 anti-social behaviour cases were dealt with by the service. These are often complex, time consuming and require the coordination of a number of different agencies.

#### **8.3 Sampling**

The Council participates in national and local food-sampling initiatives to monitor the quality of food on sale in the City; these samples are classified as satisfactory, unsatisfactory or unacceptable. Additional samples are taken in response to food complaints and where it is alleged a premises or foodstuff is implicated in a food poisoning incident.

The service continues to use an ATP meter which is a simple, rapid method for monitoring bacterial loading to inform cleanliness, hygiene and risk assessments.

#### **8.4 Control and Investigation of Outbreaks and Food Related Infectious Diseases**

The service is responsible for the investigation of outbreaks and food related infectious diseases in the City.

The service has adequate resources to deal with its workload on a day to day basis, however when the service is presented with a large scale outbreak requiring an

extensive investigation as was the case during 2015/16, then the service struggles to complete key elements of the service plan.

### **8.5 Education and Awareness**

A key component of proactively engagement is assisting business compliance through education and awareness. The service runs a number of accredited training courses as well as informal workshops to allow business to access the information that they need to operate safely without being an expensive burden to the business. In addition, the service looks to innovative ways of engaging with business to engender compliance, such as advice visits accompanied by translators, and adopting a partnership approach to health and safety, occupational health and public health with businesses throughout the city.

The Level 2 Award for Personal Licence Holders was added to the portfolio of training courses offered by the service this year.

### **8.6 Primary Authority**

The service is actively embracing the Government's primary authority programme. The service currently has 6 active Primary Authority Partnerships.

### **8.7 Other notable achievements during 2015/16**

Other notable outcomes include the following:

- Adoption of a new Statement of Licensing Policy for the Gambling Act 2005
- Review of the Street Trading Policy to prohibit the sale of New Psychoactive Substances
- Review of the Sex Establishments Licensing Policy to prohibit the sale of New Psychoactive Substances
- Successfully supported the launch of a Best Bar None Scheme for licensed premises to improve the evening and night time economy. The scheme achieved 61 members at the end of the first year. It received highly commended in the categories of Best New Scheme and Best Overall Scheme at the National Best Bar None Awards
- Implementation of the Low Emissions Strategy
- Implemented the multi-agency operational plan for dealing with issues such as ticket touts, ambush marking, illegal street trading and illegal advertisement for the Rugby World Cup 2015.
- Continued to promote, enhance and drive improvement through the National Food Hygiene Rating System, in particular through the promotion of the scheme by consumers by harnessing the power and influence of the local media, health promotion initiatives and public events;
- Used innovative approaches beyond traditional education and awareness methods to engage with businesses that are new and non-compliant, including on Community Safety topics such as modern slavery, child sexual exploitation and 'Prevent'
- Continued promoting the use of the Safer Workplace Better Business pack that has been designed by officers across Devon to make health and safety less of a burden in small and medium businesses

- Developed a Community Protection Notice escalation process that has been used for issues relating to noise, untidy land, nuisance bird-feeding, and fly posting.
- The Community Safety Partnership has been revitalised and has positive engagement from a wide range of partners tackling the emerging community safety issues and threats within the city.

### **8.8 Proposed key activities for 2016/17**

In addition to the traditional intervention methods the key activities contained in Appendix II are planned for the service during the forthcoming year.

### **9. How does the decision contribute to the Council's Corporate Plan?**

The Environmental Health and Licensing Service Plan will contribute to a healthy and safe city, and lend support to a robust, business friendly economy.

### **10. What risks are there and how can they be reduced?**

The Service Plan specifies targets and priorities to manage risk and establishes staffing levels to achieve the necessary outcomes. The main risk of not achieving the areas outlined in the service plan will be that of public safety, which could lead to serious injury, ill health or death.

### **11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?**

The report has no impact on equality and diversity, young people and vulnerable adults. The report does impact positively on health and wellbeing, community safety and the environment.

### **12. Are there any other options?**

The service plan must be reviewed on an annual basis as there is a legal duty for the food safety and health and safety elements to be reviewed annually.

## **Assistant Director Environment**

Simon Lane, Environmental Health & Licensing Manager

### **Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report:-**

None

Contact for enquires:  
Democratic Services (Committees)  
Room 2.3  
01392 265275





## **Appendix II: Summary of key initiatives for 2016/17**

### **1. Revised Community Safety Strategy**

- Work with Devon & Cornwall Constabulary in providing extra policing resources within Exeter
- Revised Community Safety Strategy that incorporates a refreshed ASB strategy
- Complete the review of Nuisance and ASB, reporting on clear outcomes that have been achieved by the review.
- Build a stronger Anti-Social Behaviour Action Team (ASBAT)
- Revised action plan for the Alcohol Violence and Evening Night-time Economy group (AVENTE)
- Support the work of the Street Attachment Group
- Best Bar None to achieve 75 members by the end of Year 2
- Assist in supporting and developing a sustainable Help Zone
- Work with partners to reduce instances of rogue traders irresponsibly conducting building work and illegally disposing of waste such as asbestos
- Work with other partners to minimise the impact of the start of the academic year on the residents of the city.
- Strengthen and enhance the role of the Exeter Business Against Crime (EBAC) within the Community Safety Partnership framework.

### **2. Revised Climate Change Strategy**

- Develop a Climate Change Strategy that interweaves with the Council's aim to be an energy neutral council, and is cognisant of the role of the Low Carbon Task Force, Exeter City Futures, Innovation Exeter, Transition Exeter, Exeter Community Energy and other partners in reducing detrimental climate change pollutants.
- Review the Air Quality Action Plan and update on the Low Emissions Strategy

### **3. Enhanced focus on Health and Wellbeing**

- Concentrating on promoting high standards in workplaces through a multi-agency / cross service approach
- Reducing exploitation in the workplace through modern slavery or child sexual exploitation
- Continue to pursue the 'Better Business for All' programme
- Continue to maintain the level of interventions with respect to food safety, ensuring that the level of compliance within the city remains high.
- Work with other partners to develop a clear set of guidance for the prevention of norovirus in catering and hotel settings.

### **4. Re-balancing the Environment Support Team**

- Working with Waste Operations to reduce failure demand on waste operations support in order to build capacity for data analysis in order to carry out preventative interventions across the Environment Directorate.
- Work with Waste Operations to assist in the restructure and reinvigoration of Trade Waste Services
- Reducing unnecessary paper based tasks

- Focusing greater resource on public communication using new media outlets such as Twitter, Facebook and the web
- With Strata, conduct an appraisal of the IT systems for Environmental Health and Licensing.

#### **5. Revising the Environmental Health and Licensing Enforcement Strategy**

- Review the current policy and ensure the new policy to incorporate ASB elements
- Renew the current Enforcement Policy

#### **6. Purple Flag Status for the City Centre**

- To work with AVENTE, Best Bar None, the Exeter BID, EBAC and other partners to achieve purple flag status for the city centre.
- Continue to foster a stronger partnership approach to the Evening and Night Time Economy

#### **7. Licensing**

- Adoption of an Animal Licensing Policy to bring about higher welfare standards in animal licensing
- Review the Taxi Policy, which includes compiling a comprehensive policy as well as enhanced training package and competency testing system
- Review current Private Hire vehicle licensing conditions to seek higher standards and or greater clarification on age, CCTV, vehicle markings etc.
- Re-tender the contract for the taxi marshal scheme
- Consult and ensure the Council adopts a new Statement of Gambling Policy

#### **8. Revitalisation of our Public Health Training and Awareness**

- Enhanced marketing of the current of the current training portfolio
- Examine potential for cluster arrangements for training
- Register as a BII Centre to conduct Licensing Training
- Promotion of awareness sessions such as:
  - Drugs and Alcohol awareness in conjunction with RISE and EDP
  - Child Sexual Exploitation
  - Modern Slavery
  - Childminders
  - Food Hygiene Ratings
  - Fire Safety
  - Noise at work

#### **9. Ensuring a strong service for 2016/17**

- Review of service capabilities - conduct an organisational change process to make small but significant changes to the service to enable it to operate effectively for the next 2 years.
- Growth and Development reviews completed
- Develop a Staff training plan
- Reviewed Service Plan (June)

- Build a strong Licensing function so that there is a greater emphasis on achieving a consistent, transparent and compliance led approach.
- Examine potential for joint-working, cross-warranting with cluster partners.
- Contribute to Devon Chief Environmental Health Officer working groups.

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# Environmental Health and Licensing Statutory Service Plan 2016 – 2017

A handwritten signature in black ink that reads "R. Norley". The signature is written in a cursive style with a long, sweeping underline.

Robert Norley  
Assistant Director - Environment

Drawn up in accordance with the: -

- Food Standards Agency Framework Agreement
- National Local Authority Enforcement Code
- Regulators' Code

Issued by: Simon Lane, Environmental Health and Licensing Manager

Issue date: April 2016



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## SECTION 1 - INTRODUCTION

### 1.1 **Introduction**

- 1.1.1 This document is Exeter City Council's Environmental Health and Licensing Service Plan for 2016/17. It forms the basis of the business regulation enforcement functions for the authority and ensures that national food safety, health and safety, environmental protection and licensing priorities are addressed along with locally identified needs. It demonstrates our commitment to improving public safety, health and environment outcomes, sets out our priorities and planned interventions for the current year and targets them to maximise their impact.
- 1.1.2 The Council has a duty to act as an enforcing authority in premises for which it is responsible. The plan outlines how the Environmental Health and Licensing will undertake that function.
- 1.1.3 It has been produced to ensure that local businesses, employers and employees, members of the public, council officers and Members understand the approach to regulatory enforcement adopted by the Council. The service plan will help to ensure that the actions of the Council are fair, consistent, open and effective.
- 1.1.4 The Council recognises the important role it plays promoting and securing the safety of those who live, work and visit the City. The key aim of this plan is to demonstrate how the Council will fulfil its statutory obligations in accordance with national guidance set out by the respective regulatory agencies. It includes:
- the Council's aim and objectives;
  - information about the enforcement services provided by the Council;
  - details of the Council's performance management systems;
  - information on the performance of Environmental Health and Licensing.

### 1.2 **Access to the Service**

- 1.2.1 Environmental Health and Licensing is based in the Civic Centre, Paris Street. Service users may contact officers on site or by leaving a message in the following ways:
- in person at the Customer Service Centre in Paris Street.
  - by telephone, 01392 265193 between 8.30am and 5.00pm Monday to Friday;
  - whilst there is no formal out of hours service, staff can be contacted in the event of an emergency through the Council's Control Room on 01392 265193 by means of a telephone service;
  - by email: [environmental.health@exeter.gov.uk](mailto:environmental.health@exeter.gov.uk)
  - by fax: 01392 265844

## SECTION 2 – SERVICE AIMS AND OBJECTIVES

### 2.1 **Aims and Objectives**

2.1.1 The Council's Corporate Plan 2015-16 sets out 5 key strands which aim to meet the needs of our citizens and customers. The 5 key strands are:

1. Provide services to meet customers' needs
2. Reduce operating costs
3. Invest in the city
4. Grow the economy
5. Support Exeter's Communities

The corporate plan is available by visiting [www.exeter.gov.uk/corporateplan](http://www.exeter.gov.uk/corporateplan).

2.1.2 In respect of Environmental Health and Licensing, the objectives of the Council are to:

- undertake appropriate and meaningful regulatory interventions at business premises, for which the Council is the enforcing authority, and institute informal or formal action in accordance with the Enforcement Policy, Local Government Regulation and national government guidance (produced by the Food Standards Agency, Health and Safety Executive, Department of Culture, Media and Sport, Home Office and DEFRA) and advice and current good practice. Businesses will be targeted, focusing resources on those businesses presenting a high risk to health, the environment or public safety with a view to securing an improvement in legislative compliance;
- investigate complaints about premises and at the conclusion of investigations institute informal or legal action as appropriate;
- provide appropriate training and education to local businesses to assist them to meet legislative requirements;
- investigate cases of food-borne disease and advise upon appropriate precautionary and control measures;
- issue permits, licences and registrations, monitoring compliance with relevant conditions;
- sample and arrange for microbiological testing of high-risk food products and premises;
- develop "Primary Authority" partnerships, where relevant, with local businesses;
- provide advice and assistance to businesses to help them comply with legislation and to maintain a high standards;
- work in partnership with related organisations to promote the well being of persons living, working or visiting the City;
- provide technical advice to City Development on the environmental and health impacts of development;
- provide environmental monitoring services for other Council Departments;
- implement a strategy to investigate potentially contaminated land; and
- work with partners, including Devon County Council to reduce emissions of local air pollution from transport sources.

### 2.2. **Links to Corporate Purposes and other local and national strategies and plans**

2.2.1 Environmental Health and Licensing aims to uphold the core values of how the council works, making sure that they underpin our attitudes and behaviours. Accordingly we will:

- Meet customers' needs with high-quality services
- Be flexible and have a can-do approach
- Show trust and respect
- Tell people what is going on, listen and respond to their views
- Be proud to work for the city and the council

2.2.2 Environmental Health and Licensing's role links to 3 key strands of the Council's strategy:

- Provide services to meet customers' needs
- Grow the economy
- Support Exeter's Communities

2.2.3 The following represent key aims for the service. The service:

- embraces the principles of excellence in public services and Better Regulation and will look to make the most effective use of available resources to achieve maximum gain;
- implements the requirements of the Food Law Code of Practice (England) - actively promoting and evaluating the use of effective food safety interventions to facilitate compliance with food law;
- recognises the importance of food and its influence on the wider determinants of health - seeking to work in partnership and play an active role to reduce the inequalities in health in the local population and thereby contribute to current delivery mechanisms such as the Health and Wellbeing Board and Community Safety Partnership;
- recognises the importance of the National Food Hygiene Rating Scheme which gives each premises a numerical rating based on their food safety management system, structure and confidence in management - this scheme is an important tool in maintaining high compliance of businesses with food hygiene law;
- embraces the tenets of Better Regulation to ensure that unnecessary burdens are not placed upon businesses;
- continue to develop new ways to establish and maintain an effective health and safety culture so that all employers take their responsibilities seriously, the workforce is fully involved and risks are properly managed;
- Actively seek to work with other areas of the council, business and individuals to ensure that economic development within the city is maintained;
- Work will be targeted to manage the risk in high-risk, poor-performing and rogue trader businesses. It will be proportionate, consistent and transparent and have suitable monitoring and review systems;
- The Council is mindful of the burdens on local businesses particularly where, for example, the economy is seasonal and subject to fluctuation. The Council will work in partnership with national regulators, local partners and with local businesses offering information, advice and assistance.

## **2.3 Links to Strategic Objectives and Other Plans**

2.3.1 The Council is committed to working with all relevant stakeholders in order to achieve its vision, playing a part in the health and wellbeing board where appropriate. The key public health indicators are: -

- Public Health Indicator 3.1 – Fraction of mortality attributable to particulate air pollution

- Public Health Indicator 4.7 – Under 75 mortality rate from respiratory diseases
- Public Health Indicator 1.14 – the percentage of the population affected by noise
- Public Health Indicator 4.8 – Mortality rate from infectious and parasitic diseases
- Percentage of Premises Broadly Compliant with Food Hygiene Law
- Public Health Indicator 1.9 – Sickness Absence Rate
- Public Health Indicator 2.18 – Alcohol-related admissions to hospital
- Public Health Indicator 1.12 – Violent Crime
- Public Health Indicator 4.6 – Mortality rate from liver disease

The Devon Health and Wellbeing Board has 4 strategic priorities:

1. A focus on children and families
2. Healthy lifestyle choices
3. Good health and wellbeing in older age
4. Strong and supportive communities

Under these 4 strategic priorities, the key joint health and wellbeing evidence based priorities are: -

- Continuing to reduce health inequalities across Devon
- Improving levels of physical activity and the proportion of people at a healthy weight
- Reducing excessive, harmful alcohol consumption
- Improving mental health and emotional wellbeing
- Working to prevent domestic and sexual violence and abuse and the sexual exploitation of children and young people.
- Increasing social connectivity in communities to reduce social isolation and loneliness and increasing the opportunities we have to improve our own health and wellbeing.

2.3.2 Whilst there are no specific regulatory targets set out in the above, enforcement will contribute to raising business standards, improve health outcomes and reduce health inequalities through the delivery of relevant services, in partnership with other agencies.

2.3.3 In addition to this service plan, the service is also responsible for or contributes to the following strategies, policies and plans: -

- The Environmental Strategy
- The Carbon Management Plan
- The Air Quality Strategy
- The Air Quality Action Plan
- The Licensing Act 2003 Statement of Licensing Policy
- The Contaminated Land Strategy
- Exeter City Council Corporate Plan
- The Exeter Community Safety Partnership Strategy
- Low Emissions Strategy
- Gambling Act 2005 Policy
- Street Trading Policy
- Hackney Carriage and Private Hire Policy
- Sex Establishments Policy

## SECTION 3 – BACKGROUND

### 3.1 **Profile of Exeter City Council**

- 3.1.1 The geographical enforcement area is relatively confined in local authority terms covering an area of 4,774 hectares and supporting an estimated residential population of 125,000 persons with 68.6% of working age. There is a total of 4,744 registered businesses for business rates with approximately 35,000 people commuting to Exeter on a daily basis, with an average footfall in the city centre of 800,000 people per month. Exeter comprises of a mix of residential and commercial properties as well as industrial and trading estates. With Exeter being the regional administrative, cultural and educational centre, the City has a significant impact on the adjacent areas of East and Mid Devon and Teignbridge.
- 3.1.2 Although set in a predominantly urban area the City offers only a limited range of industry with the main activities being catering, retail sales, office activities, warehousing and distribution. No significant food manufacturing premises are now located within the City. There is an increasing variety of ethnic eating places and fast food takeaway outlets and the food pattern is dynamic.
- 3.1.3 The City's status as a medical, university, and educational centre means that there are several large institutional catering premises located within the boundary. Exeter's specialisms include the largest number of meteorologists, climate change specialists and volcanologists in the UK being based here. Award winning specialists in diabetes and breast cancer can be found at the RD&E hospital and the University of Exeter has many award winning research fellows.
- 3.1.4 The few Product Specific Premises are small scale operations by modern day standards.
- 3.1.5 Exeter is no longer a port authority.
- 3.1.6 The service embraces the core aims of the FSA's food safety issues (including Imported Food Controls), nutrition and diet issues and sustainability.

### 3.2 **Organisational Structure**

- 3.2.1 Environmental Health and Licensing is within the Office of the Assistant Director Environment and is responsible for delivering this Service Plan. In addition to this Environmental Health and Licensing provides:
- the Food Safety Enforcement function;
  - the investigations of notifiable / infectious disease;
  - the Health and Safety Enforcement function;
  - the Private Water Supply Enforcement function;
  - the Health Act Enforcement function;
  - Sunbed Regulations Enforcement function;
  - Licensing duties in relation to Licensing Act 2003, Gambling Act 2005, taxis and miscellaneous legislation;
  - Regulation of premises under the Environmental Permitting Regulations;
  - Monitoring of the city's air quality;
  - Monitoring and guidance with respect to contaminated land;
  - Investigation of complaints relating to business nuisance;
  - support to functions within the offices of Environment, Public Realm and Housing;
  - Co-ordination of the council's anti-social behaviour function;
  - Co-ordination of the multi-agency Community Safety Partnership

- 3.2.2 Environmental Health and Licensing Services operates under the Assistant Director Environment.
- 3.2.3 The Assistant Director Environment has various delegations to act on behalf of the Council and the Environmental Health and Licensing Manager is delegated as a deputy under the Council's constitution. All non-delegated matters are reported to the appropriate committee.
- 3.2.4 The officer structure in respect of the service is detailed at the end of this section. Overall co-ordination of the service is the responsibility of the Environmental Health and Licensing Manager with lead officer responsibility given to the following officers:-
- Principal Environmental Health Officer – nuisance (including noise, odour and light), anti social behaviour and public health (including accumulations, pest control and drainage)
  - Principal Environmental Health Officer - food safety, health and safety, environmental permitting, contaminated land and air quality.
  - Principal Licensing Officer – premise licensing, taxis and other licensing functions
  - Principal Environment Support Officer – support across the remit covered by the Offices of Assistant Directors Environment, Public Realm and Housing
- 3.2.5 In consultation with the Corporate Manager Legal Services, the Assistant Director Environment is authorised to deal with the provisions and enforce compliance with legislative areas delegated to the post. This shall include the initiation, defence and settlement of legal proceeding, issuing of formal cautions and fixed penalty fines, service of Notices and Orders, the issue, refusal and revocation of licences, certificates and registrations, carrying out works in default and payment and recovery of costs.
- 3.2.6 The Council's Corporate Manager Legal has delegated authority for the initiation, defence, settlement and conduct of any legal proceedings which may affect the interests of the Council or the inhabitants of the City.
- 3.2.7 Specialist analytical and microbiological services are provided by external agencies such as the Public Health England and Somerset Scientific Services.

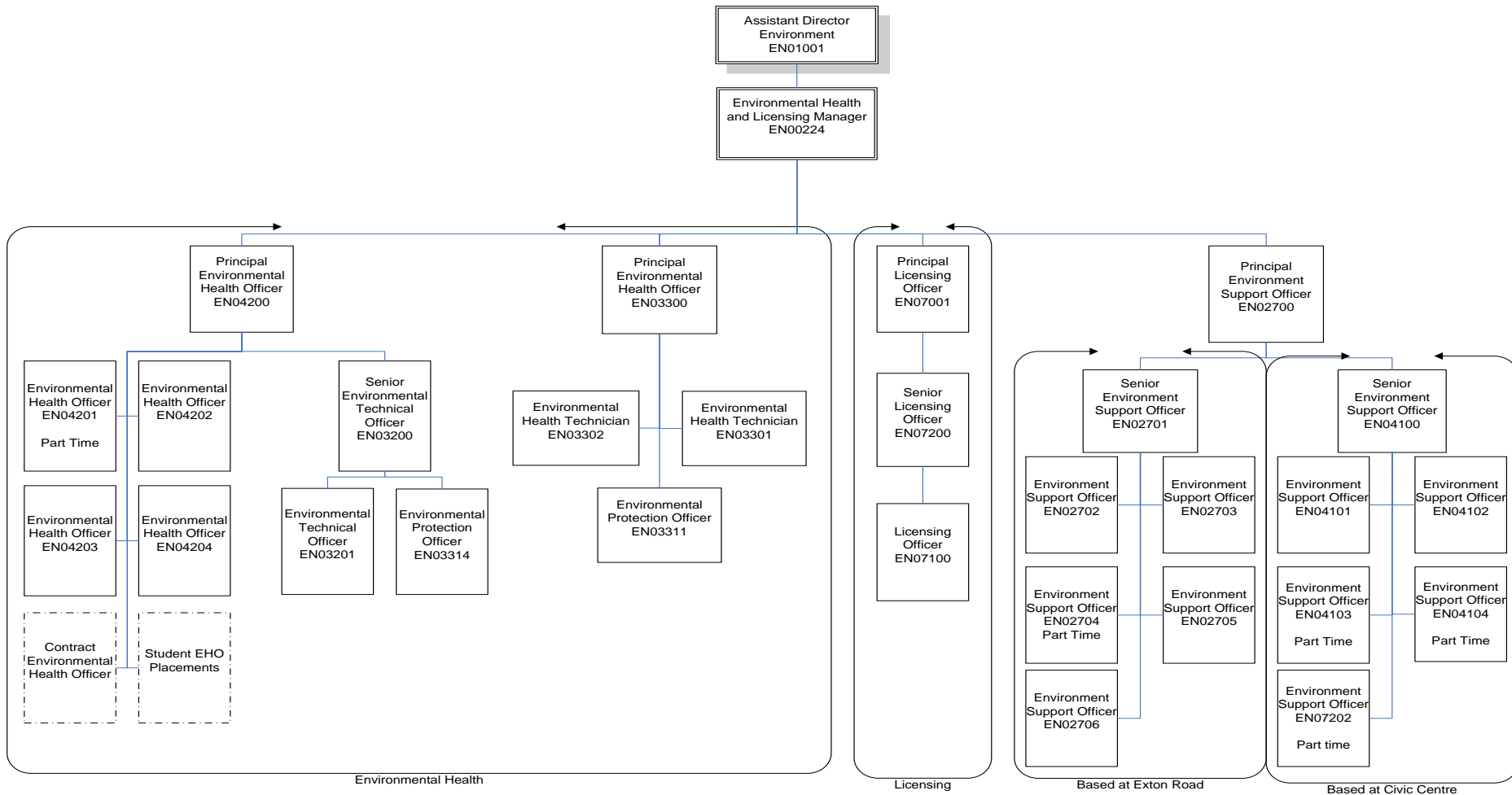
# THE OFFICER STRUCTURE IN RESPECT OF ENVIRONMENTAL HEALTH AND LICENSING

5/23/2014

## Office of the Assistant Director Environment Environmental Health and Licensing

Subtitle

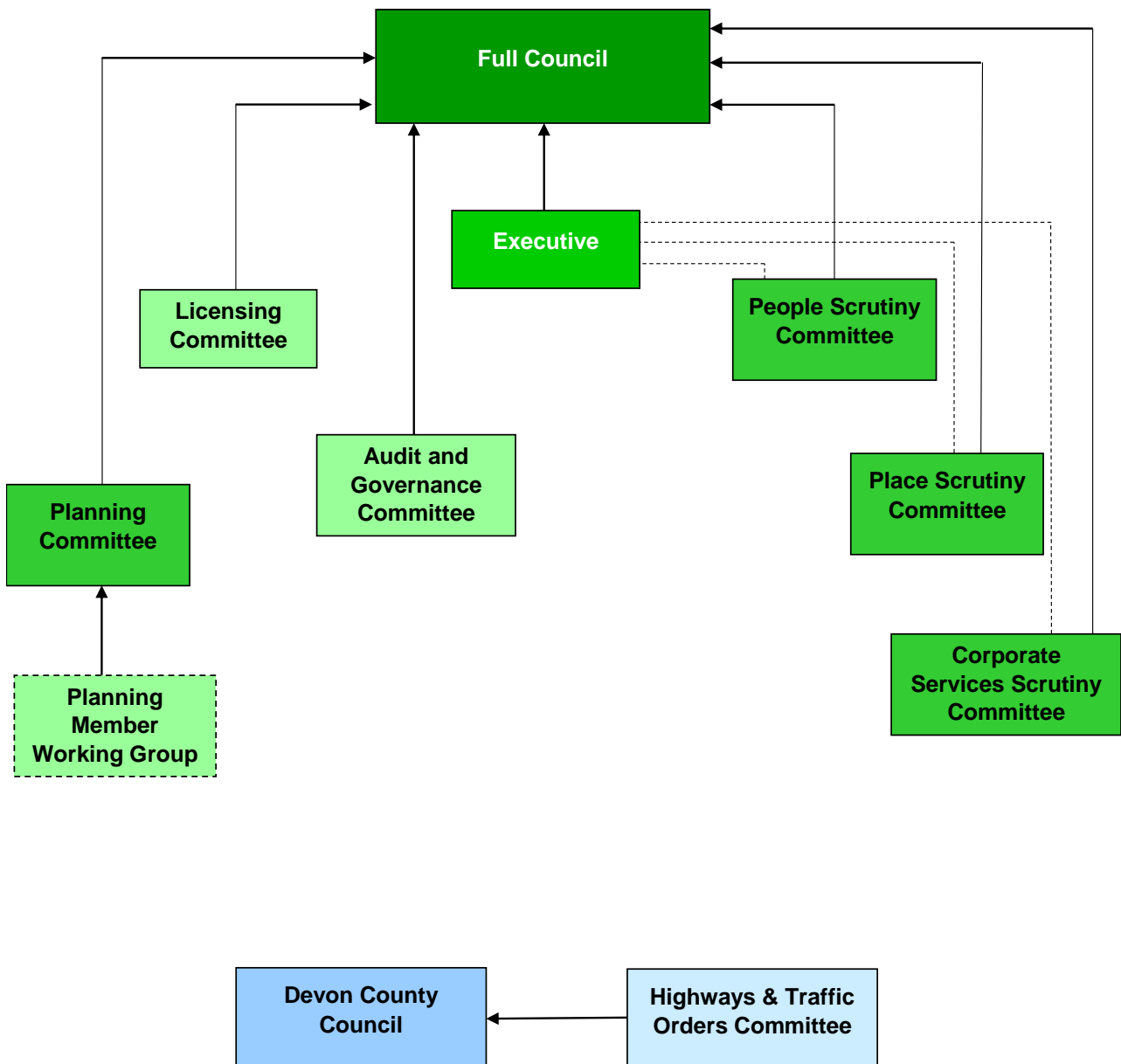
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**The Council's Committee Structure**



## SECTION 4 – FOOD SAFETY

### 4.1 **Scope of the Food Safety Service**

4.1.1 Environmental Health and Licensing is responsible for undertaking the following activities associated with the Food Safety Service:

- programmed food hygiene interventions and revisits;
- approval of food businesses
- monitoring the database
- food sampling
- investigation of food complaints;
- assisting Public Health England in investigation of food poisoning and infectious disease outbreak control;
- responding to Food Standards Agency Food Alerts, product withdrawals and recalls;
- provision of export food certificates;
- inspection of food;
- advisory and training services for businesses;
- promotion of food safety.

4.1.2 The council believes in fair regulation. Whilst engaged in the above activities, Environmental Health and Licensing uses a variety of means to ensure that individuals and organisations meet their responsibilities including education, negotiation, advice, guidance, warning letters, formal notices and prosecution. Overall the team seeks to work in collaboration with businesses while avoiding unnecessary bureaucracy in the way it works.

4.1.3 Exeter City Council supports the Food Standards Agency's strategic goal of 'Food We Can Trust' and the 5 principles which are currently being looked at nationally.

1. Businesses are responsible for producing food that is safe and what it says it is, and should be able to demonstrate that they do so. Consumers have a right to information to help them make informed choices about the food they buy – businesses have a responsibility to be transparent and honest in their provision of information.
2. Decisions should be tailored, proportionate and based upon a clear picture of UK food businesses.
3. The regulator should take into account all available sources of information.
4. Businesses doing the right thing for consumers should be recognised; action will be taken against those that do not.
5. Businesses should meet the cost of regulation, which should be no more than they need to be.

### 4.2. **Remit of the Food Service**

#### 4.2.1 **Interventions**

The Council will:

- carry out a range of official and other food control as set out in the Food Law Code of Practice (England), the Food Hygiene Rating Scheme Brand Standard and other centrally issued guidance;

- inspect/audit and approve, relevant premises in accordance with the relevant legislation, Code of Practice and centrally issued guidance;
- liaise with the 'Home Authority' or Primary Authority of any company whose premises have been inspected and offences identified which are, or appear to be, associated with the company's centrally defined policies and procedures;
- assess the compliance of premises and systems to the legally prescribed standards having due regard to any relevant Industry Guides to Good Hygiene Practice and other relevant centrally issued guidance;
- take appropriate action on any non-compliance found, in accordance with the Council's Enforcement Policy;
- set up and monitor documented intervention procedures and record legible data and information following interventions, in a retrievable way.

#### 4.2.2 Complaints

The Council will:

- implement the documented policy and procedure in relation to food complaints;
- liaise with the Primary, Home and/or originating authorities regarding matters associated with a company's centrally defined policies/procedures;
- take appropriate action on complaints received in accordance with the Council's policy/procedure.

#### 4.2.3 Primary / Home Authority Principle

Where the Council acts as Primary / Home Authority we will:

- provide advice on legal compliance;
- have regard to any information or advice received as a result of any liaison;
- notify any authorities the Council have initiated liaison with of the outcome.

#### 4.2.4 Advice to Business

The Council shall continue to work with businesses to help them comply with the law, for example the Council will:

- promote training courses and seminars;
- provide advice during visits and other official food controls;
- respond promptly to queries;
- maintain a dialogue with business through the appropriate business forums;
- provide business with written information and advisory leaflets where appropriate.

#### 4.2.5 Food Premises Database

The Council will:

- maintain the database of food premises in the City and take steps to ensure that the information is accurate and up to date.

#### 4.2.6 Food Inspection and Sampling

The Council will:

- inspect food in accordance with relevant legislation to ensure it meets the legally prescribed standards;
- take appropriate action in cases of non-compliance in accordance with the Council's Enforcement Policy;
- maintain an annual sampling programme taking account of current guidance;
- adhere to the Council's procedures for procurement or purchase etc of samples;

- the Council has appointed Public Analysts Scientific Services (PASS) and the Public Health England Porton Down Laboratory as the Council's Public Analyst and Food Examiner respectively.

#### 4.2.7 Control and Investigation of Outbreaks and Food Related Infectious Disease

The Council will:

- have regard to the Food Standards Agency's guidance on the management of outbreaks of foodborne illness.

#### 4.2.8 Food Safety Incidents

The Council will:

- respond to food alerts, product withdrawals and recalls in accordance with the documented procedure;
- maintain a computer system capable of receiving food alerts, product withdrawals and recalls;
- document our response to and the outcome of food alerts, product withdrawals and recalls where intervention is required;
- notify the Food Standards Agency of any serious localised incident or wider food safety problems.

#### 4.2.9 Enforcement

The Council will:

- carry out food law enforcement in line with the Council's Enforcement Policy and the Codes of Practice (England) and Food Law Practice Guidance (England);
- document any departure from the criteria set out in the Policy.

#### 4.2.10 Records and Intervention reports

The Council will:

- maintain up to date accurate records in a retrievable form for each food premises in the City, for at least 6 years.

#### 4.2.11 Complaints about the Service

The Council's adopted complaints procedure is available to the public and food businesses.

#### 4.2.12 Liaison with Other Organisations

Liaison with neighbouring authorities aimed at facilitating consistent enforcement will be exercised through the Devon Chief Environmental Health Officers Food Sub-Group having regard to advice issued by Local Government Regulation and the FSA. Regular contact will be maintained with Devon County Council Trading Standards Department and periodic meetings will be held with the local business forums & interested groups to provide advice and promote good practice;

Where appropriate, partnerships will be formed with educational establishments, Public Health England, Devon County Council's Public Health Team, the Clinical Commissioning Group and other bodies to promote food safety.

#### 4.2.13 Internal Monitoring

Internal monitoring procedures to verify conformance with this Service Plan are well established and will be exercised. These include senior officer auditing, peer review and consistency exercises.

#### 4.2.14 Audit

The Council will:

- participate in third party and peer review processes against this Service Plan and associated procedures.

#### 4.2.15 Food Safety Promotion

The Council will:

- actively promote food safety issues through award schemes, campaigns, dissemination of information and support to schools and colleges and targeted groups and where resources allow and liaise with organisations to promote food safety.

#### 4.2.16 Other Services

Environmental Health and Licensing have responsibility for undertaking a parallel role in respect of other Environmental Health related legislation in commercial premises:

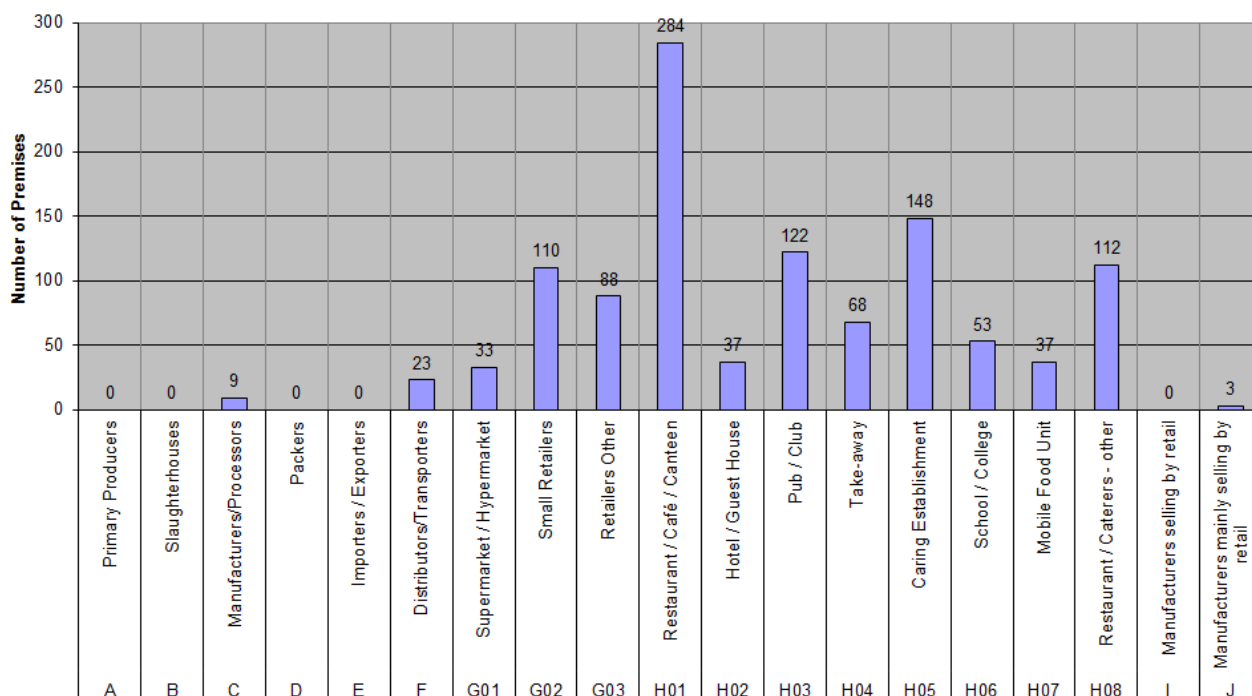
General (non-food related) complaint work will initially be undertaken by the service in accordance with the relevant procedure. Pest control treatment may be undertaken by officers from the section in liaison with the district Environmental Health Officer, but only when it will not comprise future enforcement action.

The service seeks to work in partnership with relevant agencies to promote business regulation related matters in the wider context of public health.

### 4.3 Food Business Profile

4.3.1 The current profile of the food premises in the City as per Food Standards Agency classification is illustrated below.

**Profile of Food Premises in the City as per Food Standards Agency Classification**



4.3.2 Following an inspection/audit, food premises are scored and categorised (i.e. A to E) in respect of the risk to food safety in accordance with the Food Law Code of Practice (England). The categories dictate the interval between inspections. For example category

A, i.e. high-risk premises, are inspected every 6 months, category D premises are inspected every 2 years. The service currently operates an alternative enforcement strategy for category E premises that are outside of the Food Hygiene Rating Scheme, which includes forwarding such businesses a self-inspection questionnaire, and inviting businesses to attend food safety workshops.

4.3.3 The current profile of food premises in terms of risk category are shown below.

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>No Cat</b>
01 April 2016	2	47	178	480	351	69

4.3.4 There are approximately 75 food premises in the City where business owners do not speak English as their first language. This can impact on the ability to successfully inspect premises and to effectively promote food safety. Food businesses in the city make great use of migrant food handlers. (The pattern of this is dynamic and robust data is not available.)

#### 4.4 **Enforcement Policy**

4.4.1 The Enforcement Policy includes the principles contained in the Regulators' Code which the Council is committed to incorporating into its regulatory functions. The Enforcement Policy will be subject to periodic review at which time amendments will be made to specifically reflect the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement and other relevant and appropriate guidance.

4.4.2 The key elements of the Enforcement Policy are detailed below:

- a belief that enforcement must be firm but fair;
- the need for proportionality in the application of the law;
- showing transparency about how the service operates;
- a need for targeting of enforcement action;
- a need to deliver consistency of approach;
- the need to balance enforcement and education in the way the service works.

#### 4.5 **Food Premises Interventions**

4.5.1 A programme of official and other food controls form the core activity of the Food Enforcement function. The range of interventions are specified in the Food Law Code of Practice (England) and Food Hygiene Rating Scheme Brand Standard. In addition to the programme of interventions, other visits may be made to food premises following complaints from the public or requests from businesses for information and guidance.

4.5.2 Whilst the primary responsibility for identifying food hazards and controlling risks rests with food businesses, food hygiene interventions will be undertaken to:-

- establish whether food is being produced hygienically;
- establish whether food is, or will be having regard to further processing, safe to eat;
- to identify foreseeable incidences of food poisoning or injury as a consequence of consumption of food.
- to issue the relevant rating as laid out in the Food Hygiene Rating Scheme Brand Standard, where the premises is part of the scheme

4.5.3 With the foregoing in mind, the main objectives of the interventions programme will be to:-

- determine the scope of the business activity and the relevant food safety legislation;
- thoroughly and systematically gather and record information;
- identify potential hazards and risks to public health;
- assess the effectiveness of process controls and HACCP based systems;
- identify specific contraventions of food safety legislation;

- consider appropriate enforcement action (proportionate to risk), to secure compliance with food safety legal requirements;
- produce advice and information and recommend good practice where appropriate;
- promote continued improvements in food hygiene standards to meet national / local performance indicators and the relevant Food Standards Agency strategy.
- to issue the relevant rating as laid out in the Food Hygiene Rating Scheme Brand Standard, where the premise is part of the scheme

4.5.4 In order to achieve the inspection programme not less than 3 (FTE) qualified food inspectors will be required. This figure takes no account of the burden of any extra targeted inspection activity, sampling or investigations arising from complaints or Food Alerts, product withdrawals and recalls for example.

4.5.5 All officers undertaking inspections, investigating complaints, giving advice and taking samples shall meet the qualifications and experience requirements in the Food Law Code of Practice (England).

4.5.6 It is not envisaged that arrangements will need to be made to ensure the Council has access to specialist expertise for the inspection of any specialised processes located in the city.

#### 4.6 **Food Complaints**

4.6.1 Food complaints received and investigated by the service fall into one of the following broad categories:

- food contamination;
- complaints about food businesses (poor hygiene, pests, lack of food handler training etc);
- food alerts, product withdrawals and recalls.

4.6.2 There is an established procedure for dealing with food complaints sets out the action to be taken regarding investigation. Our investigation will be guided by the detailed considerations laid down in the LG Regulation publication “Dealing with Food Complaints”.

4.6.3 The number of food complaints/service requests received annually has been at a constant level over the last few years.

4.6.4 It is estimated that 0.2 FTE qualified inspectors will be required to deal with food complaints.

#### 4.7 **Primary / Home Authority Partnerships**

4.7.1 Details of Primary and Home Authority Partnerships are detailed in Section 12.

#### 4.8 **Advice to Business**

4.8.1 The full suite of food courses will be promoted to enable local businesses to fulfil their training requirements, including training provision for non English speaking food handlers. In addition the service provides a bespoke 2 hour session to assist new food business operators.

4.8.2 Inspectors provide advice during routine interventions and respond to queries from the public and food businesses.

4.8.3 Advice on topics of general and current food safety interest will be placed on the Council web site and information leaflets will be produced and made available as necessary. Officers from the service will also be participating in the Food Standards Agency’s Food Safety Week.

- 4.8.4 The Council will use local business and other forums as a means to disseminate relevant food safety information to help assess their needs and obstacles to compliance.
- 4.8.5 The service will actively seek participation in or look to co-ordinate appropriate forums to promote food safety and disseminate information.
- 4.8.6 It is estimated that 0.1 FTE qualified food inspectors will be necessary to provide information and advice to food businesses.

#### 4.9 **Food Inspection and Sampling**

- 4.9.1 The Council will ensure that food is inspected in accordance with relevant legislation, The Food Law Code of Practice (England) and the Practice Guidance (England) and centrally issued guidance and ensure that food meets prescribed standards.
- 4.9.2 The food sampling programme for the forthcoming year commencing 1 April 2016 is detailed in section 13 and includes participation in national sampling campaigns co-ordinated by LG Regulation.
- 4.9.3 Routine sampling will be undertaken by the Environmental Health Officers supported by the Environmental Protection Officers. Activity reports will be submitted on a periodic basis. A procedure has been set up and implemented in respect of taking samples and the arrangements made for Analysis and Examination.

#### 4.10 **Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease**

- 4.10.1 Environmental Health and Licensing's objective, in respect of the control of food related disease is to:
- contain the spread of any outbreak;
  - identify the focus of infection;
  - identify the causative organism/chemical;
  - trace carriers and cases;
  - trace the source of infection;
  - determine the causal factors;
  - recommend practices to prevent recurrence of disease; and
  - determine whether criminal offences have been committed.
- 4.10.2 Investigations into outbreaks of food related poisonings are carried out in consultation with and under the direction of Public Health England.
- 4.10.3 The Principal Environmental Health Officer fulfils the role as lead officer in respect of infectious disease control and it is anticipated that adequate resources exist within the full complement of Environmental Health and Licensing to deal with this service demand.
- 4.10.4 It is estimated that 0.1 FTE qualified food inspectors will be required to investigate outbreaks and food related infectious diseases.

#### 4.11 **Food Safety Incidents / Hazards**

- 4.11.1 The Council has and will maintain a computer system capable of receiving food alerts, product withdrawals and recalls and will implement the documented procedure for responding to food alerts and food safety incidents received from the FSA, in accordance with the relevant Food Law Code of Practice (England). The current informal out of hours contact arrangements will be used.
- 4.11.2 Documented responses to the outcome of appropriate food alerts will be in accordance with the adopted procedure.



- 4.11.3 In the event of any serious localised incident or a wider food safety problem, the Principal Environmental Health Officer will notify the FSA.
- 4.11.4 It is considered that adequate resources exist within the full complement of Environmental Health and Licensing to deal with this demand.
- 4.11.5 It is anticipated that 0.1 FTE will be required to deal with food hazard alerts.

#### **4.12 Liaison with Other Organisations**

4.12.1 The Council is committed to ensuring the enforcement approach it takes is consistent with other authorities. Regular dialogue on food enforcement matters and food related issues takes place with:

- Primary Authority business partners
- Trading Standards
- Devon Chief Environmental Health Officer Food Sub-Group
- Health Protection Advisory Group
- Exeter and Heart of Devon Hoteliers & other appropriate business forums
- CIEH
- University of Exeter
- Exeter College
- Other services within the Council (e.g. Planning & Building Control)
- Devon and Somerset Better Business for All Partnership

4.12.2 In delivering the food service, the Council recognises the increasing importance of partnership working. Examples of this include:

- consultation with businesses and community leaders;
- participation in third party audits, joint sampling initiatives etc;
- Food Safety Week;
- organising the Exeter Chef Competitions and similar events;
- identify funding opportunities;
- development of food hygiene training;
- providing focused training sessions on nutrition;
- other food related subjects.

#### **4.13 Food Hygiene Rating Scheme and Food Safety Promotion**

4.13.1 The service utilises many methods to promote food safety and increasingly is led by the developing body of research. Since April 2011, the service has operated the National Food Hygiene Rating Scheme which has helped drive improvements in food law compliance. Over 850 businesses fall within the scope of the scheme, with all ratings being published on the national web portal at [www.food.gov.uk/ratings](http://www.food.gov.uk/ratings) and businesses encouraged to display stickers. The service will continue to promote usage of the scheme by consumers by harnessing the power and influence of the local media, health promotion initiatives and public events. The service will also continue to encourage at the time of visits voluntary display of rating stickers and certificates at premises that fall within the scope of the scheme.

4.13.2 Numerous promotional activities also occur during the course of a typical year usually in response to need/requests from the different communities in Exeter, for example:

- presentations to schools, interested groups, professional bodies, (e.g. Infection Control Study Days, Chef Focus Group, Exeter Food Festival Members, Early Years providers);
- circulation of advisory leaflets or guidance notes in response to topical issues or changes in legislation;
- participation in the annual Exeter Food and Drink Festival.
- Free food hygiene awareness sessions targeted at new food business operators.

#### 4.14 Food Safety Performance 2015/16

- There are currently 1,127 food premises registered within the city
- During 2015/16, 508 rated food hygiene inspections were conducted.
- 98% of those inspections that were due within 2015/16 were conducted
- 26 requests for food hygiene rating scheme revisit were received and the premises were subsequently revisited.
- 97% of food premises within the city are broadly compliant with food hygiene law
- 140 compliance check / advice visits were conducted.
- 179 food poisoning cases were investigated
- The service received 288 service requests / complaints related to food safety

## SECTION 5: HEALTH AND SAFETY

### 5.1 Profile of Businesses in Exeter

5.1.1 Exeter is predominantly an urban area and the area has many small businesses. The Council enforces health and safety in mostly small and lower risk businesses that are predominantly in the service sector and is responsible for around 2577 premises.

### 5.2 Health and Safety Intervention Programme

5.2.1 Health and Safety law clearly sets out that the primary responsibility for managing risk to workers and the public who might be affected by work activity lies with the business or organisation that creates the risk in the first place.

5.2.2 The role of the Council is to support, encourage, advise and where necessary hold to account business to ensure that businesses effectively manage the occupational health and safety risks they create. The service uses the guidance given in HELA Circular (67/2 Revision 5) to risk rate its premises based on a business's health and safety performance. There are 4 categories (A – high risk, B1 and B2 – medium risk, C – low risk). The risk rating is not used to determine proactive inspection interventions – the choice of proactive inspections follows the principles within the National Local Authority Enforcement Code (see Section 5.6) - it does, however, help the Council target other interventions on the basis of risk.

5.2.3 As a result of current national and local drivers for change (e.g. LBRO, Young and Löfstedt Reviews) we aim to focus Health and Safety enforcement resources into areas where they are likely to have the greatest impact. In the coming year we shall continue to concentrate on specific topic areas during proactive interventions and reactive investigation, rather than complete all-encompassing inspections. These areas have been identified nationally and locally as contributing to the highest rate of accident/incidents and ill health at work, across all health and safety enforcing authorities.

### 5.3 Scope of the Health and Safety Service

5.3.1 With regard to health and safety, the Council will be directed by the Health and Safety Executive National Local Authority Enforcement Code issued under Section 18 (4)(b) of the HSWA. The key elements of the code are:-

- Ensuring that the authority takes a risk based approach to regulation;
- Ensuring that the authority applies proportionate decision making in accordance with the LA's Enforcement Policy Statement and Enforcement Management Model;
- A requirement for the authority to legally appoint suitably qualified staff to carry out the necessary regulatory duties;
- A requirement to produce an annual service plan;

5.3.2 In the UK during : 2014/15

- **1.2 million** working people were suffering from a work-related illness
- **142** workers killed at work
- **76 000** other injuries to employees reported under RIDDOR (611,000 injuries at work from the Labour Force Survey)

- **27.3 million** working days were lost due to work-related illness and workplace injury
- Workplace injuries and ill health (excluding cancer) cost society an estimated **£14.3 billion** in 2014/15

5.3.4 The Rogers review (2007) reported on the National Priorities for local authority enforcement. This identified improving health at work as one of the national priorities. The Lord Young Report (2010) “Common Sense, Common Safety” reviewed health and safety with a view to “setting out the rational proportionate approach that the Health and Safety at Work etc Act demands”. The Löfstedt Report (2011) looked further into the application of Health and Safety legislation and the effects of regulation upon business. All of the above reports clearly identified good health and safety as being vital to good business, with sensible and proportional law enforcement as a key priority to try and reduce the incidence of ill health and days lost arising from work activities.

5.3.5 The objective of the health and safety service in contributing to this aim is to ensure that risks to person’s health, safety and welfare from work activities are properly controlled through advice and proportionate enforcement.

5.3.6 The health and safety service comprises a range of key functions:

- to carry out interventions in line with HELA Circular 67/2 (rev.5), the National Local Authority Compliance Code and the Devon Health & Safety (Enforcement) Sub Group’s annual workplan;
- to take the most appropriate action upon inspection of relevant workplaces including the use of advice, informal correspondence, improvement and prohibition notices and the institution of legal proceedings;
- to educate proprietors of relevant workplaces in health, safety and welfare matters and their legal responsibilities in relation to their occupation by the distribution of leaflets and the provision of advice and information;
- to investigate specific accident notifications;
- to advise on the design of relevant workplace premises prior to and during alterations and construction;
- to liaise and work in partnership with the Health and Safety Executive (HSE), Public Health England and the Fire Authority regarding the enforcement of the legislation;
- to comply with the HSE’S National Local Authority Enforcement Code in respect of inspection programmes;
- seek to promote a simplified risk assessment procedure for low hazard workplaces such as offices and shops through the use of the Devon Local Authority devised toolkit Safer Workplaces, Better Business;
- combine food safety and health and safety inspections where possible to ensure that the burden on business is reduced.

5.3.7 Proactive aspects of the health and safety service, for example the inspection programme, are delivered jointly with other proactive services such as food hygiene inspections. The reactive aspects of the service, for example accident investigations, are responded to along with other complaints and requests for service.

5.3.8 Health and safety interventions are delivered by suitably trained and experienced officers, in accordance with a competency and development scheme. This scheme has been designed to meet the requirements of Health and Safety Executive and Local Authority Enforcement Liaison Committee (HELA) Section 18 guidance.

5.3.9 The premises profile according to the inspection rating scores are as follows:

<b>Highest hazard/Risk</b>	A	3
<b>Intermediate hazard/Risk</b>	B1	43

	B2	379
<b>Lowest hazard/Risk</b>	C	1447
<b>Uncategorised</b>	U	720

- 5.3.10 In accordance with HELA Circular 67/2 (rev.5), these risk ratings are not used to determine proactive inspection interventions but health and safety issues may be addressed during food, and licensing inspections or following complaints or accidents.
- 5.3.11 External consultants may be used to undertake other intervention strategies of low risk premises. The decision to employ contractors is taken by the Environmental Health and Licensing Manager in consultation with the Principal Environmental Health Officer and will be subject to the following criteria:
- there is a direct need to ensure statutory performance targets are met;
  - external contractors must meet the requirements of HELA Section 18 guidance;
  - the cost of the work can be met within existing budgets; and
  - previous knowledge of the competency and quality of the consultants.
- 5.3.12 The Council still has a duty to enforce health and safety standards in intermediate and low risk premises and we will work with such businesses and/or their representatives to improve health and safety standards through the promotion of a Safer Workplace Better Business pack that has been devised by all Local Authorities in Devon.
- 5.3.13 The performance analysis for the last year is detailed at the end of this section. There has been a reduction in proactive inspections, reflecting national priorities regarding better regulation.
- 5.3.14 The database will be continually updated in conjunction with the Environment Support Team who will assist with a street/district premises audit (4yr programme). A proportion of unclassified premises will be visited, though the active audit (see above) may influence progress as new premises are identified.
- 5.3.15 The health and safety service operates from the Civic Centre between 9.00am and 5.00pm Monday to Friday. Evening and weekend inspections are carried out as determined by the risk based inspection programme and the premises opening hours.
- 5.3.16 Emergency health and safety issues are currently directed initially to a 24 hour central control team and then onto senior officers as required. In addition the Council's continually revised website is used to provide information about health and safety services for consumers and businesses and also provides a direct email address for service requests.

#### **5.4 Complaints / Requests for Advice / Advice to Business**

- 5.4.1 In addition to this programme there are also approximately 720 businesses currently on the health and safety database which are unclassified. A proportion of these will be newly opened businesses, which is a constant aspect of the commercial sector. Whilst many of these premises have been inspected due to changes in the recording of the rating system they have not yet been classified. Therefore as part of the routine maintenance of the database such premises will be given a desktop health and safety rating, in accordance with LAC 67/2.
- 5.4.2 Additional interventions will also arise during the year by virtue of complaints, new business start-ups, change of use, major alterations/refurbishments and request for inspection. A revisit will always be carried out where statutory notices have been served, in all other cases the officer will make a professional judgement as to the requirement for a revisit.

5.4.3 In accordance with the current strategy contained in “Helping Great Britain Work Well: A health and safety system strategy” (HSE, 2016) and HELA Strategy, as outlined in 67/2, the focus of inspection activity within the planned programme will concentrate on:

- Acting together: Promoting broader ownership of health and safety in Great Britain
- Tackling ill health: Highlighting and tackling the costs of work related ill health
- Managing risk well: Simplifying risk management and helping businesses to grow
- Supporting small employers: Giving SMEs simple advice so that they know what they have to do
- Keeping pace with change: Anticipating and tackling new health and safety challenges
- Sharing our success: Promoting the benefits of Great Britain’s world class health and safety system.

In addition to these elements the Council will base its Health and Safety Plan on Section 18 guidance, taking into account national, regional and local priorities.

5.4.4 From 1 July 2007, all enclosed workplaces became smoke free, as a result of the Health Act 2006 and subsequent regulations. All Environmental Health Officers, Technical Officers and Environmental Protection Officers are also authorised to enforce the smoke-free provisions. Smoke free compliance for businesses will be incorporated into the proactive inspection work undertaken by the Environmental Health and Licensing, in addition to responding to complaints.

5.4.5 The approach is therefore about focussing health and safety enforcement resources into areas where they are likely to have the greatest impact rather than completing all-encompassing inspections. This will fall in line with the principles advocated by the Better Regulation Delivery Office (BRDO) and Health and Safety Executive.

5.4.6 The above does not preclude the importance of providing wider guidance on health and safety compliance to new businesses and following specific service requests. Proactive health and safety education work will be suitably balanced against targeted enforcement activity.

5.4.7 The authority has a duty to investigate complaints about health and safety conditions/issues and about its health and safety service provision. A number of complaints/service requests about health and safety are received annually, all of which will be dealt with as appropriate or passed to other agencies.

5.4.8 No complaints have been received regarding the service provision of the Authority.

5.4.9 The service recognises the importance of providing advice to businesses as part of effective health and safety enforcement. As well as the provision of specific advice during interventions and with post intervention correspondence, a wide range of general health, safety and welfare advice is distributed to businesses.

5.4.10 The Council website is also continually revised and allows direct access and links to local and national health and safety information detailed within this service plan.

## **5.5 Statutory Notifications**

5.5.1 Prescribed accidents, dangerous occurrences and occupational diseases are reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. Accidents would include fatalities and accidents involving visits to hospital or currently more than 7 days off work. Certain accidents involving employees, the self-employed and members of the public are also reportable.

- 5.5.2 The Council has a duty to investigate accidents to determine whether offences have been committed and to prevent a recurrence. The authority also receives notifications of certain unsafe equipment and must respond and investigate such notifications. Decisions as to which accidents require a full investigation are made by the Principal Environmental Health Officer.
- 5.5.3 The service has a formal policy and procedure covering the type of accident, industrial disease notification or related service request, which the authority will investigate. This was revised during 2009 following new national guidance issued by the HSE. The Council is committed to reducing workplace accidents.
- 5.5.4 As a 'responsible authority' for the purposes of the Licensing Act 2003 and the Gambling Act 2005 the section has a duty to respond to premises licence applications etc. A number of applications will require scrutiny, some of which may require amendments by negotiation.
- 5.5.5 Liaison with other organisations is essential in order to achieve consistency and effectiveness of the health and safety service. The service is represented on the Devon CEHOs Health and Safety (Enforcement) Sub Group, which meets bi-monthly. This group includes a representative from the Health and Safety Executive (HSE) and maintains links with other local authority health and safety enforcement officers.

## 5.6 National Local Authority Enforcement Code

- 5.6.1 The Authority has a duty to focus its activities on national priorities and strategies and in particular the National Local Authority Enforcement Code, to secure a reduction in accidents and ill health in the workplaces for which we are responsible. The code is 'designed to ensure that Local Authority health and safety regulators take a more consistent and proportionate approach to enforcement' and 'provides direction to LAs on meeting these requirements, and reporting on compliance.'
- 5.6.2 The following list of activities/sectors for proactive inspection by Local Authorities – only these activities falling within these sectors or types of organisation should be subject to proactive inspection

No	Hazards	High Risk Sectors	High Risk Activities
1	Legionella infection	Premises with cooling towers/evaporative condensers	Lack of suitable legionella control measures
2	Explosion caused by leaking LPG	Premises (including caravan parks) with buried metal LPG pipework	Buried metal LPG pipe work For caravan parks to communal/amenity blocks only)
3	e.coli/cryptosporidium infection esp. in children	Open Farms/Animal Visitor Attractions	Lack of suitable micro-organism control measures
4	Fatalities/injuries resulting from being struck by vehicles	Tyre fitters*/ MVR* (as part of Car Sales) High volume Warehousing/Distribution	Use of two-post vehicle lifts Workplace transport
5	Fatalities/injuries resulting from falls from height/ amputation and crushing injuries.	Industrial retail/wholesale premises e.g. steel stockholders, builders/timber merchants	Workplace transport/work at height/cutting machinery /lifting equipment.
6	Industrial diseases (occupational	MVR* Industrial retail/wholesale premises e.g.	Use of Isocyanate paints Noise and dust.

	asthma/deafness	steel stockholders, builders/timber merchants	
7	Falls from height	High volume Warehousing/Distribution	work at height
8	Crowd control & injuries/fatalities to the public	Large scale public events/sports/leisure facilities e.g. motorised leisure pursuits including off road vehicles and track days	Inadequate consideration of public safety e.g. poor organisation and/or supervision of high speed or off-road vehicle movements
9	Carbon monoxide poisoning and gas explosion	Commercial catering premises using solid fuel cooking equipment	Lack of suitable ventilation and/or unsafe appliances.
10	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling e.g. betting shops/off licences/care settings.	Lack of suitable security measures/procedures

5.6.3 The work of Environmental Health and Licensing will address other issues when undertaking visits/developing initiatives in workplaces; health at work is an important issue. Interventions with regard to new compliance responsibilities to reduce exposure to occupational tobacco smoke will continue to be considered.

5.6.4 The Council offers leaflets and posters in different languages (and offers translation services if necessary) for the performance of its functions. The service endeavours to be resourced to ensure equality of access to information. Training courses for the Level 2 Award in Health and Safety in the Workplace qualification as well as Manual Handling and Risk Assessment are also provided, and a Health and Safety Handbook has been revised and produced for distribution across the City and at training courses.

## 5.7 Monitoring

5.7.1 A swimming pool monitoring programme based upon risk, using SMART sampling and a detailed assessment of pool management systems will be exercised throughout the year. The need for provision of further training/information for local pool operators will be explored, based upon the sample results.

## 5.8 Enforcement

5.8.1 Enforcement (or the fear of enforcement) is an important motivator for rogue employers. Evidence confirms that enforcement is an effective means of securing compliance and promoting self-compliance. We will work in partnership with the HSE, other enforcement agencies, regulators and stakeholders to secure proportionate compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard health and safety and welfare. The scope of these activities will continue to be evidence based and is clearly set out in the Council's enforcement policy statement.

## 5.9 Staff Resources

5.9.1 The national local authority enforcement code requires the Council to have sufficient capacity to undertake our statutory duties. Exeter City Council Environmental Health and Licensing is split into 3 districts. Each district is allocated to a full time equivalent District EHO.



- 5.9.2 The Council's Principal Health and Safety Officer is also a very experienced and specialist officer for Health and Safety and will be available to the team for specialist advice on the health and safety function.
- 5.9.3 All Environmental Health Officers will undertake some health and safety duties along with their other functions which include food safety, training, health initiatives, some licensing duties and infectious disease control.
- 5.9.4 The staff resources allocated to the functions is currently deemed adequate to fulfil the Council's duties. Officers will vary their approach to the health and safety intervention programme to enable them to meet Performance Indicators by targeting resources on high-risk premises and national priorities.

## **5.10 Staff Skills**

- 5.10.1 The section has a procedure for authorisation of officers and only trained and competent staff will be able to undertake full health and safety duties. The authorisation, and hence action they can take, for each officer will reflect their personal skills. As part of the annual Regulator Development Needs Assessment all staff who undertake health and safety duties are mandated to complete this assessment, which is subject to review as part of the annual appraisal process. Any training and development needs identified at the Growth and Development Review process are added to the service wide training plan which provides for the priority resourcing of both qualification based training and continuing professional development.
- 5.10.2 Work toward ensuring full alignment with the new national local authority enforcement code will continue during the year.
- 5.10.3 All officers have completed Regulators Development Needs Analysis to identify areas where they can benefit from development activities, and training has been provided throughout the year. Further details are contained within section 15.

## **5.11 Consultation with Stakeholders**

- 5.11.1 The Health and Safety at Work etc Act 1974 places general duties on all employers to protect the health and safety of their employees and those affected by their work activities. Its goal-setting approach makes clear that those who create risks are best able to manage them. We will make clear that effective health and safety management is a collective responsibility in which individuals too must play their part.
- 5.11.2 Experience shows that many organisations do not contact us. Some may be fearful of contact, which deters them from seeking advice. We will make a special effort to explore new ways to establish and maintain an effective health and safety culture, so that all employers take their responsibilities seriously, the workforce is fully involved and risks are properly managed.
- 5.11.3 We will aim to demonstrate the moral, business and economic case for health and safety. Appropriate health and safety management is an integral part of effective business management and, we will promote it as an enabler and not a hindrance.
- 5.11.4 We will explore ways to promote greater access to authoritative health and safety advice and guidance and we will continue to offer advice in the course of our other enforcement activities where appropriate.

## 5.12 Health and Safety Performance 2015/16

- In total 90 premises have been the subject of a health and safety intervention.
- The service has dealt with 59 health and safety service requests / complaints
- 191 accident reports have been received and looked into by the service
- A joint initiative took place with a number of partners including the Police and Immigration Enforcement looking at hand car wash operations within the city. This included looking at welfare facilities, health and safety and whether those working at the establishments were doing so of their own accord. As a result of this operation one person was identified as not being at the establishment through choice and is being helped by the relevant agencies.
- The service has also identified two other premises as a result of routine inspections where there is a concern over individuals working within these premises. This is being followed up by the relevant agencies.
- The service conducted an investigation alongside the Police into a tragic death that occurred in a city venue. Conclusions were that it was a tragic accident and the premise concerned was not at fault.
-

## SECTION 6: PRIVATE WATER SUPPLIES

### 6.1 Scope of Private Water Supply Regulations

- 6.1.1 The regulations apply to any private supply intended for human consumption, for domestic purposes and/or food production purposes and include water from wells, boreholes and springs which is supplied from someone other than a Water Undertaker or Licensed Water supplier or;
- water supplied by Water Undertakers or Licensed Water Suppliers, which is then further distributed by another person – a private distribution network. (Examples include mobile home sites, MOD property, Universities, Schools etc).

### 6.2 Main Provisions of the Private Water Supply Regulations

- 6.2.1 The purpose is to protect human health by ensuring that water for consumption is wholesome, clean and the adverse affects of contamination are minimised. New and revised standards are set for drinking water quality and new audit and monitoring regimes as regarding sampling and analysis are specified.
- 6.2.2 The regulations require the Council to complete a risk assessment of all Private Water Suppliers PWS's) within 5 years (except for supplies to single non- commercial dwellings) to maintain supplies and develop an annual sampling programme. Single non-commercial dwellings must be assessed for risk if a request by the user is made.
- 6.2.3 The Council can make reasonable charges to cover costs of carrying out the duties under the new regulations. These charges can be found within the Council's published fees and charges.
- 6.2.4 There is a requirement for LA's to make returns (which are fairly comprehensive) to the Drinking Water Inspectorate (DWI) on an annual basis.

### 6.3 Enforcement

- 6.3.1 There is a procedure to follow where a private water supply is found unwholesome – including the requirement to investigate the cause to notify the users. There are some strict permitted levels declared in the regulations which, if a supply fails, would invoke this procedure. The Council would need to liaise with Public Health England and the Drinking Water Inspectorate for the potential of any failure or non compliance to be assessed.
- 6.3.2 There are options for effecting improvements of a private supply, up to the service of a formal notice or prohibiting the use of a supply.

### 6.4 Staff Resource

- 6.4.1 At present the most economical and practical method is to contract out the inspection of private water supplies and private distribution networks to a neighbouring authority who is willing to provide a qualified Environmental Health Officer to conduct the necessary risk assessment and report. As the cost is borne by the owner of the private water supply or private distribution network, this is done at no cost to the authority.
- 6.4.2 The arrangement for microbiological and chemical sampling and analysis which is a countywide arrangement has currently been awarded to an accredited laboratory.

## **6.5 Staff Skills**

- 6.5.1 The Section has a procedure for authorisation of officers and only trained and competent staff will be able to undertake full private water supply duties. The authorisation, and hence action they can take, for each officer will reflect their personal skills. As part of the section's procedural requirements all staff who undertake private water supply duties are subject to an annual appraisal which identifies training and development needs. These individual training needs are then linked into the service wide training plan which provides for the priority resourcing of both qualification based training and continuing professional development.
- 6.5.2 At present no member of staff within the section have received training to undertake all of the requirements of the Private Water Supply Regulations.

## **6.6 Legal Implications**

- 6.6.1 Exeter City Council has a duty to implement the Private Water Supply Regulations 2009. Failure to discharge these duties adequately may result in legal challenge from consumers and/or owners of private water supplies.

## **6.7 Private Water Supply Performance 2015/16**

- The one premise identified as having a private water supply has been sampled and was found to be compliant with the regulations.

## SECTION 7: LICENSING

### 6.1 Introduction

6.1.1 The City Council has a number of licensing powers and duties. These powers and duties are delegated to the Licensing Committee. The provision of a Licensing Service is a statutory duty placed on the Local Authority. The granting and issuing of specific licences, permits and registrations is delegated to the Assistant Director Environment on the understanding that any applications giving rise for concern may be referred to the Licensing Committee for determination.

6.1.2 The Licensing Committee plays a vital and unique role in an administrative function regarding the grant, suspension and revocation of Licences. The legislation delegated to the Licensing Committee includes:

- Zoo Licensing Act 1981
- Animal Boarding Establishments Act 1963
- Breeding of Dogs Act 1973 and 1991
- Riding Establishments Act 1964-1970
- Game Act 1831
- Game Licences Act 1860
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Pet Animals Act 1951
- Gambling Act 2005
- Pleasure Boat Licensing
- Boatman's licence.
- Guard Dogs Act 1975
- Exeter City Council Act 1987 - the powers, duties and functions of the Council under Part 4 and Sections 21, 22, 23, 24 and 29.
- Local Government (Miscellaneous Provisions) Act 1982 Part II (in accordance with the Council's agreed policies)
- Licensing Act 2003 (to the extent permitted by section 10). In particular to determine:
  - applications for Personal Licences, where no police objection is made;
  - applications for Premises Licences/ Club Premises Certificates, where no relevant representations have been made;
  - applications for provisional statements, where no relevant representations have been made;
  - applications to vary Premises Licences/ Club Premises Certificates, where no relevant representations have been made;
  - applications to vary designated Premises Supervisor, where no police objection has been made;
  - requests to be removed as designated Premises Supervisor;
  - applications for transfer of Premises Licences where no police objection has been made;
  - applications for interim authorities where no police objection has been made;
  - decisions on whether a complaint is irrelevant, frivolous, vexatious etc.
  - to determine applications under the Licensing Act 2003 Minor Variations to Premises Licence Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009.
- Local Government (Miscellaneous Provisions) Act 1982 (Schedule 3) - to determine applications for the renewal of a sex shop licence in accordance with the Council's agreed policy
- Scrap Metals Dealers and Collectors

- Enforcement of local bylaws.
- To deal with all matters, powers, duties and functions, which shall include the issuing of Licences and permits in respect of lotteries and house to house and street collections in accordance with the House to House Collections Act 1939, the Police Factories (Miscellaneous Provisions) Act 1916 (Street Collections) and Schedule 17 of the Gambling Act 2005.

## **6.2 Aims and Objectives of Licensing**

- 6.2.1 The key aim of the Licensing Committee and the Licensing Team is to contribute to the growth of Exeter by improving public safety and thereby public confidence in licensing, by raising standards of people, vehicles and premises licensed in Exeter.
- 6.2.2 To protect public health and animal welfare, reduce crime and disorder and ensure awareness of the licensing requirements through enforcement of legislation and the provision of advice information and education by:
- Fulfilling the Council's Statutory Duties under relevant legislation e.g. Licensing Act 2003, Gambling Act 2005, Animal Welfare Act 2005, Local Government (Miscellaneous Provisions) Act 1982 etc.
  - Responding to public complaints and other requests for service and investigating within service standards.
  - Delivering educational initiatives and awareness campaigns.
  - Fulfilling the Council's statutory duty under the Crime and Disorder Act 1998.
  - Working in partnership or in co-operation with the Police, Fire Authority, Social Services, Public Health Team, Community Safety Partnership and other external agencies.
- 6.2.3 To actively promote the Licensing Act 2003 licensing objectives by encouraging applications which contribute to a more mixed and family friendly night time economy, through dialogue with applicants and statutory consultees to ensure appropriate licence conditions are added, and through supporting voluntary schemes such as Beat Bar None and the LVA.
- 6.2.4 To promote and support the taxi trade through regular dialogue with the trade representatives, through promotion of the standards contained in the updated taxi policy, and by enforcement and disciplinary proceedings in line with departmental and local government enforcement policies.

## **6.3 Service Delivery**

- 6.3.1 During the course of the year, a percentage of all categories of premises that are licensed will be inspected for compliance, greater emphasis will be placed on ensuring that every premises about which a complaint or Request For Assistance or relevant intelligence is received will receive an inspection visit.
- 6.3.2 The service conducts intelligence led inspections will mean that our resources are focussed towards problem traders and that our enforcement practices comply with government policy on cutting red tape and reducing burdens on business (Better Regulation principles).
- 6.3.3 There is a particular focus on the night time economy within the city. Evening compliance visits will be conducted in known problem areas.

#### 6.4 Licensing Performance 2015/16

- A review of the Gambling Act 2005 Statement of Licensing Policy was drafted, consulted upon and then adopted by the Council. Exeter is also the only licensing authority in Devon and Cornwall to have already published its Local Area Profile.
- The policy and procedures of Private Hire and Hackney Carriage Licensing were updated in line with changes adopted by the Licensing Committee
- Best Bar None scheme in Exeter was at 61 members at the end of the first year. It received highly commended in the categories of Best New Scheme and Best Overall Scheme at the National Best Bar None Awards
- The multi-agency helpzone which runs on a Saturday night continues to reduce demand upon Accident and Emergency
- The team supported the pilot of Club Hosts who aim to look after the welfare of patrons in clubs, in one establishment in the city. Club Hosts are specially trained staff who work in bars and clubs to reduce drunken anti-social behaviour and help keep people safe. Working in pairs, the club hosts will have a presence in the venue throughout the night, talking to customers at the start of the evening when a queue is forming, supporting customers who are vulnerable due to alcohol and ensuring guests leave safely after the venue has closed
- The Street Trading and Sex Establishment Policies were amended to prohibit the sale of New Psychoactive Substances.
- 230 Compliance checks were conducted in relation to premises licensed under the 2003 Act. In addition to this regular night time working was conducted to improve the evening and night time economy.
- All 24 premises licensed under the Gambling Act were also inspected.
- The computer based taxi knowledge test has been comprehensively updated and amended including consultation with Trade Representatives..
- A pilot training seminar for the taxi trade on child sexual exploitation has been held, with further sessions planned.
- The first additional Hackney Carriage plate has been issued since derestriction of taxi numbers (since derestriction an additional 8 vehicles have been issued with a plate).
- The roll out of the new Hackney Carriage livery continues, with the first liveried vehicle licenced in August 2015.
- During the Rugby World Cup, Environmental Health and Licensing were tasked to work with other partners to identify and respond to all potential threats within a 500 meter radius of Sandy Park and the Fanzone. 18 months of work went into developing the operation plan which saw multi agency teams deployed consisting of officers from Environmental Health and Licensing, Police and Trading Standards. During the tournament the following issues were dealt with:-
  - Street Sellers (selling scarf's, tee shirts etc) had their documentation checked and were advised as to how to operate legally under the provisions of a Pedlars Licence.
  - Ambush Marketing – preventative work went into this area to advise businesses prior to the tournament starting what could and couldn't be done. Largely this proved beneficial .

We did have advertising put up in a prominent location on the Friday that the tournament commence which was dealt with swiftly by colleagues in City Development. On the day of the first game leaflets were being handed out by a business baring the RWC logo and officers were dispatched to speak to the business and seize the leaflets that had been printed.

- Taxis – after the first game an issue was found with respect to the taxi trade entering the Sandy Park complex obstructing the bus movement on the site. The Rights Protection Team were assigned to preventing taxis from entering the site after the last two games.

- Ticket Tout – One ticket tout was found trying to sell tickets to Australia v Fiji which was a game held at the Millennium Stadium a week before! Officers were later informed that the ticket tout was being filmed undercover by a BBC documentary team working on the show 'Barely legal Grafters'.

- Food Safety and Health and Safety – the rights protection team were also responsible for ensuring that food vendors within the fanzone were operating in a safe manner. Throughout the tournament regular checks were conducted and high standards were observed.



## SECTION 8: ENVIRONMENTAL PERMITTING REGULATIONS

### 8.1 Introduction

- 8.1.1 The Environmental Permitting Regulations 2010 require the Council to regulate certain types of factory and other activities such as dry cleaners. This is to reduce any pollution they may cause and, in particular, to help improve air quality.
- 8.1.2 Businesses which operate these specified types of premises must have a permit. The Council decides whether to give a permit and, if so, what conditions to include within it so as to minimise pollution.
- 8.1.3 In the regulations, the premises are known as "installations". Some are called 'Part B', and local authorities can only deal with air pollution from these. Other installations, which have a greater potential environmental impact, are known as 'Part A2' and permits for these must control many different sorts of pollution. This includes waste, noise, water pollution, energy use etc.
- 8.1.4 Other installations (known as 'Part A1') are regulated by the Environment Agency. They are usually larger or more complex.

### 8.2 Regulated Installations in Exeter

- 8.2.1 The table below shows all of the Part B, A(2) and A(1) installations in Exeter that were permitted in April 2015.

Part B	Waste Oil Burner (<0.4MW)	Central Garage	High Street, Topsham
		Vanborne and Radford	Victoria Road
		Isca Motors	Water Lane
		Exeter Gearbox Centre	Grace Road, Marsh Barton
		SHB	Bradman Way, Marsh Barton
		Exeter Motor Works	Old Tiverton Road
	Dry Cleaner	Johnsons	Cowley Bridge Road
		Johnsons	South Street
		RD&E Hospital	Barrack Road
		Care Clean	Sidwell Street
		Kenjo Washeteria	Sidwell Street
		Morrisons	Prince Charles Road
	Service Station	Dunns Motors	Trusham Road, Marsh Barton
		Alphington Service Station	Alphington Road
		Sainsburys	Alphington Road
		Sainsburys	Pinhoe Road
		Morrisons	Prince of Wales Road
		University Service Station	Cowley Bridge Road
		Pinhoe Garage	Main Road, Pinhoe
		Birchy Barton Service Station	Honiton Road
		Tesco Express	Fore Street, Heavitree
		Tesco	Russell Way
		Shell	Topsham Road
		Moto Services	Honiton Road
		Paint Sprayer	Sowton Motor Body

		Repairs	
		Fairweather Autoshine	Water Lane
		Exeter Diesels	Marsh Barton Road
		Vospers	Marsh Barton Road
		Exway Coachworks	Exhibition Way
	Timber	System Six Kitchens	Christow Road, Marsh Barton
	Heavy Clay or Refractory Goods	Original Style	Falcon Road, Sowton
	Cremation	Exeter and Devon Crematorium	Topsham Road
	Concrete Batching	Hanson	Hennock Road, Marsh Barton
		E&JW Glendenning	Kenton Place, Marsh Barton
		Aggregate Industries	Heron Road, Sowton
Part A(2)	Animal Rendering	J.L. Thomas	Canal Banks, Water lane
	Non-Ferrous Foundry	Alcoa Howmet	Kestrel Way, Sowton
	Timber Treatment	Jewson	Kestrel Way, Sowton
Part A(1)	Animal Feed Compounding	BOCM Pauls	Bittern Road, Sowton
	Solvent, Acid and Surface Cleaning	South West Metal Finishing	Alphinbrook Road, Marsh Barton
	Waste Incineration	Viridor	Grace Road, Marsh Barton

### **8.3 Implementation of the EP Regulations**

- 8.3.1 Permit applications - The operator of a new installation must apply for a permit before starting to operate. There is an application fee, which is set annually by DEFRA to cover the regulator's costs. The application must contain sufficient information for the Council to consider whether or not to approve it. The Council is required to consult relevant members of the public and other organisations.
- 8.3.2 If the Council decides to issue a permit, it must include conditions. These conditions will say how pollution is to be minimised. DEFRA publish guidance for each type of installation which says what are likely to be the right pollution standards. Under the law, the standards must strike a balance between protecting the environment and the cost of doing so. The Council must have regard to the guidance and consider local circumstances.
- 8.3.3 There is a right of appeal if a permit application is refused, or if an operator does not agree with some or all of the conditions which have been included in a permit.
- 8.3.4 Once a permit is issued, the operator must comply with the permit conditions and pay an annual charge. This charge is set by DEFRA to cover the regulator's costs in checking that the permit is complied with.
- 8.3.5 The Council uses a risk assessment process to determine how often an installation should be inspected to check for compliance with the permit. Installations are rated as high, medium or low risk, based on two things. Firstly, what the environmental impact would be if something went wrong and secondly, how reliable and effective the operator of the installation is. The annual charge is lower for low- and medium-risk installations.

8.3.6 The EP Regs give the Council powers if a business does not comply with its permit or operates without one, such as service of notices or prosecution.

#### **8.4 Investigation of Complaints**

8.4.1 The Council receives complaints about the operation or impact of regulated installations. These are investigated in accordance with the Environment Enforcement Policy to identify whether there is or has been a breach of any permit condition(s). Investigations may identify that the permit conditions are not appropriate, for example if they do not control a certain aspect of the process well enough, in which case the Council can vary the conditions. The Operator has a right of appeal against any varied conditions.

#### **8.5 Enforcement**

8.5.1 The Council carries out its duties under the EP Regulations in accordance with guidance from DEFRA and the Council's Enforcement Policy. Any enforcement decisions are documented, and advice is sought from the corporate legal team where appropriate.

#### **8.6 Business Support**

8.6.1 The Council will generally try to work with businesses to solve problems, and provide advice on compliance with their permit. They cannot operate as a free consultancy service for the Operator however. The Council keeps a record of income generated by application and annual fees and expenditure on Environmental Permitting work. Fees are set by DEFRA so the Council has no control over income but does endeavour to provide a cost effective service that supports business whilst protecting human health and the environment.

#### **8.7 Consultation**

8.7.1 Much of the information about permits must be put on a public register. Anyone can ask their local authority to see it. The public must also be consulted in various circumstances on permit applications etc.

#### **8.8 Environmental Permitting Performance 2015/16**

- 34 Part B and 9 Part A(2) inspections were conducted
- 5% of premises required additional interventions
- One A(2) application was received for a timber treatment process operated by Jewsons. This was not a new process, but a change in the regulations brought in under the scope of the regulations. The new permit was issued before the deadline set in the regulations.
- 11 variation or permit transfer applications were received. No applications for substantial change were received during the year.
- 36 complaints were received relating to authorised processes.
- The JL Thomas liaison committee continues to meet bi-annually.

## SECTION 9: AIR QUALITY

### 9.1 Introduction

- 9.1.1 The Environment Act 1995 requires local authorities to review air quality, and to assess this against national objectives. Where an exceedence of an objective is identified, the authority must declare an Air Quality Management Area (AQMA) and produce an Air Quality Action Plan (AQAP), which must work towards achieving the objective level within the AQMA.
- 9.1.2 Exeter City Council declared an AQMA in 2007 because levels of nitrogen dioxide (NO<sub>2</sub>) exceeded the annual average objective level at various locations. The area covers all of the main traffic routes in the city. This boundary was determined using the NO<sub>2</sub> concentration data, which are highest beside busy roads. Further studies showed that the high NO<sub>2</sub> concentrations are caused by traffic emissions along congested routes.
- 9.1.3 In April 2011 the AQMA order was amended to include exceedence of the short-term objective for NO<sub>2</sub> as well as the annual average objective. This occurred at a few locations within the existing area because of localised high traffic emissions. Exeter City Council's two Further Assessment Reports provide greater information on the local scale of the exceedences, specific sources of emissions and the type of improvements needed in order to meet the objective level. There are large-scale maps of each part of the area in the 2015 Updating and Screening Assessment Report. This, and Exeter City Council's other air quality reports are available at:  
<http://exeter.gov.uk/clean-safe-city/environmental-health/pollution-control/air-pollution/>

### 9.2 Air Quality Action Plans

- 9.2.1 The first Exeter AQAP covered the period 2008-2011. Because the source of the NO<sub>2</sub> emissions is traffic on the local road network it drew heavily from the Devon County Council (DCC) Second Local Transport Plan (LTP2, 2006-2011). Air quality was one of the four national shared priorities within the LTP2 and progress against Action Plan targets was generally good.
- 9.2.2 With the replacement of LTP2 in 2011, the AQAP also needed updating. The AQAP2, published in 2012, reflects the changed priorities in LTP3 along with changes in national, regional and local policy that have occurred since 2008. The measures are proportionate to the funding and resources within LTP3 and from partners. Another key change since the first AQAP is the significant upward pressures on NO<sub>2</sub> emissions which will result from the proposed development in the greater Exeter area. In recognition of this contemporary context, the AQAP2 sets four key objectives, which are listed below.

#### Action Plan Aims:

1. To describe the impact of predicted growth and existing plans on NO<sub>2</sub> concentrations within the AQMA.
2. To identify where further improvements are required, how these could be achieved and where multiple benefits can be realised.
3. To provide a process for assessing the air quality aspect of the sustainability of future plans and policies.
4. To provide tools to engage local communities in air quality issues alongside wider sustainability issues.

- 9.2.3 The AQAP2 explains what actions the City Council will take with partners to meet these aims as part of delivering sustainable development. It identifies that current plans and policies will have a low positive impact on air quality, although it is accepted that there is some uncertainty associated with this. This is a modest predicted change, but should be set against the background of significant development in the city and therefore significant upward pressure on emissions.
- 9.2.4 The AQAP also proposes three areas of further work. These are the development of a Low Emissions Strategy and feasibility study for a Low Emissions Zone, the development of closer links between air quality and climate change work, and the need to increase understanding of the health impacts of poor air quality. Programs of work in these areas are included in the annual Action Plan Progress Reports. They connect air quality to two key national and local policy imperatives; the low carbon agenda and the creation of local Health and Wellbeing Boards at the upper tier local authority level (DCC).
- 9.2.5 Because of uncertainty over funding, delivery of development, policy context and future legislation the AQAP2 contains relatively little detail on specific measures which will implement the actions described. Instead the annual Action Plan Progress Reports (AQAP PRs) have previously contained detailed information on the recent progress and intended direction of particular measures. This annual reporting mechanism allowed for the program to be updated regularly, as DCC and other partners updated their schemes. This was seen as the most efficient way of ensuring that the AQAP remains relevant. The approach worked well from the first AQAP Progress Report in 2012, to last year.

### **9.3 Annual Progress Reports**

- 9.3.1 DEFRA have consulted on a new template annual air quality report which local authorities must use from 2016 onwards. The final template report has not been released and so the Council has not yet published its air quality data for 2015. This will be done soon after the template is available.
- 9.3.2 The most recent published data is therefore the 2014 data, summarised in the Updating and Screening Assessment Report. An initial review of the 2015 data shows that NO<sub>2</sub> concentrations have generally declined since 2010 such that only four monitoring locations now exceed the annual average objective. The concentration at East Wonford Hill in 2015 was below 60 ug/m<sup>3</sup> for the first time since monitoring began there in 2003. This level is important because it is a proxy for exceedance of the short-term objective. If levels remain below 60 ug/m<sup>3</sup> for three years the Council could remove exceedance of the short-term objective from the order which determines the AQMA.
- 9.3.3 The 2015 AQAP Progress Report discussed each of the measures from the AQAP2 in turn, explaining what they involve, how they will be implemented and by whom. No target or trajectory for air quality improvements is set in the AQAP2 or AQAP PR. This is because the impact of many of the measures either has not or cannot be accurately quantified at this time. Instead, the annual reports have previously summarised data on the actual air quality change over the previous year, as well as a series of other key indicators such as the use of sustainable travel modes, car use, completion of developments etc.
- 9.3.4 The 2015 AQAP PR shows that work is largely on track with measures to implement the AQAP. It also reports on a reduction in peak time traffic levels in the last ten years, but it is not possible to categorically link cause and effect between this and any air quality change.
- 9.3.3 The new DEFRA template report will incorporate the AQAP Progress Report. Depending on how the template is worded, this might make it difficult to include the level of detail that has

previously been in Exeter's AQAP Progress Report. A decision will be made on how this information is best presented in future.

## **9.4 Low Emissions Strategy (LES) Project**

### **Background to the Project**

9.4.1 The LES project delivers significant aspects of the AQAP 2, in particular it aims to ensure that planned development is delivered as sustainably as possible, improve connections between air quality work and the public health agenda, ensure that air quality and climate change policy is integrated and empower local communities to make sustainable transport decisions. It recognises that additional stress will be placed on emissions by significant planned growth both in Exeter and its surrounding area. This is estimated to increase the population of greater Exeter by some 50% by 2026, and increase the potential for travel into the city, particularly through;

- urban extensions to the east and south-east of Exeter,
- the creation of a science park,
- Skypark business centre,
- multi-modal freight terminal,
- redevelopment of 4.6Ha of the city centre including the bus station, and
- Cranbrook development east of Exeter.

### **LES Introduction and Strategic Aims**

9.4.2 The Exeter Low Emission Strategy for 2015 to 2018 identifies actions that will reduce transport emissions of nitrous oxides (NO<sub>x</sub>) and contribute towards meeting the EU limit values for NO<sub>2</sub>, whilst also reducing emissions of particulates, noise and carbon dioxide (CO<sub>2</sub>). These actions can be undertaken by Exeter City Council and various stakeholders including Devon County Council to ensure that the city continues to grow and prosper, and that planned development is delivered as sustainably as possible. The strategy aims to improve connections between the work done by air quality officers and public health specialists. It considers both local air quality and climate change issues to ensure that policies are beneficial to both.

9.4.3 Exeter City Council firmly believes that the successful implementation of the Low Emission Strategy depends on the involvement of and consultation with businesses and residents (locally based stakeholders). This strategy already reflects contributions from each of these. Low transport emissions, and a vibrant growing economy are both seen as part of a sustainable future for Exeter, where cleaner vehicles, more efficient use of vehicles and reduced number of vehicles combine to reduce emissions and costs.

9.4.4 The strategy includes some actions which are in progress or just starting out and integrates these with new initiatives where possible. The strategy is for the period 2015-2018, after which it will be reviewed and updated, based on an evaluation of the first three year period.

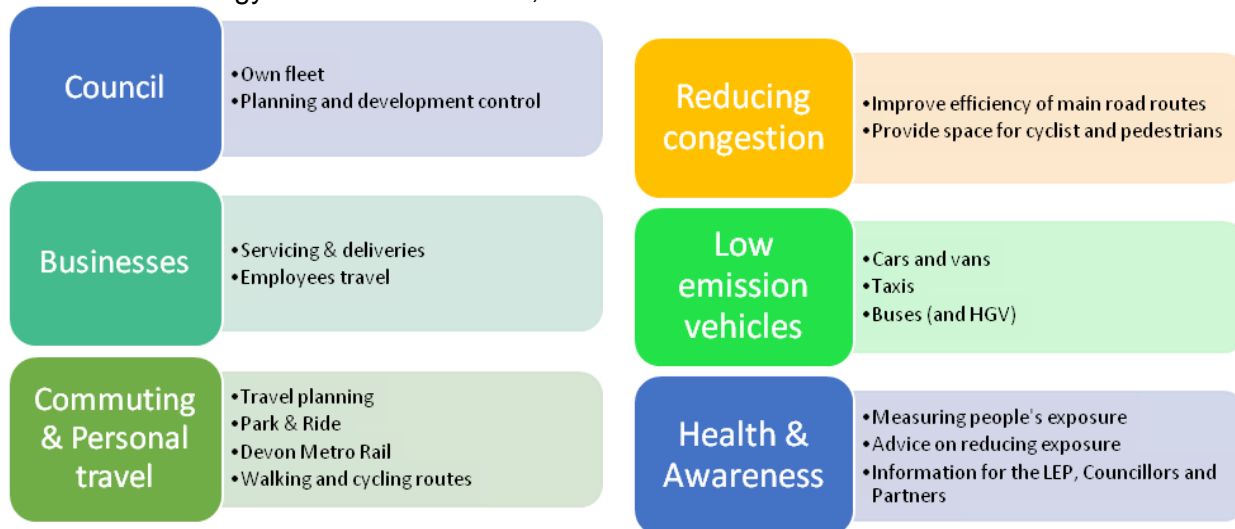
9.4.5 The strategic aims of the Low Emission Strategy are:

1. To take actions that will reduce emissions from transport in Exeter and support sustainable development.
2. To reduce emissions from all classes of vehicles, and to work with all groups who travel or who generate traffic, including emissions from the council owned fleet and staff vehicles (driven for business use).
3. To improve the understanding of air pollution as an issue that should be considered during the development of policy, and to influence decisions made in the Greater Exeter area.

4. To actively seek funding opportunities to implement stretching and innovative measures, especially opportunities to increase the use of ultra-low emission vehicles.
5. To evaluate the success of the strategy and report annually. To use the lessons learned during the strategy period to develop a strategy for 2018 onwards.

### LES Themes and Actions

9.4.6 The strategy contains six themes, each with a set of actions:



The full descriptions of the actions, with implementations plans are available in the LES document at

<http://exeter.gov.uk/clean-safe-city/environmental-health/pollution-control/air-pollution/>

### 9.5 Proposed Changes to local Air Quality Management

- 9.5.1 As discussed above, DEFRA have proposed a new template annual report that Local Authorities must use to report on their monitoring and AQAP actions. Once the template has been finalised, a decision will be made on whether there is a need or desire to present additional information for Exeter, and if so in what form.
- 9.5.2 The proposed changes also place a responsibility on local authorities to take action to reduce concentrations of PM<sub>2.5</sub>. There is no local objective for PM<sub>2.5</sub> and based on the consultation version of the new LAQM guidance it will be left to authorities to decide what action is appropriate for their area. This could include monitoring and setting a locally based objective. Exeter City Council will develop a policy that will be published in the 2016 annual report.

### 9.6 Air Quality Performance 2015/16

- 62 enquiries / complaints were received during the year.
- Delivery of the Low Emissions Strategy Project.
- 94% of roadside monitoring locations do not exceed NO<sub>2</sub> objective levels.
- The average extent by which objective level is exceeded at monitoring locations where an exceedance has been identified was 8 µg/m<sup>3</sup>
- The maximum extent by which objective level is exceeded at monitoring locations where an exceedance has been identified was 19 µg/m<sup>3</sup>

## SECTION 10: CONTAMINATED LAND

### 10.1 Introduction

10.1.1 Land affected by contamination from either natural or anthropogenic sources is widespread throughout the UK. It is often only when a risk assessment determines that the level of contamination is or is likely to cause significant harm to a receptor that regulatory intervention is required.

10.1.2 The definition of significant harm is based on the pollutant linkage being present. A pollutant linkage consists of three parts:

- A "contaminant" is a substance which is in, on or under the land which has the potential to cause harm or to cause pollution of controlled waters.
- A "pathway" is one or more routes or means by, through, which a receptor is being exposed to, or affected by, a contaminant, or could be so exposed or affected.
- A "receptor" (as specified in the relevant guidance for the regulatory regime involved).

10.1.3 The level at which harm becomes significant depends on the regulatory regime being implemented and how precautionary it is.

10.1.4 Local Authorities are the primary regulators for the majority of the legislation which relates to contaminated land, although the Environment Agency is also involved in some circumstances. Environmental Health and Licensing provides specialist support and technical advice to other parts of the Council in the discharge of their relevant duties, including the management of Council owned sites which are affected by contamination. The Council has adopted a Contaminated Land Strategy which describes its approach to all these areas of work, as summarised in the following sections.

### 10.2 Environmental Protection Act 1990 Part 2A

10.2.1 Part 2A of the Environmental Protection Act 1990 ("Part 2A") establishes a legal framework for dealing with historic contaminated land. It has a high threshold for the definition of "contaminated land" as follows:

"contaminated land" is any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that –

- (a) significant harm is being caused or there is a significant possibility of such harm being caused; or
- (b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused. (Section 78A(2))

"Harm" means harm to the health of living organisms or other interference with the ecological systems of which they form part and, in the case of man, includes harm to his property. (Section 78A(4))

10.2.3 Part 2A is intended to deal only with the most significantly affected sites. Under the Act, Local Authorities have a duty to inspect their area for such "contaminated land". Statutory Guidance describes two broad types of "inspection":



(a) strategic inspection, for example collecting information to make a broad assessment of land within an authority's area and then identifying priority land for more detailed consideration; and

(b) carrying out the detailed inspection of particular land to obtain information on ground conditions and carrying out the risk assessments which support decisions under the Part 2A regime relevant to that land.

10.2.4 If land is determined to be “contaminated land” following inspection, Part 2A provides for the Council to apportion liability and require remediation of the site.

10.2.5 The Contaminated Land Strategy provides further detail on how Part 2A will be implemented and how strategic and detailed inspection will be carried out.

### **10.3 Town and Country Planning**

10.3.1 The National Planning Policy Framework contains the following guidance on delivering sustainable development:

To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location.... Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Planning policies and decisions should also ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.

10.3.2 Environmental Health and Licensing provides specialist advice to both the Local Planning Authority and to Devon County Council as the Waste and Minerals Planning Authority on land contamination in order to ensure that this and other relevant guidance is followed. In practice this involves scrutinising development sites and planning applications for potential contamination impacts, reviewing third party risk assessment reports for their adequacy, agreeing relevant planning conditions and making recommendations on the discharge of these. This is a significant area of work for Environmental Health and Licensing in terms of specialist knowledge and time resources.

### **10.4 Other Regulatory Regimes**

10.4.1 Building Regulations 1991 – these may require measures to be taken to protect the fabric of new buildings, and their future occupants, from the effects of contamination. Approved Document Part C (Site Preparation and Resistance to Moisture) gives guidance on these requirements. Environmental Health and Licensing provides specialist advice to Building Control on contamination, risk assessment and remediation when required.

10.4.2 Environmental Protection Act 1990 Part III – Statutory nuisance provisions now only apply where land gives rise to a nuisance (such as an odour) that is an offence to human senses but which is not covered under the various categories of harm set out in the Contaminated Land Statutory Guidance.

- 10.4.3 Environmental Permitting Regulations 2010. Some sites permitted by either the Local Authority or the Environment Agency are required to submit a Site Condition Report which provides baseline evidence on ground conditions when a permit is first issued. The site must be returned to this state if the permit is surrendered. The regulators also have powers to control contaminative activities at some permitted sites.
- 10.4.4 Water Resources Act (WRA) 1991 – The WRA 1991 gives the Environment Agency powers to take action to prevent or remedy the pollution of controlled waters, which could occur as a result of land contamination.
- 10.4.5 Environmental Damage Regulations 2009 - The EDR implement the European directive on Environmental Liability. They are based on the "polluter pays principle", so those responsible prevent and remedy environmental damage, rather than the taxpayer paying for it. Environmental damage has a specific meaning in the regulations covering only the most serious cases, and including damage to land.

## **10.5 Voluntary Remediation**

- 10.5.1 Site owners and those responsible for potentially contaminated sites can also decide to undertake voluntary investigation and remediation. There is no legal requirement to consult with the Local Authority in this event, but site owners will often do so. Environmental Health and Licensing support voluntary remediation, and endeavour to ensure that such sites are investigated and remediated to a suitable standard and that evidence to demonstrate this is provided to the Council for future reference.

## **10.6 Council Owned Land**

- 10.6.1 The Council is a significant land owner in the city, with responsibility for both receptor sites (eg housing which could be affected by contamination) and sites which have potentially contaminative former uses. Environmental Health and Licensing provides specialist advice to the Estates Department and to land managers regarding contamination. This involves some routine monitoring and reporting, where sites have previously been investigated by an external consultant. It is important to maintain a separation between regulatory functions and technical support to internal customers.

## **10.7 Contaminated Land Strategy**

- 10.7.1 The Council published its first Contaminated Land Strategy in 2001. It was reviewed and an updated strategy published in 2014 to reflect the recently updated Part 2A Statutory Guidance and the changed circumstances of the last ten years. Following publication, the Strategy will be kept under periodic review to ensure it remains up to date, especially in the event of further changes to the Statutory Guidance. The Council will aim to review the Strategy at least every five years.
- 10.7.2 The updated strategy describes how the Council will implement Part 2A, but also how it will apply alternative regimes when relevant. Decisions about the most appropriate regime in any particular case will be handled through consultation between the Council and the Environment Agency. The Council will take a strategic approach to carrying out its duties. This approach will be rational, ordered and efficient, and it will reflect local circumstances in Exeter. The Council will take a precautionary approach to the risks raised by contamination, whilst avoiding a disproportionate approach given the circumstances of each case or placing unnecessary burdens on businesses or individuals. The aim will be to consider the various benefits and costs of taking action, with a view to ensuring that the intervention produces net benefits, taking account of local circumstances in each case.

10.7.3 As part of the implementation of the Strategy, the Council will maintain databases and GIS files of sites which have been inspected, or require inspection in some form. This work will be undertaken by Environmental Health and Licensing.

## **10.8 Mincinglake Valley Park**

10.8.1 During 2015/6 works were undertaken by a contractor at Mncinglake Valley Park in order to maintain an effective network of monitoring boreholes. A review of the effectiveness of the water treatment system is also in the process of being completed. This will advise the Council on how best to maintain the settlement pond and reedbed, as well as making recommendations for further work, if required.

## **10.9 Contaminated Land Performance 2015/16**

- The service commented on 316 new planning applications during the course of the year.
- 33 new sites were entered onto the service's contaminated land database.
- The methane, stream water and groundwater monitoring results were reported upon and reviewed.

## SECTION 11: Anti Social Behaviour and Nuisance

### 11.1 Anti-Social Behaviour

11.1.1 Anti-social behaviour (ASB) can be a real issue for some neighbourhoods within the city. The Crime and Disorder Act (1998) defines ASB as behaving in a manner that 'caused or is likely to cause harassment, alarm and distress to one or more persons not of the same household.' Recognising the impact of the behaviour on the victims and the community, as well as looking at the risk factors that cause such behaviour, is key to tackling the problems.

#### **ASB can include:**

- Harassment/ Intimidation
- Verbal Abuse
- Criminal Damage
- Graffiti and vandalism
- Noise nuisance
- Substance misuse
- Assault
- Vehicle related nuisance

#### **ASB is not:**

- Children playing in the street or communal areas
- Young people gathering socially - unless they are being intimidating to individuals.
- Being unable to park outside your own home
- DIY and car repairs- unless these are taking place late at night
- Civil disputes between neighbours e.g. shared driveways.
- One-off complaints of noise nuisance e.g. one-off parties.

11.1.2 The Crime and Disorder Act (1998) places a statutory duty upon the council to act. The team works in partnership with a number of other partner organisations, to tackle anti-social behaviour. These include: Devon and Cornwall Police Exeter Neighbourhood Policing Team, Devon and Somerset Fire and Rescue Service, NHS, voluntary sector services and housing associations.

11.1.3 Environmental Health and Licensing seeks to work with Partners to put sustainable solutions in place, to prevent anti-social behaviour from happening in the first place. Following this the council will support individuals and groups to change their behaviour. We only use enforcement as a final measure.

### 11.2 Nuisance and Health

11.2.1 The protection of our environment is important for human health. The adverse impacts of the environment on health are therefore important to the Council. The main principle laid out under the Environmental Protection Act 1990 is to inspect the city in order to protect those who live, work and visit the city against public health nuisances and to safeguard the against the effects of environmental pollution.

11.2.2 The Environmental Protection Act 1990 provides powers to individuals and Local Authorities to take action where a person is subjected to an unreasonable and significant nuisance at their property. There is no definition of a statutory nuisance but in

general terms it could be described as "what an ordinary reasonable person would consider unacceptable". This definition would exclude any personal circumstances being taken in to account when assessing nuisance. It is assessed from the average person's perspective, so matters such as shift work patterns, medical conditions, sensitivities etc, cannot be taken into account.

11.2.3 To be considered a statutory nuisance something must be, or likely to be a nuisance or prejudicial to health. It must be something which seriously affects and disturbs the comfort and enjoyment of a person's property and can include:

- any premises in such a state as to be prejudicial to health or a nuisance
- smoke and ash emitted from premises, such as from bonfires or chimneys
- fumes or gases emitted from premises
- any dust, steam, smell or other effluvia arising on business premises
- accumulations or deposits of rubbish or offensive materials causing smells, flies etc
- any animals kept in such a place or manner as to be prejudicial to health or a nuisance
- any insects emanating from a business premises
- noise from domestic or commercial premises including licensed premises
- noise emitted from or caused by a vehicle, machinery or equipment in a street
- artificial light emitted from premises

11.2.4 Environmental health has an important contribution to make to improving public health and reducing health inequalities and regularly has to intervene with properties that have become filthy and verminous. These are often quite complex cases that involve dealing with individuals and families who are struggling to cope, with such cases frequently characterised by an accumulation of material that can make access to the premises difficult and that may present a physical or fire risk to the occupants of adjoining premises. Such premises have to be dealt with sensitively and normally in partnership with the Social or Children's Services and other organisations.

### **11.3 Objectives**

11.3.1 The service provides a proactive and reactive service dealing with routine Environmental Health complaints such as:

- To investigate Public Health Nuisances arising in the city (such as drainage, smoke, noise, illegal dumping, abandoned vehicles)
- To provide a co-ordinated response to anti social behaviour
- To respond to consultations from Planning
- To investigate all complaints from commercial, industrial and domestic premises.
- To provide advice on all environmental protection matters
- To investigate incidences of fly-tipping.

### **11.4 Methodology**

11.4.1 Environmental Health and Licensing has a small team of dedicated staff to tackle anti-social behaviour and nuisance issues. The officers work with a number of services across the Council, the main role of the team is to coordinate a response to anti-social behaviour, by using their problem solving skills and their extensive knowledge of services to ensure every organisation that can provide solutions is involved.

11.4.2 The Section undertakes monitoring of noise for the Council. Monitoring may also be undertaken prior to a proposed development, as part of the planning process, post development noise monitoring may also be undertaken to ensure compliance with planning conditions. Noise surveys are also undertaken from time to time

11.4.3 Environmental Health Services address environmental issues and provides a fast-acting complaint response service. It:

- works to reduce noise pollution in the city;
- provides an effective and safe pest control service;
- helps the Council carry out its duties whilst causing the least possible damage to the environment;
- deals promptly, sensitively and effectively with problems relating to all of these issues at the request of the public; and
- enforces the relevant laws and bylaws in a transparent and fair fashion.

## 11.5 Nuisance and Health Performance 2015/16

- The service received and investigated 720 noise complaints, 13 of which had noise abatement notices served.
- The service received and investigated 576 complaints relating to other public health issues such as rubbish, drainage and bonfires. As a result 14 notices were served under Public Health legislation.
- The service received and investigated 242 nuisance vehicles.
- 864 requests were made to the Pest Control Service.
- 122 Anti-Social Behaviour cases were dealt with by the service in conjunction with other agencies.
- Reviewed the way that the multi agency Anti Social Behaviour Action Team (ASBAT) functions. (ASBAT) meetings have been re-invigorated under a shared chair arrangement which has led to a re-engagement of a number of key partners.
- Staff from across the service supported the Police, Exeter University, Students Guild, Residents and Licensed Premises to welcome the new student intake to the city at the start of the academic year. This was largely a proactive engagement to educate, support and prevent issues arising, but where necessary respond quickly to matters when needed. Initiatives included enforcing the Drinking in Public Places Order, joint residential patrols with University Patrol, working with Licence premises to ensure effective management around premises and taking councillors and residents out to see the partnership in operation.
- In addition, it was decided to hold this year's varsity football match and staff from the service supported the multi-agency team to ensure that this was a trouble free event.
- One Community Trigger case has been completed, with another being worked through the multi-agency case review process
- The powers granted under the Anti-social Behaviour, Crime and Police Act 2014 have been used to deal with an increase in flyposting across the city. A number of warnings, notices and Fixed Penalty Notices have been served.
- Work is ongoing with the Police to collated evidence and seek a prosecution against those who have been damaging property with graffiti around the city.
- A consultation took place on the proposed adoption of a Public Spaces Protection Order (PSPO).

## SECTION 12: PRIMARY / HOME AUTHORITY PARTNERSHIPS

### 12.1 Scope of the Primary / Home Authority Partnerships

- 12.1.1 The Regulatory Enforcement and Sanctions Act 2008 established a statutory scheme for businesses trading across local authority boundaries. The scheme known as the Primary Authority Scheme enables businesses and local authorities to enter into formal partnerships. The advice provided by the local authority has to be taken into account by other councils before enforcement action can be taken against the business concerned.
- 12.1.2 Businesses that operate from more than one site can be subject to regulation and enforcement action by multiple local authorities. As a result, BRDO has found that on occasions these organisations may find themselves subject to regulatory enforcement using different approaches in different locations
- 12.1.3 Currently, there are voluntary 'Home' and 'Lead' Authority schemes which aim to address this issue. Generally, the Local Authority where the businesses head office is based will become a contact point for other authorities so that regulatory issues that apply across the business can be addressed. For example the company would liaise with the home authority to ensure that their policy for reporting accidents complies with the legislation.
- 12.1.4 Whilst the majority of businesses have been content with the voluntary arrangements, some others, particular national retailers, have not and so pressed for the introduction of a statutory 'Primary Authority' scheme, which is specifically designed to build on the successes of the current arrangements whilst addressing deficiencies. The RES Act provides for the introduction of this statutory scheme.

### 12.2 Main Provisions of the Regulatory Enforcement and Sanctions Act 2008

- 12.2.1 For the first time companies gain the legal right to form a statutory partnership with a single local authority, which must then provide robust and reliable advice on compliance which other Councils must take into account when carrying out inspections or dealing with non-compliance.
- 12.2.2 The idea of the scheme is that:
- a. Formal partnerships are made between businesses and a local authority for that local authority to act as a Primary Authority and provide advice and guidance on the legislation covered by the partnership.
  - b. Where a local authority other than the relevant Primary Authority (described as an "enforcing authority") proposes to take enforcement action against an organisation with a Primary Authority, the enforcing authority must consult the relevant Primary Authority first.
  - c. The Primary Authority will then have the right to direct the enforcing authority not to take the proposed enforcement action if they believe that it is inconsistent with advice or guidance that they had previously given.
  - d. Partnerships can cover all environmental health legislation, or be more specific, relating to functions such as food safety, health and safety, licensing and environmental permitting.

## **12.3 Enforcement**

- 12.3.1 Where a proposed enforcement action has been referred to a Primary Authority and the parties involved cannot reach an agreement as to the action that should be taken, the enforcing authority, the Primary Authority or the organisation involved can refer the action to BRDO for determination. The purpose of this determination process is to examine whether the Primary Authority's previous advice was correct, and the proposed enforcement action is inconsistent with that advice.
- 12.3.2 While the flexibility to adapt to local circumstances must be retained, eliminating inconsistent interpretation serves to enhance the credibility of all local regulators, as well as preventing unfair variations in the level of protection that the public receives. This will inevitably support the creation of a level commercial playing field, giving businesses more confidence to invest and grow.
- 12.3.3 It is recognised that the co-ordination of advice and enforcement is essential to ensure uniformity of treatment and consistency in dealing with businesses which have more than one branch or unit situated in different food authority areas. The Council will therefore be guided by the LG Regulation Home Authority Principle or where applicable the Primary Authority Principle.
- 12.3.4 A national inspection plan can be produced by the primary authority to improve the effectiveness of inspection, avoid repeated checks, and enable better sharing of information. If a problem arises, the primary authority can coordinate enforcement action to ensure that the business is treated consistently and that responses are proportionate to the issue.
- 12.3.5 Regulatory burdens will be reduced through embracing the Primary Authority Concept. The requirement for other enforcement authorities to consult the Primary Authority prevents unwarranted enforcement actions. Where an inspection plan is in place, unnecessary checks and tests are avoided whilst undertaking intelligence/risk based local inspections.

## **12.4 Resources**

- 12.4.1 The primary authority scheme is overseen by the BRDO who have a statutory responsibility to register the partnerships, issue guidance and resolve any disputes that may arise. Once legally nominated by BRDO, partnerships are automatically recognized by all local regulators and details of the partnership is maintained on a central national register providing an authoritative reference source for businesses and councils.
- 12.4.2 Resourcing the partnership is considered by both the council and businesses concerned and where necessary, a primary authority can recover its costs in relation to the level of service provided. Section 31 of the RES Act states that 'the primary authority may charge the regulated person such fees as it considers to represent the costs reasonably incurred by it in the exercise of its functions under this Part in relation to the regulated person'. The approach that must be taken by local authorities in recovering costs is set out in treasury guidance.
- 12.4.3 Charges levied upon any business that we enter into agreement with will be set based on official guidance and will reflect the extra level of support and assistance given to Primary Authority businesses. Any charge will be based on a cost recovery basis.
- It is the most effective means for councils to deliver support to businesses, through impact partnerships.
  - Better relationships between the regulated and the regulators mean better regulation.
  - It can increase the prosperity of communities.



12.4.4 As partnerships are established, the council will gain access to better intelligence in relation to any business risks. This will assist inspection and regulation, avoiding duplication of effort and the ability to target resources on the areas of highest need.

## **12.5 Legal Implications**

12.5.1 There is no statutory obligation on the authority to enter into any partnership agreement. A business can request the level of support it needs from its primary authority and the authority will then determine whether it has the capacity to meet the needs of the business before entering into any partnership agreement.

12.5.2 The Council will take responsibility for giving advice to those businesses on matters relating to food safety and hygiene, health safety and welfare, licensing, and environmental protection as required by the business.

12.5.3 Where the Council are unable to adhere to this principle the Council will discuss our concerns with the Better Regulation Delivery Office and, should the matter not be resolved, with the relevant agency (Food Standards Agency, Health and Safety Executive, or Environment Agency).

12.5.4 On 1 October 2013 the Enterprise and Regulatory Reform Act extended the scope of the Primary Authority scheme. Previously, a business had to be regulated by at least two councils to form a primary authority partnership with a local authority, but the ERR Act now opens participation up to businesses which share an approach to compliance such as trade associations and franchisees

## **12.6 Current Home Authority Partnerships**

12.6.1 The Authority already has a number of 'Home' Authority responsibilities for certain businesses within the city and this will present further opportunity to engage with these businesses currently operating under Home or Lead authority arrangements and transferring each to Primary Authority status

12.6.2 Home Authority agreements currently exist with:

1. RD+E Foundation Health Services Trust
3. University of Exeter

## **12.7 Current Primary Authority Partnerships**

12.7.1 Primary Authority partnership agreements have been established with:

1. Lloyd Maunder (Food Safety)
2. Devon Norse (Food Safety, Health and Safety and Licensing)
3. Brownsword Hotels (Food Safety, Health and Safety and Licensing)
4. Artigiano Retail Ltd (Food Safety, Health and Safety and Licensing)
5. Shauls Bakery Ltd (Food Safety and Health and Safety)
6. KM Innovations Ltd (Food Safety)

## SECTION 13: SAMPLING PROGRAMME

### 13.1 Purpose of Sampling

13.1.1 The food and water quality sampling programme is devised to ensure effective use of resources and fulfil the requirements of the Food Sampling Policy, Private Water Supply Regulations and water quality standards in respect to swimming pools.

### 13.2 Requirement to Sample

13.2.1 The sampling programme operates on a total sampling allocation of 12 samples per 10,000 population. This will require approximately 144 samples per year to be taken. The authority is required to provide a statistical return to the Food Standards Agency (FSA) and Drinking Water Inspectorate on its annual sampling activity. All local authorities have an arrangement with the Public Health England Laboratory, which provides a credit allocation to facilitate this work.

13.2.2 The authority has a duty under the Private Water Supply Regulations to conduct periodic sampling of Private Water supplies within the City. All local authorities within Devon have an arrangement with South West Water, which provides a pay as you sample contract to facilitate this work.

13.2.3 The authority also conducts routine swimming pool sampling of all public and private swimming baths within the city. All local authorities have an arrangement with the Public Health England Laboratory, which provides a credit allocation to facilitate this work.

### 13.3 Sampling Methodology

13.3.1 Primary / Home Authority Partnership role: There is only a very limited role for the Council to play in this respect as we are without any large national companies producing high-risk products. There are however a few small producers whose products are distributed locally and sampling will provide a means of surveillance of their goods and services.

13.3.2 Devon & Cornwall Chief Officers Food Sub Group: The food sub group have produced an agreed sampling plan that is applicable to both Unitary and district council members. This sampling plan will act as a 'pick list' and along with nationally agreed surveys will inform the majority of the food sampling methodology. In addition to the national surveys the food sub group have also agreed several local surveys.

13.3.3 Vulnerable Foodstuffs: High-risk foodstuffs, which give cause for concern or suspicion, may need to be sampled on an ad hoc basis. This will include sampling verification of controls at a critical step in a food operation and monitoring of imported food from third world countries, for example.

13.3.4 Complaints: Food samples may be taken when investigating consumer complaints, either to confirm suspected contamination or in undertaking enquiries resulting from complaints.

13.3.5 Statutory Samples: We have a statutory obligation to monitor water distributed by SWWS Ltd and to a limited extent premises with private water supplies.

13.3.6 Survey Work: The number of samples taken as a result of Food Alerts, locally/nationally agreed surveys and food poisoning investigations is subject to annual variation, but provision will be made for these items.

13.3.7 Environmental Swabs: The swabbing of key food contact and hand contact surfaces is seen as an effective means of contributing to the assessment of hygiene standards during routine

food hygiene inspections. Officers will use a combination of swabs sent to the Public Health England laboratory and ones analysed at the time of visit using an ATP meter.

### 13.4 Budget Provision

13.4.1 In addition to the credit allocation provided by the Public Health England laboratory, sums of £260 (analyst's fees) and £300 (samples) are included within the budget. These sums are intended to cover all sampling and a proportion of this will be reserved for Health and Safety sampling (e.g. asbestos, COSHH etc.).

### 13.5 Resources

13.5.1 There is adequate provision within the present budget to undertake the proposed sampling programme. Allowing for some flexibility between the two budget entries ensures that problems in financing the purchase and analysis of samples for the Food and Health and Safety enforcement functions of the section will be minimised. The programme assumes the current staffing level as outlined in section 3 of this report will be maintained throughout the year.

Year	2016												2017			
Months of sampling	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A
<b>New National LGR / Public Health England Studies</b>																
Study 59: Ice																
Study 60: Sauces where caterers refill the bottles																
Study 61: Unpasteurised smoothies/juices																
<b>Exeter Specific Sampling</b>																
Takeaway / Restaurant Evening Sampling focusing on cooked rice																
Non Compliant Premise Sampling / ATP Swabs																
Swimming Pool Sampling																
Private Water Supply Sampling																

### 13.6 Sampling Performance 2015/16

- 85 samples were taken during the year
- 28 samples were taken of food products, with samples taken across all classifications. Of these samples 82% were found to be satisfactory with 18% shown to be unsatisfactory or borderline. All unsatisfactory / borderline results were investigated further by officers.
- 57 samples were taken of swimming / spa and paddling pools. Of these, 82% were found to be satisfactory with 18% having an unsatisfactory / borderline sampling result. Where an unsatisfactory / borderline result was returned by the laboratory, officers worked with pool operators to ensure immediate remedial action was taken.

## SECTION 14: ENVIRONMENTAL HEALTH TRAINING SERVICE

### 14.1 Scope of the Training Service

14.1.1 The service has established a robust cost effective training service for Exeter and the surrounding area. The service in the past has been successful in receiving external funding initiatives and will apply for funding schemes as and when they become available.

### 14.2 Main provisions of the Training Service

14.2.1 Food handlers must receive adequate supervision, instruction and /or training in food hygiene for the work they do. The owner of the food business is responsible for ensuring that this happens. There is an equivalent legal position under Health and Safety legislation and businesses have a legal duty to assess the risks within their operation and the take precautions to minimise that risk.

14.2.2 The Environmental Health training services provision has been at the forefront of training since the establishment of the first formal courses. Over the last 5 years, the Environmental Health Training Portfolio has established itself as a primary provider of Environmental Health training courses in Exeter and the surrounding area. The authority aims to provide this service on a cost neutral or profit making basis.

14.2.3 The training and education activities are principally directed to workplace and consumer health protection, although increasingly educational establishments and the voluntary sector are using the service. The service embraces the principles of excellence in public services and Better Regulation and looks to make the most effective use of available resources to achieve maximum gain.

14.2.4 The service is currently achieving a 95% pass rate for its training courses.

### 14.3 Access to training

9.3.1 The service looks to actively encourage delegates who require additional support in terms of, language difficulties, poor literacy or numeracy skills, physical or mental challenges, dyslexia or other literacy problems.

14.3.2 Where additional support is required, this can be provided through the provision of language specific course materials, extension of guided learning hours, oral examinations, extended examination period, alterations to the method of instruction or provision of specific courses. The service also provides training in other languages to meet the diverse needs of the business community.

### 14.4 Financial Implications

14.4.1 A robust cost effective training service for Exeter has been established and to the same degree this also serves the surrounding area. The service has been innovative and successful in receiving external funding and will apply for funding schemes as and when they become available.

14.4.2 The costs of providing training in other languages significantly increases the costs as the service needs to employ the services of a translator or course tutor who can deliver the course in the desired language to ensure that the courses are equally successful.

#### 14.5 **Education and Awareness Performance 2015/16**

- During 2015/16, 355 delegates have attended education and awareness sessions.
- The Level 2 Award in Personal Licence Holders has been added to the portfolio of training provided.
- A Community Safety Partnership awareness day was organised in conjunction with the Exeter and Heart of Devon Hotels and Restaurant Association. The awareness day was held on 28 January 2016 and covered a wide range in topics including: Fire Safety / Asbestos / Prevent Agenda (terrorism awareness) / Child Sexual Exploitation / Modern Slavery / How to control norovirus / e-coli
- The service facilitated two workshops on behalf of the Community Safety Partnership aimed at frontline officers to up-skill on basic mental health awareness, allowing identification and reporting.
- Drug and alcohol awareness session was hosted by the Community Safety Partnership. RISE and the EDP ran the session which was attended by a number of internal staff, partner agencies and businesses

## SECTION 15: RESOURCES

### 15.1 Financial Matters

15.1.1 Detailed figures to determine the overall specific level of expenditure involved in providing individual elements of the service are not available as there are fluctuations in priority and need across the wide range of legislative areas. Likewise with changes in the intervention pattern it is difficult to accurately determine the trend of growth, of the various functions of the service. The food safety function can occupy the significant portion of time of the Section, at the expense of the other services.

15.1.2 The training element is also covers subjects across the enforcement disciplines, although it has its own budget and cost centre and aims to be cost neutral. External tutors are used to increase efficiency in delivering this service.

15.1.3 The budgets for sampling and analysis of samples are currently £560 for the year.

#### 15.1.4 **Budget Allocation Figures for 2016/17 – Food Safety Function**

ENFORCEMENT				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Commercial F020</u>	224,190	9,780	740	53,010
Proportion allocated to Food Safety Function (40%)	89,676	3,912	296	21,225.60
Analysis (max)		260		
Purchase of Samples		300		
Environmental Protection Sampling Technician	2,200			

**NB:**

- Based on 40% allocation to Food Safety. Analyst fees up to a maximum £260 (may also be used for water/health and safety samples) if required.

#### 15.1.5 **Budget Allocation Figures for 2016/17 – Health and Safety Function**

ENFORCEMENT				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Commercial F020</u>	224,190	9,780	740	53,010
Proportion allocated to Health & Safety Function (40%)	89,676	3,912	296	21,225.60

**NB:**

- Based on 40% allocation to Health and Safety. Analyst fees up to a maximum £260 (may also be used for water/health and safety samples) if required.

### 15.1.6 Budget Allocation Figures for 2016/17 – Training Provision

FUNCTION				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Health Education F018</u>	1,610	8,000	-	3530
Proportion allocated to Health & Safety function (20%)	322	1,600	-	706
Proportion allocated to Food Safety function (80%)	1,288	6,400	-	2,824

### 15.1.7 Budget Allocation Figures for 2016/17 – Licensing

FUNCTION				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Licensing F021 / F022</u>				
Proportion allocated to Taxi Licensing function (F021)	71,630	20,970	100	52,410
Proportion allocated to Premise Licensing function (F022)	94,490	9,250	150	53,780

**NB:**

- Costs do not include those associated with the licensing committee and associated support given to the committee.

### 15.1.8 Budget Allocation Figures for 2016/17 – Environment Permitting and Strategy, Contaminated Land, Air Quality and Business Nuisance Investigations

FUNCTION				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Environmental Strategy F025</u>	114,740	21,530	6,780	50,630

### 15.1.9 Budget Allocation Figures for 2016/17 – Anti Social Behaviour, Nuisance Investigations and Pest Control

FUNCTION				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Environmental Protection F001</u>	154,890	9,010	6,200	88,020

## 15.2 **Staffing Allocation**

15.2.1 Environmental Health and Licensing is managed by the Environmental Health and Licensing Manager.

<b>Title</b>	<b>Qualification</b>	<b>Role</b>
Environmental Health and Licensing Manager	BSc / Msc Environmental Health	Management

15.2.2 There are currently 3 FTE staff directly working on food, enforcement and related matters and 2 FTE staff directly working on health and safety related matters with a significant and increasing support role by Environment Support staff.

<b>Title</b>	<b>Qualification</b>	<b>Role</b>
PEHO	BSc Environmental Health	Lead Professional Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO (part time)	BSc Environmental Health	Food Safety / Health and Safety Inspector
EHO - Agency	BSc Environmental Health	Food Safety, Health and Safety and Private Water Supplies Contract Inspector

15.2.3 There are currently 3 FTE staff that are directly working on Environment Permitting and Strategy, Contaminated Land, Air Quality and Business Nuisance Investigations

<b>Title</b>	<b>Qualification</b>	<b>Role</b>
Senior Technical Officer	BSc/Diploma in Environmental Health and EHORB Certificate of Registration OR  University Science/maths degree or equivalent professional qualification in the field of noise/air quality monitoring or contaminated land	Environmental Permitting, Nuisance Investigations, Contaminated Land, Air Quality, Sampling and Monitoring
Technical Officer	Educated to 'A' level or equivalent	Environmental Permitting, Nuisance Investigations, Contaminated Land, Air Quality, Sampling and Monitoring
Environmental Protection Officer	Good general standard of education and to "O" level	Contract Pest Control, Nuisance Investigations,



	standard in two suitable subjects (Maths and English preferred)	Sampling and Monitoring
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15.2.4 There are currently 3.75 FTE staff that are directly working on Licensing related matters with a significant and increasing support role by other staff within the service.

<b>Title</b>	<b>Qualification</b>	<b>Role</b>
Principal Licensing Officer	Recognised licensing qualification plus 2 years enforcement experience	Licensing process and enforcement
Senior Licensing Officer	Recognised licensing qualification	Licensing process and enforcement
Licensing Officers	Recognised licensing qualification	Licensing process and enforcement
Senior ESO	Educated to 'A' level or equivalent	Assisting with Monitoring and various projects

15.2.5 There are currently 9 FTE staff providing a customer and support service across the whole of the Office of the Assistant Directorate Environment.

<b>Title</b>	<b>Qualification</b>	<b>Role</b>
Principal Environmental Support Officer	Educated to A level standard	Service Support
Senior ESO	Support	Service Support
ESO (x 8.5FTE)	Support	Service Support
Contract Tutors	CIEH/RIPH and/or Highfield Registration	Deliver training courses run by the service

15.2.8 There are currently 4.55 FTE staff that are directly working on Nuisance and Anti Social Behaviour matters such as Noise, Odours, bonfires, defective drains, light, refuse, accumulations and Domestic Pest Control.

<b>Title</b>	<b>Qualification</b>	<b>Role</b>
PEHO	BSc Environmental Health	Lead Professional Officer
Environmental Health Technician	Educated to 'A' level or equivalent	Nuisance Investigations, Sampling and Monitoring
Senior ESO	Educated to 'A' level or equivalent	Assisting with Nuisance and Anti Social Behaviour Investigations, Monitoring and various projects
Environmental Protection Officer	Good general standard of education and to "O" level standard in two suitable subjects (Maths and English preferred)	Domestic Pest Control, Nuisance Investigations, Sampling and Monitoring

15.2.7 It is currently the policy of the Council to engage the services of outside contractors to assist in programmed food hygiene interventions. This will be subject to any agency

contractors meeting the requirements specified in the Code of Practice (England) and the relevant Councils procedure; and the cost of the work being met within existing budgets.

### 15.3 **Staff Learning and Development Plan**

15.3.1 The service will ensure that staff are appropriately qualified and receive regular training to maintain and improve their level of competency. All officers will have access to at least 20 hours training which will normally be identified at performance appraisal and target setting. For those officers conducting food safety and health and safety enforcement work, a minimum 10 hours food safety and 10 hours of health and safety update training will take place on an annual basis. All Environmental Health staff within the section will be afforded the facility of continuing professional development.

15.3.2 The training structure comprises:-

- the employment of enforcement officers capable of food law, health and safety, licensing, environmental permitting and other enforcement that they are required to undertake;
- evidence of formal qualification (sight of original qualification certificates prior to commencement of employment);
- in-house competency-based training;
- successful completion of Regulators Development Needs Assessments (RDNA) to assure competence;
- identification of training needs during annual performance appraisal to meet current targets to assist and improve upon performance against current job requirements.

15.3.3 The following additional steps are taken to ensure staff development:-

- internal training sessions will be held (anticipated 4 hours CPD in food related topics and 4 hours CPD in health and safety related topics per year);
- briefing notes on topics of current interest will continue to be regularly circulated to bring details of new legislation and technological change in the field of all enforcement areas to the attention of officers;
- those staff who have not attained Chartered Status with the Chartered Institute of Environmental Health will be encouraged to achieve this by successfully completing their Assessment of Professional Development;
- programmes of instruction will be devised to accommodate the needs of new and existing staff and ensure the required level of competency.

## SECTION 16: QUALITY ASSESSMENT

- 16.1.1 The Environmental Health and Licensing Manager and Principal Officers monitor the quality and consistency of work through the checking of inspection correspondence, statutory notices and audits of various aspects of work conducted on a periodic basis.
- 16.1.2 Customer perceptions of quality are monitored by a post inspection and service request questionnaires, which are sent to a representative proportion of businesses and service users. The questionnaire requests comments on the inspection process or dealing with a service request and any dissatisfied business proprietors or service users who identify themselves receive a follow-up telephone discussion and, where necessary, a visit from the Environmental Health and Licensing Manager or Principal Officer.
- 16.1.3 Any formal complaints made against the service are investigated and monitored in accordance with Council's Complaint Policy.
- 16.1.4 External verification of quality is actively pursued with a commitment to promote consistency of enforcement through auditing and benchmarking with the Devon CEHO's Health and Safety, Food Safety, Licensing, Environmental Protection and Public Health groups as well the Infection Control group organised by Public Health England
- 16.1.5 Internal monitoring procedures have been set up to verify the service operates in conformance with relevant legislation, the Food Law Codes of Practice (England), Section 18 of the Health and Safety at Work etc Act 1974 and our procedures.
- 16.1.6 The Council will continue to monitor and report on Customer Satisfaction with interventions and enforcement conducted by the service.
- 16.1.7 The Principal Environmental Health Officer and Principal Licensing Officer undertake annual quality monitoring audit with each inspecting officer to ensure consistency of enforcement. These audits are recorded and any outcomes agreed between the Principal Environmental Health Officer or Principal Licensing Officer and inspecting officer.

## SECTION 17: REVIEW AND PERFORMANCE

- 17.1.1 Quarterly Performance Indicators on progress in implementing this Service Plan will be made by the Environmental Health and Licensing Manager to the Assistant Director Environment.
- 17.1.2 An annual review against the Service Plan will be made by the Scrutiny Committee (Community).
- 17.1.3 The annual review report will contain information on performance against the Service Plan and Performance Indicators. It will highlight any variances from the plan, reasons for these, and the likely impact that these may have.
- 17.1.4 The Scrutiny Committee (Community) will support and Executive will approve the Service Action Plan for the year. Improvements to the service identified as a result of the review, quality assessment, or benchmarking work will be incorporated in the Plan.
- 17.1.5 Information on our targets and progress towards meeting these will be published and publicised as part of the Council's Performance Plan.

### 17.2 Targets

#### 17.2.1 Local Performance Indicators for 2016/2017:

- Percentage of food premises broadly compliant with food hygiene law (annual figure provided to FSA as part of annual return – lots of variance if provided on a quarterly basis)
- Percentage of health and safety Interventions compliant with health and safety legislation (this can be provided quarterly – focus of interventions and intervention projects will change based upon nation HSE direction and local intelligence)
- Percentage of samples taken found to be satisfactory (can be provided quarterly or on an annual basis)
- Number of delegates engaging with health education initiatives (can be provided quarterly or on an annual basis)
- Percentage of premises requiring additional interventions above the programmed statutory Environmental Permitting inspection frequency (can be provided quarterly or on an annual basis)
- The percentage of the population complaining about being affected by business related noise (this is based upon the Department of Health public health indicators – would be better reported on an annual basis)
- Percentage of roadside locations that do not exceed NO<sub>2</sub> air quality objectives (this can only be produced on an annual basis)
- Where exceedance occurs, the average level of NO<sub>2</sub> at sites where exceedances of the objectives are occurring (this can only be produced on an annual basis)

- Where exceedance occurs, the maximum level of NO<sub>2</sub> at sites where exceedances of the objectives are occurring (this can only be produced on an annual basis)

17.2.2 There are many performance targets for the service to meet in addition to the requirement to comply with standards issued by the Health and Safety Executive.

### **17.3 Review of performance**

Achievement of these improvements will be monitored by the Assistant Director Environment and Environmental Health and Licensing Manager and where there are significant performance issues, reports will be made to the appropriate Committee.

## SECTION 18: CONCLUSION

- 18.1 This Service Plan demonstrates that the Council has organised its food safety, health and safety, licensing, environmental permitting and monitoring and other associated functions in such a manner that it is capable of achieving a comprehensive service capable of meeting the corporate aims of the authority, and the expectations of the FSA, Health and Safety Executive, DEFRA, Home Office, Drinking Water Inspectorate and other related legislation that the section has responsibility for enforcing.

## SECTION 19: GLOSSARY OF TERMS

<b>GLOSSARY</b>	
CCG	Clinical Commissioning Group
CIEH	Chartered Institute of Environmental Health
EHO	Environmental Health Officer
EHORB	Environmental Health Officers Registration Board
EHT	Environmental Health Technician
FSA	Food Standards Agency
FW&E	Food, Water and Environment Laboratory
HACCP	Hazard Analysis and Critical Control Points
HoS	Head of Services
HPA	Health Protection Agency
LGR	Local Government Regulation
PEHO	Principal Environmental Health Officer
PHE	Public Health England
PCT	Primary Care Trust
RSPH	Royal Society of Public Health
SWWS	South West Water Services plc

## SECTION 20: RECOMMENDATIONS FOR THE SERVICE DELIVERY PLAN 2016/17

Environmental Health and Licensing provided by the City Council is a statutory service subject to annual review and periodic audit by the Food Standards Agency, Health and Safety Executive and Drink Water Inspectorate. The core elements of the service and their respective link documents detailing the expectation on the authority can be identified as follows:

- **Organisation / Officer Competency / Authorisations** – refer to officer Growth and Development Reviews and internal procedural guidance.
- **Food hygiene inspections** – refer to section 20 – Intervention / Work Programme
- **Complaints / Service Requests** – referral to internal procedural guidance.
- **Home Authority** – refer to internal procedural guidance
- **Advice to Businesses** – refer to section 20 – Intervention / Work Programme
- **Food Premises Database** – refer to internal procedural guidance.
- **Food Sampling** – Refer to Sampling Plan contained within Section 12 of this service plan.
- **Control and investigation of Outbreaks of Food Related Infections/ Diseases** – refer to internal procedural guidance.
- **Food Safety Incidents** – refer to internal procedural guidance.
- **Enforcement** - refer to development of Intervention / Work Plan
- **Internal Monitoring and Peer Review** – refer to Work Plans for Devon CEHO's sub groups.
- **Food Safety Promotion/Initiatives** - refer to section 20 – Intervention / Work Programme.
- **Facilities and Equipment** – refer to internal procedural guidance.
- **National Food Hygiene Rating Scheme** – to continue to maintain and enhance the scheme within the city.

The following recommendations are key activities to shape the service over the forthcoming year and bring about the necessary improvements to ensure it meets the requirements of regulatory reform / Better Regulation and contributes to the strategic objectives of the Council.



## **SECTION 21: ENVIRONMENTAL HEALTH AND LICENSING INTERVENTION / WORK PLAN 2015 / 2016**

### **1. Revised Community Safety Strategy**

- Revised Community Safety Strategy that incorporates a refreshed ASB strategy
- Complete the review of Nuisance and ASB, reporting on clear outcomes that have been achieved by the review.
- Build a stronger Anti-Social Behaviour Action Team (ASBAT)
- Revised action plan for EVANTE
- Support the work of the Street Attachment Group
- Best Bar None to 75 members by the end of year 2
- Assist in supporting and developing a sustainable Helpzone
- Work with partners to reduce instances of rogue traders irresponsibly conducting building work and illegally disposing of waste such as asbestos.
- Work with other partners to minimise the impact of the start of the academic year on the residents of the city.
- Strengthen and enhance the role of the Exeter Business Against Crime (EBAC) within the Community Safety Partnership framework.

### **2. Revised Climate Change Strategy**

- Develop a Climate Change Strategy that interweaves with the Council's aim to be an energy neutral council, and is cognisant of the role of the Low Carbon Task Force, Exeter City Futures, Innovation Exeter, Transition Exeter, Exeter Community Energy and other partners in reducing detrimental climate change pollutants.
- Review the Air Quality Action Plan and update on the Low Emissions Strategy

### **3. Enhanced focus on Health and Wellbeing**

- Concentrating on promoting high standards in workplaces through a multi-agency / cross service approach
- Reducing exploitation in the workplace through modern slavery or child sexual exploitation
- Continue to pursue the Better Business for All programme
- Continue to maintain the level of interventions with respect to food safety, ensuring that the level of compliance within the city remains high.
- Work with other partners to develop a clear set of guidance for the prevention of norovirus in catering and hotel settings.

### **4. Re-balancing the Environment Support Team**

- Working with Waste Operations to reduce failure demand on waste operations support in order to build capacity for data analysis in order to carry out preventative interventions across the Environment Directorate.
- Work with Waste Operations to assist in the restructure and reinvigoration of Trade Waste Services
- Reducing unnecessary paper based tasks
- Focusing greater resource on public communication using new media outlets such as twitter, facebook and the web
- With Strata, conduct an appraisal of the IT systems for Environmental Health and Licensing.

## **5. Revising the Environmental Health and Licensing Enforcement Strategy**

- Review the current policy and ensure the new policy to incorporate ASB elements
- Renew the current Enforcement Policy

## **6. Purple Flag Status for the City Centre**

- To work with EVANTE, Best Bar None, the Exeter BID, EBAC and other partners to achieve purple flag status for the city centre.
- Continue to foster a stronger partnership approach to the Evening and Night Time Economy

## **7. Licensing**

- Adoption of an Animal Licensing Policy to bring about higher welfare standards
- To bring about a higher welfare standard in animal licensing
- Review the Taxi Policy, which includes compiling a comprehensive policy as well as enhanced training package and competency testing system.
- Review current Private Hire vehicle licensing conditions to seek higher standards and or greater clarification on age, CCTV, vehicle markings etc.
- Re-tender the contract for the taxi marshal scheme
- Consult and ensure the Council adopts a new Statement of Gambling Policy.

## **8. Revitalisation of our Public Health Training and Awareness**

- Enhanced marketing of the current of the current training portfolio
- Examine potential for cluster arrangements for training
- Register as a BII Centre to conduct Licensing Training
- Promotion of awareness sessions such as:
  - Drugs and Alcohol awareness in conjunction with RISE and EDP
  - Child Sexual Exploitation
  - Modern Slavery
  - Childminders
  - Food Hygiene Ratings
  - Fire Safety
  - Noise at work

## **9. Ensuring a strong service for 2016/17**

- Review of service capabilities - conduct an organisational change process to make small but significant changes to the service to enable it to operate effectively for the next 2 years.
- Growth and Development reviews completed
- Develop a Staff training plan
- Reviewed Service Plan (June)
- Build a strong Licensing function so that there is a greater emphasis on achieving a consistent, transparent and compliance led approach.
- Examine potential for joint-working, cross-warranting with cluster partners.
- Contribute to Devon Chief Environmental Health Officer working groups.

**REPORT TO: PLACE SCRUTINY COMMITTEE, EXECUTIVE, COUNCIL**

**Date of Meetings: 9 June 2016  
14 July 2016  
26 July 2016**

**Report of: Corporate Manager Policy, Communications and Community Engagement**

**Title: Safeguarding**

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Council

**1. What is the report about?**

To seek approval for an updated joint Devon district councils safeguarding policy and provide an update on safeguarding work that Exeter City Council is currently undertaking.

**2. Recommendations:-**

**That Scrutiny Committee Place and Executive support, and Executive recommend to Council the adoption of the updated joint safeguarding policy.**

**3. Reasons for the recommendation:**

The safeguarding policy has been updated to reflect recent changes in legislation and has been written as a joint policy for all district councils in Devon to work to.

**4. What are the resource implications including non financial resources:**

The report is an update on the policy and related ongoing work by officers to meet safeguarding requirements. There are no specific resource implications other than training and awareness raising programmes to ensure all staff understand their responsibilities and what to do to manage enquiries and referrals.

**5. Section 151 Officer comments:**

There are no additional financial implications contained in this report. Any training requirements would be expected to be covered from the Councils corporate training budget.

**6. What are the legal aspects?**

**6.1** The Children Act 2004, specifically Section 11, places a duty on key people and public bodies, including district councils, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children.

**6.2** The Care Act 2014 requires local authorities and relevant partners (including district councils) to co-operate with each other when exercising any respective functions which are

relevant to care and support. This co-operation can be at a strategic level or related to individual cases.

- 6.3** There are a number of other pieces of legislation that cover all aspects of safeguarding under which the council has specific duties and these are listed in the policy document.

## **7. Monitoring officer Comments**

The Monitoring Officer agrees that the Policy recommended to Members is a necessary step to ensure compliance with the Council's statutory obligations.

## **8. Report Details:**

### **8.1 Policy**

- 8.2** The city council has had a safeguarding children and vulnerable adults policy in place since 2006 which has been subject to review and minor amendments as and when there have been changes in the law and developments in best practice.

- 8.3** In the last eighteen months there have been major changes in legislation not least the Care Act 2014 which places a duty on authorities to co-operate when exercising functions which are relevant to care and support. Authorities are also being asked to work together to respond to new issues under the safeguarding banner that perhaps previously had been considered low risk and/or the responsibility of specific organisations, for example modern slavery, child sexual exploitation and violent extremism.

- 8.4** To respond to this increasingly complex area of work the safeguarding leads for each of the district councils in Devon have been meeting regularly to find ways of working together. This includes the development of a joint policy document to provide a framework of understanding about what safeguarding is and how to respond across the county.

- 8.5** Members are asked to endorse this document.

### **8.6 Procedures**

- 8.7** Within the city council a new group has been set up of those officers with a key responsibility for safeguarding in order to develop clarity around procedures and share learning and good practice.

- 8.8** These officers, referred to in the guidance as Designated Professionals (DPs), represent Housing Customer Relations, Housing Options, Benefits, Environmental Health and Licensing and RAMM but are able to respond to a referral or request for advice from anywhere in the council.

- 8.9** The revised procedures for making a referral have now been published on the intranet, publicised via City News and will be highlighted in training to staff.

- 8.10** If the joint policy is agreed the next steps will be to look at whether there are aspects of guidance and procedures that can be agreed between districts.

- 8.11** ECC safeguarding officers are now linked into the MACSE (Missing and Child Sexual Exploitation) group. Information is sent on people and locations of concern to the Safeguarding Lead and Housing Options and this is shared with Environmental Health and Licensing. Links can then be made with the ASBAT (Anti-social Behaviour Action Team) and StAG (Street Attachment Group) meetings to ensure issues are not being missed.

**8.12 Governance and audit**

8.13 The joint meeting of district leads now has direct contact with the chairs of both of the statutory Safeguarding Adults and Safeguarding Children boards. The Safeguarding Children Board Manager also regularly attends this meeting to provide updates on strategic developments and decisions and receive feedback on issues for the districts.

8.14 The council is normally subject to a peninsula wide audit against section 11 of the Children Act. This is facilitated by Devon Safeguarding Children Board (DSCB). The audit is currently being revised following the Cornwall Safeguarding Boards' decision to opt out from the process and it is unlikely that it will be carried out this year.

8.15 The districts group have agreed in principle with the DSCB that in future the districts response to the audit can be a joint document highlighting areas of good practice and areas for further work in specific authorities.

8.16 There is no current audit process for safeguarding adults but now that the board is on a statutory footing it is anticipated that some form of audit will be set up in the near future.

**8.17 Internal safeguarding training and awareness raising**

8.18 An updated version of the safeguarding e-learning module is being rolled out shortly to all staff and will form part of the corporate induction programme. A toolbox talk for manual staff is being developed from this.

8.19 A training needs matrix is being developed to identify the levels of training need for different teams across the council and the types of specialist training they might require.

8.20 Designated Professionals are updated regularly on Devon County Council's safeguarding training sessions and the new learning partnership with Teignbridge provides further opportunities for training sessions on specialist subjects.

8.21 An e-learning module and toolbox talk on preventing violent extremism will be rolled out to all staff after the safeguarding module to update staff on the new duty to have due regard to the need to prevent people from being drawn into terrorism as laid out in the Counter-Terrorism and Security Act 2015.

**8.22 External safeguarding training and awareness raising**

8.23 A free training event for hotels and restaurants in partnership Devon and Cornwall Police, Devon and Somerset Fire and Rescue Service and Public Health England was held on 28 January. Focused on health and safety, this also covers emerging threats such as modern slavery, child sexual exploitation and counter terrorism.

8.24 Training is also being delivered to taxi drivers and businesses that form part of the evening and night time economy on child sexual exploitation in conjunction with the Community Safety Partnership.

**8.25 Prevent**

8.26 All districts and Devon County Council have applied to a one off Home Office fund of up to £10,000 each to support implementation of the Prevent duty. It has been agreed to pool this money to develop projects across the county such as increasing the number of qualified trainers to a comprehensive training and awareness raising programme for schools and public authorities.

**9 How does the decision contribute to the Council's Corporate Plan?**

In promoting safeguarding and protecting the wellbeing of children, young people and adults with care and support needs the safeguarding policy meets contributes directly to two strands of the Corporate Plan:

- Provide services to meet customers' needs
- Support Exeter's communities

**10 What risks are there and how can they be reduced?**

The council safeguarding officers work closely with both Devon Safeguarding Adults Board and Safeguarding Children Board as well as other district council officers. This ensures best practice and that the council is kept up to date with any issues. The council is also subject to an annual audit carried out on behalf of the Safeguarding Children Board.

Safeguarding is included on the Corporate Risk Register.

**11 What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, Economy safety and the environment?**

The policy and associated work has a direct impact on equality and diversity, health and wellbeing and safeguarding. An equality impact assessment has been conducted which is appended to this report.

**12 Are there any other options?**

No.

**Bruce Luxton, Corporate Manager Policy, Communications and Community Engagement**

**Local Government (Access to Information) Act 1972 (as amended)**

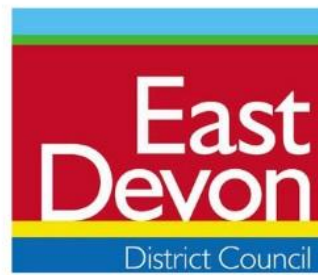
**Background papers used in compiling this report:**

None

Contact for enquiries:

Democratic Services (Committees), Room 2.3, (01392) 26115

**DEVON DISTRICT COUNCILS**  
**JOINT SAFEGUARDING POLICY**



This policy should be read with the individual district council guides managers and employees

This policy can be made available in large print and other formats such as printed on yellow paper, taped, Braille etc. as requested.

Policy development and Version details

V1 10 December 2015

<b>Title</b>	Devon District Councils Joint Safeguarding Policy
<b>Author</b>	Devon District Councils Safeguarding Leads
<b>Owner</b>	Melinda Pogue-Jackson, Exeter City Council
<b>Review dates</b>	May 2017
<b>Status for FOI</b>	Open
<b>Protected marking status</b>	Unclassified
<b>EqIA conducted</b>	October 2015

Version	Date	Description

**1. Introduction**

1.1 This policy is based on the district council responsibilities under:

1.1.1 The Care Act 2014 in particular Sections 42 to 46 related to safeguarding, further information can be found at: <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

1.1.2 The Children Act 2004, specifically Section 11 which places a duty on key people and public bodies, including district councils, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2004/31/contents>

1.1.3 The Counter Terrorism Act 2015 section 26 which places a duty on certain bodies, in the exercise of their functions, to have due regard to the need to prevent people from becoming terrorists or supporting terrorism. The Prevent Agenda is one of four strands which makes up the Governments counter-terrorism strategy. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/6/contents>

1.1.4 The Modern Slavery Act 2015. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

1.1.5 The Anti-Social Behaviour, Crime and Policing Act 2014 in particular Part 10 relating to forced marriage. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

1.1.6 The Serious Crime Act 2015 particularly Part 5 relating to female genital mutilation, child cruelty and domestic abuse. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/9/contents/enacted>



- 1.1.7 The policy is written with reference to the principle of Think Child, Think Parent, Think Family. Further information can be found at: <http://www.publichealth.hscni.net/publications/think-child-think-parent-think-family-0>

## 2. Policy commitment

- 2.1 Devon District Councils believe that all children, young people and adults have the right to be safe, happy and healthy and deserve protection from abuse. The councils are committed to safeguarding from harm all children, young people and adults with care and support needs (see definition in point 4 relating to the Care Act 2014) using any council services and involved in any of their activities, and to treat them with respect during their dealings with the councils, our partners and contractors.

## 3. Aims of the Policy

- 3.1 The aims of the policy are to:

- Clarify the roles and responsibilities of all parties within scope of the policy.
- Support the promotion of a safe working environment and a culture of care in which the rights of all children, young people and adults with care and support needs are protected and respected.
- Promote best practice in how employees and associated workers interact with children, young people and adults with care and support needs while providing Council services.
- Develop clear guidance and procedures for those employees working with children, young people and adults with care and support needs and ensure through training and support that they are aware of these and able to implement them.
- Provide a framework for developing partnerships with appropriate external bodies e.g. Devon Safeguarding Children Board and Devon Safeguarding Adults Board, to ensure that the policy continues to reflect legal and best practice requirements in respect of the responsibility of care of children, young people and adults with care and support needs.

## 4. Scope of the Policy

- 4.1 The policy is in respect of the district council responsibility towards:

- Children and young people, legally defined as any person under the age of 18. From this point the terms child or children will be used to refer to this group.
- Adults with care and support needs are defined under the Care Act 2014 and for the purposes of this policy, as anyone over the age of 18 who:
  - has needs for care and support (whether or not the local authority is meeting any of those needs) **and**;
  - is experiencing, or at risk of, abuse or neglect; **and**
  - as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- The employees of the council who have dealings with children, young people and adults with care and support needs and who are required to act in a position of trust and to act responsibly and within the law.

- The employees and elected members of the council who, while not required to act in a position of trust, will come into contact with members of these groups on a regular basis during the course of their work.
  - Volunteers and other workers involved in the provision of council services but not employed by the council, including workers in organisations with whom the council has contracts for the delivery of services.
- 4.2 It covers all the functions and services of the council, its elected members, staff, partners and contractors.
- 4.3 This document is primarily concerned with protecting children, young people and adults with care and support needs from harm and providing guidance on how to deal with issues. However it is important to remember that safeguarding has a wider meaning which includes the promotion of welfare and taking action to enable all children, young people and adults with care and support needs to have the best life outcomes.
- 4.3 The policy does not cover health and safety issues related to safeguarding children such as use of play equipment or provision of food at events. Separate guidance on this and appropriate behaviours when dealing with children and adults with care and support needs, should be read in conjunction with this policy.
- 4.4 Where available this policy should also be used in conjunction with the following documents:
- Disciplinary Procedure
  - Grievance Procedure
  - Whistle Blowing Policy
  - Access to Information Policy
  - Acceptable Use Policy
  - Equality Policy
  - Complaints & Feedback Procedure
  - Harassment and Hate Crime Policy
  - Health & Safety at Work guidance

## 5. Responsibility

- 5.1 Responsibility for the implementation of this policy lies at all levels of the council.
- 5.2 Elected Members are responsible for ensuring that the council has a policy, which adequately provides protection for children and adults with care and support needs in receipt of its services and for the regular review of this policy in the light of changes to legislation e.g. Data Protection Act, or new legislation or regulation.
- 5.3 Elected Members should report any concerns to the Corporate Safeguarding Lead.
- 5.4 A designated Lead Member will be appointed to assume lead responsibility for safeguarding.
- 5.6 There are a number of safeguarding staff across each council situated in teams and services which have the most experience of dealing with safeguarding issues in their day to day work. In addition each organisation has appointed a Corporate Safeguarding Lead responsible for co-ordinating the implementation of the policy and providing a single point of contact for the safeguarding boards.
- 5.7 Any staff who have a safeguarding concern should in the first instance discuss the matter with any one of the safeguarding leads who will make a decision whether or not to refer the matter to the appropriate external organisation.

#### 5.8 Safeguarding leads have responsibility for:

- Receiving concerns, discussing them with whoever has raised the concern and taking advice from the relevant partner agency/County Council service: this could include complex matters such as consent and whether parents/carers should be notified.
- Making a decision about how to proceed and whether to make a formal referral. If there is disagreement on the appropriate course of action to take then the safeguarding lead has the final decision. Where staff are dissatisfied with the decision of the safeguarding lead, they should report their concerns to their line manager in the first instance and can still make a referral if they have strong concerns.
- Ensuring the procedure is followed on such matters as making a referral, confidentiality and recording.
- Working with colleagues to improve practice across the organisation.
- In the event of an incident or query, should a safeguarding lead not be available, staff should go straight to relevant Devon County Council service. They can be supported by a senior manager but details of any incident must not be shared unless absolutely necessary.
- Attending appropriate courses and updating of safeguarding legislation.

#### 5.9 In addition the Corporate Safeguarding Lead has responsibility for:

- ensuring there is a secure central record relating to allegations and investigations
- acting as multi agency partner on the Local Safeguarding Children Board and Local Adult Safeguarding Board
- advocating the importance of safeguarding to partners, contractors and customers
- ensuring all safeguarding policies, procedures and guidelines are implemented and promoted

#### 5.10 Line Managers are responsible for:

- Ensuring that employees, volunteers and other workers dealing with these groups are adequately trained and aware of their responsibilities in this area.
- Ensuring that external contractors delivering council services are aware of the council's expectation that workers are aware of and abide by the standards of behaviour expected of council employees.
- Ensuring that carers and/or parents of the children and adults with care and support needs are aware that, in providing services, council employees are not normally acting in place of a parent, except in relation to events for unaccompanied children who have been formally registered.
- Ensuring the carers and/or parents of the children and adults with care and support needs who are in direct receipt of council services<sup>1</sup> are made aware that services will be delivered in line with this policy.
- Ensuring that any evidence or complaint of abuse or lack of care is reported to the appropriate body e.g. Devon County Council, Safeguarding Board or the Police, and to council's Human Resources or Personnel team where members of staff are involved.

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<sup>1</sup> For example: this would include arranging accommodation for a vulnerable adult or holding an event for children at the museum. It would not include arranging accommodation for a family with children where the contract is with the parents/carers.

- Ensuring that employees and others do not work with children or adults with care and support needs on regulated activities without an appropriate Disclosure & Barring Service (DBS) disclosure.
- Working with other associated agencies to ensure the proper transfer of information relating to dealings with children and adults with care and support needs, where necessary.
- Ensuring that adequate supervision and support is available to those who have been directly involved in dealing with safeguarding cases, including a debrief of the case and any relevant outcomes.

5.11 In addition to the above, members of the senior management team are responsible for:

- Identifying those services and posts that are likely to have an involvement with children and adults with care and support needs, and undertaking an appropriate risk assessment of posts in respect of DBS disclosure requirements.
- Ensuring that those people appointed by them to the district council, whose normal duties fall into the definition of Regulated Activity as defined in the Safeguarding Vulnerable Groups Act 2006 and amended by the Protection of Freedoms Act 2012, are subject to the appropriate level of DBS disclosure and are appropriately qualified and/or trained in working with these groups.
- Ensuring that all necessary procedures and practices are in place to provide adequate protection both for the individuals in these groups but also protection for the employees involved with them.
- Ensuring that proper records are kept of any incidents occurring within their service and that these are held securely and/or passed on to the council's Human Resources/Personnel team if the incident involves a member of staff.
- Ensuring that the procurement framework for the authority includes expectations upon contractors to demonstrate effective safeguarding practices for all their staff.
- The Head of Paid Service/ Chief Executive is the lead officer with overall responsibility for the organisation's safeguarding arrangements.

5.12 Human Resources/Personnel are responsible for:

- Working with senior managers in maintaining a record of those posts, requiring a DBS disclosure together with the level of disclosure required.
- Ensuring that recruitment procedures are robust and that information pertinent to working with these groups is obtained during the recruitment procedure.
- Ensuring that DBS Disclosures are carried out in compliance with legislation and DBS guidance.
- Supporting senior managers in dealing with allegations of abuse or lack of care by staff.
- Referring information to the DBS and Local Authority Designated Officer (LADO) about employees who have been dismissed or removed from working with vulnerable groups (or would have been had they not left/resigned) as a result of a relevant caution/conviction, conduct that has harmed or put a child/vulnerable adult at risk of harm, or satisfied the 'Harm Test' in relation to vulnerable groups.

- 5.13 All employees and particularly those working with children and adults with care and support needs are responsible for:
- Ensuring that they are familiar with and understand the policies and procedures relating to their work with or in the vicinity of children and adults with care and support needs.
  - Ensuring that they feel confident in working within this environment and working with their managers to ensure that they have the knowledge and skills to carry out their tasks in this context.
  - Treating all those children and adults with whom they come into contact while carrying out their work equally and with respect.
  - Reporting to a Safeguarding Lead, any concerns they may have about abuse or a lack of care of children and adults with care and support needs either from other staff, from carers, parents or those in place of a parent or between members of the group.
- 5.14 Volunteers, partners, contractors and other workers are responsible for:
- Working with employees of the council, to the same standard, in ensuring the safety and well-being of children and adults with care and support needs within their scope.
  - Participating in any training or development opportunities offered to them to improve their knowledge of skills in this area.

## **6. Review**

- 6.1 This policy and the guidance will be reviewed annually or whenever there is a change in the related legislation or an emerging risk is identified. This will help us ensure that these documents are up to date and fit for purpose.

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# **Equality Impact Assessment report**

## **Devon District Councils Joint Safeguarding Policy**

### **Introduction**

Each district council in Devon has had safeguarding policies in place for some years but as the safeguarding leads now work more closely together it is felt that a joint policy would be appropriate.

The aim of the policy is to make sure that the safeguarding process is more accessible and effective through improving understanding of what safeguarding means, setting out a clear line of accountability and simplification of reporting.

The policy is a key corporate document and supporting procedures are available to all staff. The purpose of this policy and associated procedures is to protect and promote the welfare of the children and adults with care and support needs using or receiving services provided or commissioned by district councils in Devon and to protect the councils, their officers, elected members and volunteers.

### **Stakeholder consultation**

Devon Local Safeguarding Children Board and Devon Local Safeguarding Adults Board provide the strategic lead for safeguarding in the county. The Devon district councils have a duty to co-operate with the county council in discharging its duties and to promote the wellbeing of children and adults with care and support needs.

The ultimate beneficiary from this policy will be the local community in that it will provide reassurance as to how the council will deal with safeguarding issues. However in practice the people who will be guided by the policy on a day to day basis will be council employees whose work relates to the welfare of children and adults with care and support needs. These include officers in environmental health, housing, homelessness, benefits and leisure.

Consultation on the policy will be sent to key officers within each council as well as the board managers and chairs for both children and adult safeguarding boards. However as the core content of the policy has been in place for sometime already it is not anticipated that there will be any major changes arising.

### **Policy review and development**

Because of the statutory and high risk nature of safeguarding there are a number of processes and structures in place which allow for continual learning to feed into policy and procedure development:

- Lessons learnt and findings from serious case reviews and multi-agency case audits
- Regular meetings of district safeguarding leads with the chairs and managers of the local safeguarding boards
- Regular training opportunities provided by the county council for all staff involved in safeguarding
- Peninsula wide annual section 11 audit inspected by Ofsted
- Internal district council audit

- Lead officer links to local community safety partnerships

For this reason the policy and related internal procedures will be reviewed annually or whenever there is a change in the related legislation or an emerging risk is identified.

### **Identified impact**

The aim of the policy is to have a positive impact on children and adults with care and support needs however most of the public interest has more recently been focused on the welfare of children. This may mean that awareness of safeguarding adults (and the duties contained in the Care Act 2014) may be low among staff. Training and awareness raising may be needed to increase emphasis on this issue.

Staff who have been in post a long time may become desensitised or over sensitive to the issues. While targeted training and promotion may address the former, the latter will need to be addressed by staff welfare programmes.

The Policy will be publicly available and can be translated into different languages and formats on request.

The Policy covers cultural or religious issues such as forced marriage and FGM which have an impact on young people. However it does not make clear that, while cultural differences are to be taken into account in assessing the needs and circumstances of children, young people and their families, these are not to be used as an acceptable reason for any form of child abuse or neglect.

The policy covers domestic abuse which has a disproportionate impact on women.

### **Actions**

Consideration should be given to including a clause in the policy and/or procedures relating to how cultural or religious differences should be taken into account when assessing the needs and circumstances of children, young people and their families.

Further staff training on cultural diversity as well as specific issues related to safeguarding such as mental health, FGM, forced marriage, domestic abuse and modern slavery to be developed.

October 2015



**REPORT TO:** SCRUTINY COMMITTEE PLACE  
**Date of Meeting:** 9 JUNE 2016  
**Report of:** Assistant Director Finance  
**Title:** Place Final Accounts 2015-16

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

No

**1. What is the report about?**

To advise Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2016 in respect of Place Scrutiny Committee.

An outturn update in respect of the Place Capital Programme is also incorporated into this report in order to help provide a comprehensive financial update in respect of the Scrutiny Committee – Place Budgets.

**2. Recommendations:**

**That Members of Scrutiny Committee – Place assure themselves that Officers review areas with significant variances and undertake the necessary actions to address the issues that the variances may cause.**

**3. Reasons for the recommendation:**

Local authorities have a statutory duty to set and monitor their budgets during the year and to take any actions necessary because of potential overspending or potential shortfalls in income. Members are therefore presented with a quarterly financial update in respect of Place Services Scrutiny Committee and this is the final report for 2015-16.

**4. What are the resource implications including non financial resources**

The financial resources required to deliver Place Services during 2015-16 are set out in the body of this report.

**5. Section 151 Officer comments:**

This report has been prepared on behalf of the Section 151 Officer to set out the financial position of Place Committee, as at 31 March 2016, ahead of inclusion in the Council's annual Statement of Accounts.

**6. What are the legal aspects?**

Part 2 of the Local Government Act 2003 provides the legislative framework for the process of setting and managing budgets. In particular, Section 28 of the 2003 Act requires local authorities to monitor their budgets during the financial year.

**7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

## 8. Report Details:

### Place Services Scrutiny Committee Final Accounts to 31 March 2016

#### 8.1 Key Variations from Budget

The final actual outturn has now been calculated and the report below highlights the major differences by management unit from the approved annual budget after adjusting for supplementary budgets.

The total variance for the year shows a surplus of £2,712,685 after transfers from reserves and revenue contributions to capital, as detailed in Appendix 1. This represents a variation of 25.48% from the revised budget.

The variations by management are detailed in the table in 8.3. However, 9% of the underspend is in respect of the asset improvement and maintenance budgets. 8.2 provides detailed reasons for this significant underspend.

8.2 Budgets in respect of asset maintenance and improvement are included in various management units in this, and other committees. Elements of these budgets are underspent by a total of £326,300 of which £244,680 sits within this committee. The points below provide details of the underspend:

- Key initial objectives of the Corporate Property restructure were to mitigate inefficient spending. As a result, only priority works have been undertaken in the year. With the restructure now partially implemented, correctly prioritised spend has commenced so a more realistic spend profile will be seen from this point forward.

To ensure that works postponed during this phase can be delivered, a request will be made to roll forward the £326,300 in order to deliver a variety of schemes such as Civic Centre toilet refurbishment; Car Park Structural Repairs; Corn Exchange staff toilet improvements; and Civic Centre heating system component overhaul and optimisation.

8.3 The significant variations by management are:

MU Code	Management Unit	Over / (Underspend)	Detail
81A3	Licensing, Food, Health and Safety	(35,848)	<ul style="list-style-type: none"> <li>• Net income from the Vehicle Licensing service exceeded the budget and will be transferred into an earmarked reserve</li> <li>• Net income from the Premises Licensing service exceeded the budget</li> <li>• Support service recharges for Civic Centre accommodation, Legal Services and Internal Audit were less than the budgets.</li> </ul>
81A4	Public Safety	(121,019)	<ul style="list-style-type: none"> <li>• Contribution from the Housing Revenue Account towards the cost of continuing the Home Call Alarm service to residents in the Council's older persons' accommodation (£51k).</li> <li>• Expenditure on overtime and other pay budgets is less than the annual budget.</li> <li>• Equipment maintenance budgets in respect of Home Call Alarm are underspent as are the budget for support service recharges.</li> </ul>

MU Code	Management Unit	Over / (Underspend)	Detail
81A6	Parks & Green Spaces	(£225,875)	<ul style="list-style-type: none"> <li>• A number of supplies and services budgets are underspent with expenditure on the materials (£72k), skips (£20k) and sub-contractors being significantly less than the budget.</li> <li>• Fleet related costs and are lower than the budget (£34k).</li> <li>• Rechargeable income less than budget as responsibility for works now sits within Public Realm Assets (See 81F1).</li> <li>• Transfer of income offset by additional income from sale of plant, equipment and vehicles and S106 contributions.</li> <li>• Pay Costs are less than the budget due to vacancies.</li> <li>• A Revenue Contribution to Capital has been made in respect of a new mower.</li> </ul>
81B&C	Business & Commercial Operations	32,331	<ul style="list-style-type: none"> <li>• The income target for Cemeteries was not achieved (£38k)</li> <li>• The support service recharges to the management unit exceeded the budget</li> <li>• Underspends on supplies and services budgets with allotments commission and equipment tools and materials being less than the budget.</li> </ul>
81D2	Domestic Refuse Collection	£47,911	<ul style="list-style-type: none"> <li>• Agency costs exceeded the estimates mainly as a result of significantly higher levels of absences (sickness, suspension and phased return) than assumed when calculating the budget. In addition, the estimates for 2015/16 did not reflect the current staffing requirements; a report requesting additional funding was approved by Scrutiny Committee – Resources in September 2015 and the estimates for 2016/17 reflect this.</li> <li>• A target saving in respect of fleet costs cannot be achieved (£33k)</li> <li>• Fleet maintenance and repair costs exceeded the budget</li> <li>• Income from fees for domestic bins exceeded the budget, and the costs of purchasing domestic bins reduced following a reduction in demand.</li> </ul>
81D4	Street Cleaning	(£80,537)	<ul style="list-style-type: none"> <li>• Underspend on budget for purchase of bins; a request to carry forward an element of this budget will be made.</li> <li>• Fleet costs were less than budget and additional income was received from sale of plant and equipment.</li> </ul>

MU Code	Management Unit	Over / (Underspend)	Detail
81D6	Cleansing Chargeable Services	£88,562	<ul style="list-style-type: none"> <li>• Income from the Trade Refuse service was less than the estimates, partially offset by reduced waste disposal costs.</li> <li>• The contractor dealing with the processing of garden waste in previous years went into liquidation. While an alternative contractor has been engaged, the price has significantly increased. The 2016/17 estimates reflect this increased cost. Income from the Garden Waste service exceeded the estimates, partially offsetting this additional cost.</li> <li>• Income from Trade Recycling was less than estimated partially offset by some small cost savings.</li> <li>• Additional fleet costs have been incurred in the Trade Recycling service</li> <li>• The recharge from the fleet management service exceeded the budget due to an error in the estimate (£16k)</li> </ul>
81D7	Exton Road Overheads and Fleet Management	(£67,147)	<ul style="list-style-type: none"> <li>• There were savings on National Non Domestic Rates (NNDR), protective clothing and fleet costs</li> <li>• In addition there was a saving on Asset Improvement and Maintenance; see 8.2 above.</li> <li>• Support service recharges from the Property Management and Energy Management services were less than the estimates.</li> <li>• Income from the solar panels exceeded the estimates.</li> </ul>
81F1	Public Realm Assets	(£598,100)	<ul style="list-style-type: none"> <li>• Underspend on Asset Improvement and Maintenance (see 8.3 above) (£262k) and utilities budgets (£80k), partially offset by additional expenditure on sub-contractors.</li> <li>• Cemeteries maintenance budgets underspent.</li> <li>• Income in respect of work carried out for Housing Revenue Account and other services included, the budget for this is included in 81A6.</li> <li>• The support service recharge from the engineering team was more than budgeted.</li> <li>• Capital charges are less than the budget (£194k).</li> </ul>
83A3	Car Parking	(£581,042)	<ul style="list-style-type: none"> <li>• Income from Off Street parking fees exceeded budget by 10% (619k). Income in respect of season tickets also exceeded the budget (£25k).</li> <li>• Additional expenditure in respect of equipment tools and materials, pay by phone charges and credit card transaction fees</li> </ul>

MU Code	Management Unit	Over / (Underspend)	Detail
			(£105k).
83A4	Economic Development	£84,381	<ul style="list-style-type: none"> <li>Following the secondment of the Assistant Director Economy on 1 July 2015, his pay costs were charged entirely to this unit. This resulted in salary savings in the services which previously bore his costs, partially offset by honoraria paid to the acting managers.</li> <li>The unit has an apprentice for which there was no budget; however there were savings elsewhere in the Council where apprentices were no longer employed.</li> <li>These additional costs were partially offset by a net saving following the deletion of the City Centre Management service.</li> <li>The net expenditure on the Rugby World Cup exceeded the budget by £85,610. A report to Scrutiny Committee – Economy on 22 January 2016 gave members an update on this event.</li> <li>The budget for Innovation Exeter was not fully spent; a supplementary budget will be requested for 2016/17</li> </ul>
83A8	District Highways & Footpaths	(£32,666)	The support service recharges to the management unit are less than budgeted.
83A9	Building Control	(£108,335)	<ul style="list-style-type: none"> <li>Income from Local Land Charges exceeded the budget, partially offset by additional pay costs (Net - £44k).</li> <li>Income received from CLG in respect of the ongoing personal search fee issue (£60k), this will be transferred to an earmarked reserve.</li> <li>Surplus on Building Control fee earning account, this will be transferred to the reserve.</li> </ul>
83B5	Planning Services	(£100,076)	<ul style="list-style-type: none"> <li>Income from planning applications exceeded the budget by 34% (£176k).</li> <li>Pay budgets underspent (£130k).</li> <li>Consultant fees overspent significantly (£134k), partly offset by transfer from Local Development Framework reserve.</li> <li>Recharge from Environmental Health for work carried out exceeded budget.</li> <li>Support service recharge in respect of Legal Services less than the budget.</li> </ul>
83B6	Conservation	(£78,317)	<ul style="list-style-type: none"> <li>Underspend on Asset Improvement and Maintenance (see 8.2 above) and utilities budgets.</li> <li>Support service recharge from Engineering and Corporate Property teams less than the budget.</li> </ul>

83B8	Major Projects	£63,062	<ul style="list-style-type: none"> <li>The budget funds the legal team and property consultants engaged to deliver the property transactions required to bring forward the Bus &amp; Coach Station redevelopment. This work has ramped up this year and the initial budget was inadequate to meet these demands.</li> </ul>
83B9	Markets & Halls	(£100,277)	<ul style="list-style-type: none"> <li>Additional income was generated from Corn Exchange events and car storage and auctioneers at the Livestock Centre. However, income from car boot sales and open air markets at the Livestock Centre were less than the budgets.</li> <li>Utilities, Asset Improvement and Maintenance (see 8.2 above) and National Non Domestic Rates (NNDR) budgets were underspent.</li> <li>Support service recharges from the Property Management and Energy management teams were less than the estimates.</li> </ul>
83C2	Museum Services	(£184,318)	<ul style="list-style-type: none"> <li>Pay was less than the estimates</li> <li>Utilities and National Non Domestic Rates (NNDR) budgets were underspent.</li> <li>Additional income was generated from solar panels, lettings and commission on exhibition sales</li> </ul>
83C3	Contracted Sports Facilities	(£743,031)	<ul style="list-style-type: none"> <li>Expenditure on the new leisure complex was less than the budget (£521k); £145k expenditure was incurred in respect of the overall leisure complex project which cannot be capitalised, but which will be funded from the New Homes Bonus.</li> <li>Income under the contract increased as a result of the sports facilities contractor acquiring charitable status. (£130k)</li> <li>The impact of reduced energy costs for the current and previous years has now been agreed with the contractor, leading to a refund of amounts previously paid and a reduction in the ongoing charges. (£183k)</li> <li>Asset Improvement and Maintenance (see 8.2 above) costs were less than the budget (£12k)</li> <li>Support service recharges for Civic Centre accommodation and Procurement services exceeded the estimates (£20k)</li> <li>Depreciation charges exceeded the estimates (£80k), particularly for Exeter Arena and the Riverside Centre</li> </ul>

## Place - Capital Budget Monitoring to 31 March 2016

To advise members of the financial performance in respect of the 2015-16 Place Capital Programme.

### 9.1 Revisions to the Place Capital Programme

The 2015-16 Capital Programme, including commitments brought forward from 2014-15 was last reported to Scrutiny Committee – Resources on 18 March 2016. Since that meeting the following changes have been made to the programme:

### 9.2

Description	£	Approval/Funding
<b>Capital Programme, as reported to Scrutiny Committee – Resources, 18 March 2016</b>	<b>5,591,500</b>	
Budget Deferred to 2016/17 & Beyond at Quarter 3	(448,100)	Approved by Council 19 April 2016
Overspends/(Underspends) reported at Quarter 3	(45,530)	
Bus Station Construction	6,250,000	Approved by Council 23 February 2016
Vehicle Replacement Programme	22,630	Revenue contribution to capital outlay to purchase a ride on mower
<b>Revised Capital Programme</b>	<b>11,370,500</b>	

### 9.3 Performance

The Place Capital Programme is detailed in Appendix 2. The appendix shows a total spend of £4,116,571 in 2015-16 with £7,220,993 of the programme deferred until 2016-17.

### 9.3 Capital Variances from Budget

No significant variations have arisen since 31 December.

### 9.4 Capital Budgets Deferred to 2016-17

Schemes which have been identified since 31 December as being wholly or partly deferred to 2016-17 and beyond are:

<b>Scheme</b>	<b>Revised 15-16 Budget £</b>	<b>Budget to be Deferred £</b>	<b>Reason</b>
Play Area Refurbishments	105,380	105,380	Staff resources an issue and some projects weather dependent.
Rougemont Gardens – Path & Railings	50,000	37,000	Lack of staff resources an issue.
Exhibition Way Bridge Maintenance	39,980	39,580	Original specification cannot be achieved at the current budget. Discussions underway with DCC to determine lesser requirements.
Repairs to Turf Lock Gates	145,320	35,322	Scheme now underway and will complete in 2016/17.
Repair Canal Bank at M5	60,000	44,549	Lack of staff resources an issue.
Replace Car Park Ticket Machines	200,000	200,000	The tender process has been completed and the machines have now been ordered.
RAMM Development	382,380	382,380	Payments not due until 2016/17.
Passenger Lift at RAMM	45,000	45,000	Progress stalled due to lack of staff. Full design, specification and tender documents in production.
Bus Station Construction	6,250,000	6,126,244	The full budget has been added to the programme as approved in February, but now needs to be profiled in-line with anticipated expenditure.

## 9.5 Achievements

The following schemes have been completed during the final quarter of 2015-16:

- **Exton Road Lighting**  
Lighting levels have been increased to required standards.
- **Phoenix – Replace Air Conditioning Units**  
Installation of compliant chiller equipment has resulted in improved operation and cooling and reduced breakdowns as well as the removal of a significant health and safety hazard.
- **Livestock Market Electrical Distribution Boards**  
Compliant electrical installation and improved ability to provide service.
- **Livestock Centre Roof Replacement**  
The failing roof covering has been replaced enabling the installation of photo voltaic panels.



**10. How does the decision contribute to the Council's Corporate Plan?**

Place Committee contributes to 6 key purposes, as set out in the Corporate Plan; a stronger city, keep place looking good, keep me / my environment safe and healthy, provide great things for me to see and do, help me run a successful business and deliver good development

**11. What risks are there and how can they be reduced?**

Areas of budgetary risk are highlighted to committee as part of the quarterly budget monitoring updates. An action plan to address the key areas of budgetary risks within Place was reported in March 2016 and is attached as Appendix 3, for reference only.

**12. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, Economy safety and the environment?**

No impact

**13. Are there any other options?**

No

**DAVE HODGSON**

**Assistant Director Finance**

**FINANCIAL SERVICES TEAM**

**Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report:**

None

Contact for enquiries:

Democratic Services (Committees)

Room 2.3

(01392) 265275

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**PLACE SCRUTINY COMMITTEE  
OUTTURN**

**APRIL 2015 TO MARCH 2016**

CODE	APPROVED BUDGET	OUTTURN	OUTTURN VARIANCE	QTR 3 FORECAST VARIANCE
	£	£	£	£
81A1 ENVIRONMENTAL PROTECTION	389,110	390,734	1,624	(21,090)
81A3 LICENCING,FOOD,HEALTH & SAFETY	358,430	322,582	(35,848)	1,700
81A4 PUBLIC SAFETY	609,570	488,551	(121,019)	(53,130)
81A6 PARKS & GREEN SPACES	1,038,780	812,905	(225,875)	11,710
81B&C BUSINESS & COMMERCIAL OPS	(7,880)	24,451	32,331	27,860
81B2 CEMETERIES OPERATIONAL	255,440	274,982	19,542	15,950
81C9 ASSISTANT DIRECTORS	0	0	0	0
81D2 DOMESTIC REFUSE COLLECTION	1,802,420	1,850,331	47,911	100,000
81D4 STREET CLEANING	1,384,280	1,303,743	(80,537)	(29,710)
81D5 PUBLIC CONVENIENCES	203,820	178,574	(25,246)	(5,260)
81D6 CLEANSING CHARGEABLE SERVICES	(345,700)	(257,138)	88,562	90,000
81D7 EXTON ROAD OVERHEADS AND FLEET	287,990	220,843	(67,147)	(37,000)
81D8 RECYCLING	170,160	196,616	26,456	50,000
81F1 PUBLIC REALM ASSETS	3,491,280	2,893,181	(598,100)	(68,880)
83A2 TRANSPORTATION	44,090	46,744	2,654	1,400
83A3 PARKING SERVICES	(5,239,160)	(5,820,202)	(581,042)	(206,710)
83A4 ECONOMIC DEVELOPMENT	851,180	935,561	84,381	118,740
83A5 ARTS & EVENTS	196,750	195,057	(1,693)	(3,630)
83A6 TOURIST INFORMATION	398,460	375,360	(23,100)	11,240
83A8 DISTRICT HIGHWAYS & FOOTPATHS	43,000	10,334	(32,666)	(2,000)
83A9 BUILDING CONTROL	43,980	(64,355)	(108,335)	(70,070)
83B1 LAND DRAINAGE	52,040	53,905	1,865	0
83B4 ENGINEERING & CONSTRUCTION SERVICES	0	0	0	(32,710)
83B5 PLANNING SERVICES	963,390	863,314	(100,076)	30,270
83B6 CONSERVATION	107,190	28,873	(78,317)	(6,000)
83B7 AFU	0	(4,011)	(4,011)	7,500
83B8 MAJOR PROJECTS	30,000	93,062	63,062	45,000
83B9 MARKETS & HALLS	(372,210)	(472,487)	(100,277)	(31,024)
83C1 WATERWAYS	61,770	52,991	(8,779)	(9,290)
83C2 MUSEUM SERVICE	2,348,530	2,164,212	(184,318)	(10,440)
83C3 CONTRACTED SPORTS FACILITIES	1,480,400	737,369	(743,031)	(317,720)
<b>NET EXPENDITURE</b>	<b>10,647,110</b>	<b>7,896,080</b>	<b>(2,751,030)</b>	<b>(393,294)</b>

**TRANSFERS TO / (FROM) EARMARKED RESERVES**

Expenditure funded by Redundancy Reserve	(106,580)
81A1 - Business Crime Reduction Initiative	(32,807)
81A3 - Balance on Vehicle Licensing	17,937
83A2 - Transportation	(4,417)
83A9 - Building Control	75,757
83B5 - Planning Services	(22,719)
83B7 - AFU Archives & Boxing	5,924
83C2 - Museum Service	(78,628)
83C3 - Contracted Sports Facilities	161,249
<b>REVENUE CONTRIBUTION TO CAPITAL</b>	
81A5 - Parks & Green Spaces	22,628

<b>OUTTURN FOR THE YEAR AFTER MOVEMENTS TO/FROM RESERVES</b>	<b>7,934,425</b>
<b>REVISED BUDGETS</b>	<b>10,647,110</b>
<b>ADJUSTED OUTTURN VARIANCE</b>	<b>(2,712,685)</b>

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## CAPITAL MONITORING TO 31 MARCH 2016

	2015/16 Revised Capital Programme	2015/16 Spend to 31 March	2015/16 Budget to be Carried Forward to 2016/17 and Beyond	2015/16 Programme Variances (Under)/Over
	£	£	£	£
<b>PLACE</b>				
<b>KEEP PLACE LOOKING GOOD</b>				
Play Area Refurbishments	105,380		105,380	
Flowerpot Skate Park Lighting	28,050	28,390		340
Refurbishment and Upgrade of Paddling Pools	750	754		4
Parks Improvements	9,430			(9,430)
Neighbourhood Parks & Local Open Spaces	8,020			(8,020)
Belmont Pleaure Ground - New Path	30,000	34,150		4,150
Rougemont Gardens - Path & Railings	50,000	13,000	37,000	
Exhibition Way Bridge Maintenance	39,980	400	39,580	
Canal Bank Repairs & Strengthening	1,060		1,060	
National Cycle Network	4,500	4,500		
Repair to Turf Lock Gates	145,320	109,998	35,322	
Repair Canal Bank at M5	60,000	15,451	44,549	
Cathedral Yard - Replace Street Lighting	20,000	18,498		(1,502)
Replace Car Park Ticket Machines	200,000		200,000	
Phoenix - Replace Air Conditioning Units	30,000	27,419		(2,581)
<b>KEEP ME/MY ENVIRONMENT SAFE &amp; HEALTHY</b>				
Vehicle Replacement Programme	568,280	568,277		(3)
Exton Road Lighting	31,310	27,741		(3,569)
Mincinglake Reed Beds and Storage Ponds	28,350	21,820	6,530	

## CAPITAL MONITORING TO 31 MARCH 2016

	2015/16 Revised Capital Programme	2015/16 Spend to 31 March	2015/16 Budget to be Carried Forward to 2016/17 and Beyond	2015/16 Programme Variances (Under)/Over
	£	£	£	£
<b>PROVIDE GREAT THINGS FOR ME TO SEE &amp; DO</b>				
Replace Running Track at Exeter Arena	205,720	211,606		5,886
Sports Facilities Refurbishment	67,000	30,876	36,124	
RAMM Development	382,380		382,380	
Passenger Lift at RAMM	45,000		45,000	
RAMM Shop	2,500	2,500		
Storage of Archives	5,000	5,002		2
Livestock Market Electrical Distribution Boards	5,930	5,933		3
Livestock Centre Roof Replacement	1,250,000	1,242,624	7,376	
<b>DELIVER GOOD DEVELOPMENT</b>				
Newcourt Community Hall (S106)	770	4,083	(3,313)	
Newtown Community Centre (2nd Grant)	2,250	2,250		
Beacon Heath Martial Arts & Boxing Club - New Roof	21,810	1,000	20,810	
Devonshire Place (Landscaping)	10,690	13,345	(2,655)	
St Sidwells Community Centre	17,630	17,627	3	(0)
Exeter Gymnastics Club	40,000	40,000		
City Centre Enhancements	8,260			(8,260)
Paris Street Roundabout Landscaping & Sculptural Swift Tower	24,840	14,884		(9,956)
Ibstock Environmental Improvements	3,240	1,845	1,395	
Local Energy Network	67,050	67,050		
Bus Station Construction	6,250,000	123,756	6,126,244	
Leisure Complex - Build Project	1,600,000	1,461,792	138,208	
<b>PLACE TOTAL</b>	<b>11,370,500</b>	<b>4,116,571</b>	<b>7,220,993</b>	<b>(32,936)</b>

## AREAS OF BUDGETARY RISK

The table below identifies areas that have been identified as a budgetary risk within the Place revenue and capital budgets.

The revenue budget areas of risk are:

Budget Title	Approved Budget	Risk
<b>Revenue: Cemeteries</b>	(£277,730)	<p>The income budgets include various sources such as interment fees, rights of burial and headstone fees.</p> <p>As at 31 December income received was 18% below profile. The percentage below profile as at 30 September was 22%. Income levels are continually monitored and any issues will be flagged to senior management if required.</p>
<b>Revenue: Cleansing Chargeable Services</b>	(£345,700)	The majority of the income is subject to local and national markets with many competitors.
<b>Revenue : Recycling</b>	£170,160	The budgets include estimated net income from the sale of reclaimed materials amounting to £950k. This income is subject to fluctuations in the market, and can be very volatile.
<b>Revenue: Car Parking</b>	(£5,625,710)	<p>The fee income budget for car parking is £5.6m; figures to date indicate that this should be achieved.</p> <p>However, a 2% shortfall in income would mean a shortfall of £112k against the budget.</p> <p>This is an ongoing budgetary risk to the organisation, however fee income is projected to be above the profile for the year.</p>
<b>Revenue: Planning Services</b>	763,390	<p>There has been a number of planning decisions which have been appealed. This has resulted in a need for external consultancy advice.</p> <p>To date £154k has been spent with an additional £75k anticipated for ongoing appeals. There is a risk that further expenditure, over and above the £75k, will be required.</p>

Budget Title	Approved Budget	Risk
<b>Revenue: Markets &amp; Halls</b>	(£372,210)	In recent years, the Markets and Halls service has achieved higher net income than estimated. The income estimates for 2015/16 were increased from £1.45m to £1.58m, and the outturn for 2014/15 exceeded those estimates. However, some sources of income cannot be guaranteed to continue at current or historical levels so there is a risk that the income budget may not be achieved.



Final

**REPORT TO:** PEOPLE SCRUTINY AND PLACE SCRUTINY COMMITTEES  
**Date of Meeting:** 2<sup>nd</sup> June 2016 (People) and 9<sup>th</sup> June 2016 (Place)

**Report of:** Cllr Brimble  
Chair of the University Task and Finish Group

**Title:** University Task and Finish Group Report.

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Council

**1. What is the report about?**

To report the findings and recommendations of this Task and Finish Group to the People Scrutiny Committee for comment and the Place Scrutiny Committee for approval.

**2. Recommendations:**

**Topic 1: Retention of Graduates**

The Council:-

- 1) Facilitates a meeting between the Federation of Small Businesses, the Chamber of Commerce, Exeter University and the Council's Economy Department to encourage a joint approach to retaining graduates in the City.
- 2) Shares the list of companies (particularly tech companies) with Exeter University to develop the aim mentioned in Recommendation 1.
- 3) Facilitates a networking event to encourage and support a good relationship between key organisations, businesses and Exeter University and Colleges.
- 4) Explores the opportunities available to support the Innovation Centre in increasing the number of start up weekends held and developing them into a regional network that involves Exeter residents.

**Topic 2: Anti-social behaviour**

The Council:-

- 5) Encourages the Students' Guild to expand the "big street party" event to cover different areas across the City.

**Topic 3: Waste, recycling and littering**

The Council:-

- 6) Explores the opportunities for sponsorship and provision of cardboard bottle carriers to student households which also advertise where recycling facilities are located.
- 7) Explores the possibility of a pilot scheme where temporary recycling facilities are situated in highly populated student areas at the end of term.

- 8) Enquire whether student wardens are able to support the educational work of the Council's Recycling Team in visiting student houses identified as a priority.
- 9) Encourage the students, with the support of the Students' Guild, to make a promotional, educational video on effective waste and recycling which other students can easily access on line.

#### **Topic 4: Volunteering**

The Council:-

- 10) Sponsors a student volunteering award to be presented at the Guildhall and publicised via the Exeter Citizen and Exepose publications.
- 11) Liaise with the Student Opportunities Manager (Students' Guild) to explore buddying community groups with student volunteers.
- 12) Encourages key organisations to highlight and publicise the good work that student volunteers already do for their organisations across Exeter.

#### **Topic 5: Planning and Student Accommodation**

The Council:-

- 13) Encourages and supports the Students' Guild to explore the possibility of Co-operative Housing.
- 14) Reviews the level of developers' contributions to infrastructure in respect of student accommodation, should an overall review of the Community Infrastructure Levy charging schedule be undertaken in future.
- 15) Positively highlight, through a timely press release, the management requirements that accompany planning approvals on Purpose Built Student Accommodation blocks (PBSA's); the Central Government funding that PBSA's bring to the City and the effect of students moving from Houses in Multiple Occupation (HMO's) to PBSA's.
- 16) Arrange for a Scrutiny Task and Finish Group to investigate the possibility of an HMO/landlord accreditation scheme, engaging with key partners to explore the possibilities and how the Council could support work which may already be underway.

#### **Topic 6: Parking**

The Council:-

- 17) Supports the University in developing their updated Sustainable Transport Strategy, ensuring, in so far as is possible, the involvement of both Exeter City Councillors and Officers.

### **3. Reasons for the recommendations:**

#### **Topic 1 – Retention of Graduates**

- Linking the growth aspects of the City by creating better links between local enterprise and students is an essential component of graduate retention. This approach also supports the drive towards continued growth within the City. Cooperative working and the sharing of information between the Council and the University is a practical way to achieve progress.
- A key way in which graduates could be encouraged to stay in Exeter is through better communication between the commercial sector and the University so that under graduates are aware, at a very early stage, as to the opportunities that exist for them in Exeter.
- Plans to hold a networking event are already underway as a result of the Growth and Marketing Task and Finish Group approved recommendation. Recommendation 3 of this report could be incorporated within this planned event.
- The Council continues to recognise the importance and value of the Innovation Centre and its work, particularly in respect of the success and benefits of the “Start Up” weekends at the University. Expanding the remit of these weekends will help to develop local enterprise for the residents of Exeter and the surrounding areas.

#### **Topic 2 - Anti-social behaviour**

- Instances of anti-social behaviour across the City are not solely attributable to the student population. However, those instances which are usually involve complaints of transient noise.
- A lot of problems can be resolved quickly and effectively though good face to face communication. However, communication itself can be a barrier if there isn't already a relationship between the students and other local residents.
- This recommendation is designed to support development of the Student Guild's existing good work by encouraging more residents and students to meet, integrate and develop a community relationship. By taking a pro-active approach the potential for problems to occur can be substantially reduced.

#### **Topic 3 – Waste, recycling and littering**

- Different areas around the country have different recycling requirements which can cause confusion amongst students coming to the City. Therefore education, communication and awareness are key components to ensuring successful, effective recycling within the City.
- Providing information which is easily accessible and tailored to students and recognising the transient nature of their stay in respect of term times is also important to success.
- Putting practical provisions in place such as temporary recycling facilities at the end of term and bottle carriers may encourage more students to recycle easily and effectively. This keeps the City cleaner, reduces the cost to the

Council of sorting incorrectly disposed of items and boosts recycling rates and revenue.

#### **Topic 4 – Volunteering**

- The Council should take a lead role in positively recognising and promoting the good student volunteering work which already takes place across the City.
- The Council and the University can work together to make sure that student volunteering work is targeted where it is needed most across the City.

#### **Topic 5 – Planning and Student Accommodation**

- The Council is committed to working with Exeter University to provide appropriate student accommodation within the City (Corporate Plan 2016).
- Investigating the possibility of Co-operative Housing and the responsible development of PBSA's are two examples of an active approach towards ensuring a status quo between the need for student accommodation and the availability of housing for others within the City.
- Without good communication misunderstandings can occur. Raising public awareness of the positive benefits of PBSA's is important. For instance, students moving from Houses in Multiple Occupation to PBSA's frees up accommodation for others, in addition to which PBSA's bring Central Government funding to the City (via the Community Infrastructure Levy and New Homes Bonus).
- A landlord accreditation list/scheme may prevent some of the issues surrounding student accommodation areas such as transient noise and waste complaints by promoting a cooperative approach with better lines of communication and information sharing between landlords, students, the University and the Council.

#### **Topic 6 – Parking**

- The Council has limited options when it comes to recommendations in this area, since on street parking and residential parking permits no longer fall within the remit of Exeter City Council and the University regulates its own car parking facilities on campus.
- The University's Sustainable Transport Strategy is in the process of being updated. This will involve a consultation process in which the Council will be involved as a consultee and presents a good opportunity for the Council to highlight the needs of the City and become actively and positively involved in shaping the overall Strategy.

#### **4. What are the resource implications including non financial resources:**

None.

**5. Section 151 Officer Comments:**

There are no financial implications contained in this report.

**6. What are the legal aspects?**

None identified.

**7. Monitoring officer comments:**

This report raises no issues of concern for the Monitoring Officer.

**8. Report Details:**

The University and exploring its current impact on the City was identified as a high priority topic for Task and Finish Group investigation at the Annual Scrutiny Work Programme Meeting which took place in June 2015.

**Membership** of the Group consisted of:-

Cllr Brimble (Chair of the Group)  
Cllr Baldwin  
Cllr Bull  
Cllr Buswell  
Cllr Morse  
Cllr Owen  
Cllr Shiel  
Cllr Denham  
Cllr Prowse

Richard Short, Assistant Director City Development  
Bob Norley, Assistant Director Environment  
Victoria Hatfield, Economy and Tourism Manager  
Maureen Gori-de-Murden, Senior Economy and Tourism Officer  
Oenone Thomas, Partnerships and Project Manager  
Lisa Cocks, Principal Environmental Health Officer  
Dawn Rivers, Community Involvement and Inclusion Officer

**The Scope:-**

The Group established their scope at the outset and agreed that the key objective should be to:-

- Continue to develop and improve the positive relationship between the City and the University, for the good of both and the residents of Exeter, working towards promoting further growth within the City.

It was essential for the Group to agree specific focus topics for investigation given the broad remit.

The Group met on several occasions between October 2015 and January 2016 to address the specific topics they had identified as priorities for investigation and also had the benefit of hearing from various external guest speakers. Set out below are sub headings detailing the topics addressed and some salient points which will help add context to this report and its recommendations.

### **Focus Topics identified for investigation:-**

#### a) Retaining graduates within the City

This topic was broken down into three aspects for the purposes of this meeting:-

- *Internships and Employment*
  - Welcoming guest speaker Jo McCreddie, Employment Liaison Officer, Exeter University
    - It would be very helpful to identify local companies where students could go and do some project work for free and gain experience.
    - It is important to reach students very early on as large companies do.
    - Large graduate recruiters are very strategic – they target students from the top 5 Universities at a very early stage and put a lot of time and investment into this.
    - Students and graduates rate career prospects, a good work/life balance and good employer leadership and friendly colleagues as being important as well as money.
- *Digital Excellence*
  - Welcoming guest speaker Dr Robin Jackson, Innovation Centre Director
    - The importance of connecting students and businesses.
    - Building up relationships with key organisations.
    - Expanding and building on the success of the start up weekends.
- *General Movement of Research and Knowledge Transfer*
  - Welcoming guest speaker Ben Neild, Assistant Director, Marchmont Observatory, Exeter University
    - The reason some students do not stay is because they are not from Exeter.
    - It is essential to have local links with local enterprise.
    - The main considerations to encourage retention of graduates are availability of apprenticeships, local travel and links with schools.
    - Exeter University is currently the only Russell Group University to offer a degree in digital technology solutions.
    - Within the graduate retention dilemma the main issues which post graduates consider are:-
      - ✚ Economic development
      - ✚ Employment opportunities

✚ The vibrancy and culture of the City – is it an attractive place for young people to stay?

b) Anti-social behaviour and noise issues

- Welcoming guest speaker Rory Cunningham, Community Liaison Officer, Exeter University
- Overview by Lisa Cocks, ECC Environmental Health Officer

This meeting concentrated upon:-

What do Members see as the issues?

Could more be done to tackle these issues?

- It is important not to hold a generalisation that all students are the sole cause of anti-social behaviour and noise nuisance within the City.
- Transient noise seems to be the subject of most complaints.
- Members recognised that there had been a lot of progress already in tackling these issues, on both a pro-active and reactive level. This needs to be positively publicised.
- Early and appropriate communication with a pro-active approach is key to resolving problems.
- Old fashioned “first introductions” are invaluable and the street party sponsored by the University in 2015 provided an opportunity for that first introduction between students and other local residents to take place. As a result of this the number of complaints reduced from 35 to 1 or 2 which demonstrates the success of the concept.
- The positives are that there have been a quarter fewer complaints with community issues in respect of students which is good progress particularly now that there are a higher number of students. The seriousness of complaints has also dropped.

c) Waste, recycling and littering

- Welcoming guest speaker Rory Cunningham, Community Liaison Officer, Exeter University
  - Overview by Assistant Director, Environment, Cleansing Fleet Manager and Environment Support Officer
- 
- ECC are already in touch with the University and the Students’ Guild in respect of this issue.
  - The student guide now includes details and information about rubbish collection times and recycling.
  - An app is available to students which links into the collection day IT system so that information is easily accessible on phones.
  - Students can sign up to alerts from the Council’s gov delivery system.
  - Main complaints relate to bins left on pavements and overflowing rubbish
  - “Face to face” visits to student households which were identified as a priority have proven very successful and students have been very receptive to the visits. However, there is a resource issue and Council officers have only been able to visit a small proportion of households (200 out of 3000).

- The student population is transient and the start and end of term presents a particular problem - students tend to have a good clear out at the end of term which results in more waste and recycling for collection.
- Council officers have met with the Green Team at the University to find out what students identify as the barriers to recycling. Glass was identified as a real issue for the students. This is because the students are mainly located in the centre of the City and there are not many bottle banks within walking distance, so either glass is being put in the black bins or contaminating the green bins.

d) Encouraging students to volunteer in the communities across the City

- Welcoming guest speaker Will Page, Student Opportunities Manager, Students' Guild
- Update by Dawn Rivers, Community Involvement and Inclusion Officer
  - Currently student volunteers are helping SW Ambulance, St John's Ambulance, the multi agency hub on a Saturday night and the environmental and recycling teams, so there is a lot of good work going on already but there is still a lot of high potential to tap into.
  - Students will generally be attracted to volunteering opportunities that fill a gap on their CV, or where they have particular personal interests/hobbies.
  - Outside organisations need to identify where they may need help and it will be their responsibility to carry out risk assessments and have the requisite insurance in place.
  - A reference was made to the important role of the Community Organisers and Integrated Care Exeter in coordinating and linking everyone together.
  - If the Council could let the Student Opportunities Manager know of any charities or anyone across the City who are desperate for volunteers, the Guild can put this information on the register and find volunteers. The Guild can establish contact direct with the organisations.
  - Post graduate research students are an untapped source for volunteering. The Students' Guild are doing the best they can to encourage post graduates to volunteer.

e) Planning and Student Accommodation

- Welcoming guest speakers:-
  - Hugh McCann,  
Director of Estate Development, Exeter University
  
  - Gareth Oughton,  
Director of Membership Services and People Development, Exeter University
  
  - Jo Hawkins,  
Exeter St James Forum
- Overview by Richard Short, Assistant Director, City Development



The main issues to consider in respect of student accommodation and in terms of the City are:-

How many?

What type of accommodation?

Where should it be situated – what areas are appropriate?

- There is a move towards students wanting their own specific accommodation.
- It is important to acknowledge the positives of purpose built student accommodation (PBSA's).
- PBSA's and infrastructure exist side by side.
- There is a (University) masterplan (2010) in respect of development plans and the general consensus is that campus sites should ideally be preserved for academic and research purposes rather than for more student accommodation. However, there is an argument that accommodation developments on campus sites would relieve pressures on other parts of the City.
- The University's Estates Strategy will address how many developments will take place on campus sites.

f) Parking (and the sustainability of the University's travel plan)

- Welcoming guest speaker Amy Hill, Travel Plan Co-ordinator, Exeter University
- The University is in the process of developing a Sustainable Transport Strategy for 2016 – 2020, the draft of which should be approved for consultation sometime in March/April.
- Exeter City Council and other key organisations will be invited to participate as a consultee and the University are keen for everyone to have their say.
- Part of the discussion has to be how we integrate the University's transport needs with those of the City.
- Parking permit management needs reviewing both generally and in respect of the University.
- On street and permit parking do not fall under the remit of Exeter City Council so there is little that the Council can do to directly influence these areas.
- Cars parked in the same place for weeks restrict the ability of residents to park outside their houses and create complaints.
- How the bus routes operate and how they serve beyond the City Centre has to be considered. More routes supporting the campus from other parts of the City would be of benefit.
- Price and adequacy of travel by bus is key to resolving the parking issue.

**Ancillary Work Arising from Group investigations:-**

- Enquiries for comparative statistical information concerning graduate retention between Exeter and other similar cities resulted in an invitation from the Higher Education Statistics Agency to participate in the testing of their new University statistics system.

- The Group identified that the Students Guild were no longer receiving the weekly planning list. The Guild are now signed up to the Gov.delivery system which also includes other information relating to bins, waste and recycling; council tax and benefits; planning; community news and events; elections and the latest Council news.
  
- The Community Volunteering Co-ordinator, Students' Guild will:-
 

Provide a list of the different projects (including discipline linked) taking place by postcode to the Council's Community Involvement and Inclusion Officer so that Councillors can see what projects are taking place in their wards and will liaise with the Council to write a short piece for the Exeter Citizen about student volunteering in the City and how charities can register as providers.
  
- Relevant officers from key organisations such as the Council and the University are due to meet to discuss communications and other issues particularly relating to waste, recycling and littering. It is hoped that a student focus group will be involved in any work which may be taken forward in future together with the University, the Guild, managing agents and resident associations using social media as a conduit.

**9 What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, Economy safety and the environment?**

None.

**Cllr Brimble  
Chair of the University Task and Finish Group  
Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report:**

None

Contact for enquiries: Anne-Marie Hawley, Scrutiny Programme Officer  
Tel No: (01392) 265110. Room 2.3

**REPORT TO:** PLACE SCRUTINY COMMITTEE  
**Date of Meeting:** 9<sup>th</sup> June 2016

**Report of:** Cllr Lyons, Deputy Chair of the Empty Commercial Properties Task and Finish Group

**Title:** Empty Commercial Properties Task and Finish Group Report.

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Council

**1. What is the report about?**

To report the findings and recommendations of this Task and Finish Group to the Place Scrutiny Committee.

**2. Recommendations:**

The Council:-

- a) Encourages owners of privately owned empty commercial properties to consider discussing the potential to change the use of their premises to residential with Exeter City Council's Planning Team.
- b) The list of empty commercial properties identified by this Task and Finish Group is refreshed and reviewed on a 6 monthly basis.
- c) An annual update is provided to the Place Scrutiny Committee detailing usage outcomes in respect of those properties identified through Recommendation (b).
- d) A new Task and Finish Group is formed specifically to investigate ways in which the usage of empty commercial properties may be increased across the City.

**3. Reasons for the recommendation:**

- To realise and maximise the potential use of empty commercial properties across the City for residential purposes.
- To continue to identify empty commercial properties across the City which may be suitable for residential use.
- To actively engage with owners to encourage them to consider alternative use of empty commercial properties.
- To look at ways of encouraging owners to consider residential use as a viable alternative.
- To investigate further issues in relation to this topic which fell outside the remit of this Task and Finish Group.

**4. What are the resource implications including non financial resources:**

Officer time in the event that the recommendations contained within this report are approved.

**5. Section 151 Officer comments:**

Any decision to change the use of commercial property would have a financial impact on the Council, which could be positive or negative. The section 151 Officer has not been asked for an analysis of what the impact would be at this stage, however given the number of properties involved (16) it may not be significant either way.

**6. What are the legal aspects?**

Any change of use of a property will be subject to any necessary planning and building control approval.

**7. Monitoring officer Comments**

Please see comment on legal aspects above.

**8. Report Details:**

The area of privately owned empty commercial properties was identified as a high priority topic for Task and Finish Group investigation at the Annual Scrutiny Work Programme Meeting which took place in July 2015. It is recognised that empty commercial properties represent a wasted resource across the City, particularly in so far as their potential for residential use is concerned.

Membership of the Group consisted of:-

Cllr Raybould (Chair)  
Cllr Lyons (Deputy Chair)  
Cllr Baldwin  
Cllr Brimble  
Cllr Morse  
Cllr Pearson

Council Officers:-

Assistant Director, City Development  
Corporate Manager, Property  
Economy and Tourism Manager  
Senior Housing Development Officer  
Housing Development Officer  
Joint Housing Needs Lead  
Senior Rates Officer

## **The Scope**

The key objectives established by the Group were:-

- To identify privately owned empty commercial properties across the City which could be suitable for residential use.
- To encourage owners to consider a change of use to residential.
- To provide owners with contact details for organisations so that they can access the relevant information about converting their properties for residential use.
- To investigate whether the Council's systems can be updated to generate a regular report identifying empty commercial properties on an ongoing basis.

## **A Context of the Work**

Housing is a key priority for the Council and the City with a focus on being able to provide sufficient homes to meet housing needs and to create a City with homes for everyone.

The Group met on four occasions between January and April 2016 and were keen to explore the opportunities for creating more housing across the City. One of the main questions to be addressed was whether the approach taken on returning empty residential properties back into use could also be applied to empty commercial properties.

The Senior Housing Development Officer provided an overview as to the current position in respect of empty residential properties and their return back to use. Promotion was an area which had been specifically concentrated upon this year and efforts included a press release for National Empty Homes Week in December. The article provided information as to who to contact at the Council and encouraged owners of empty homes to access the information and help available. An overhaul of the information available on the Council's website was also ongoing in order to better signpost owners to advice on refurbishment, letting standards and letting and to encourage the public to report empty homes.

The Group heard that the owners of empty homes are contacted regularly through mail outs (approximately 500 properties annually) which include standard letters encouraging owners to get in touch. The literature ensures that owners are aware of the potential benefits of renting or selling their property, as well as the resources available to achieve this. Information is provided on becoming a landlord, private letting, agents and grants.

The Group decided that initial investigations should focus on the information held within the Commercial Property Register and Business Rates records so that a list of privately owned, empty commercial properties could be established. The main considerations for the list would be properties which had been vacant for a longer period of time (ie, 12 months) and which would be suitable for potential residential

use given the type of building and the location. Former small shops with flats above were viewed as the most suitable.

All Councillors were asked to highlight any empty commercial properties of which they were aware and a press release appealed to members of the public to do the same.

During the course of the Group's meetings, officers from the Planning Department, Housing Development, Estates, Housing Needs, Business Rates and the Economy Department, attended and provided advice which enabled the Group to narrow the suitability criteria and a final list of properties was settled upon at the last meeting on the 11<sup>th</sup> April 2016.

The final list contains details of 16 potentially suitable properties which would provide the main focus in respect of Recommendation (a) and will also provide a basis for the implementation of Recommendations (b) and (c).

**9 What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, Economy safety and the environment?**

Should the recommendations contained within this report be approved, there could be a benefit in respect of health and well being through the potential creation of more housing opportunities within the City.

**Cllr Lyons, Deputy Chair of the Empty Commercial Properties Task and Finish Group**

**Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report:**

None

Contact for enquiries: Anne-Marie Hawley, Scrutiny Programme Officer

Tel No: (01392) 265110

Room 2.3

## **REPORT TO SCRUTINY COMMITTEE**

**Date of Meeting: 9 June 2016**

**Report of: Museums Manager & Cultural Lead**

**Title: Update on Exeter Cultural Action Plan**

### **Is this a Key Decision?**

No

\* One that affects finances over £1m or significantly affects two or more wards. If this is a key decision then the item must be on the appropriate forward plan of key decisions.

### **Is this an Executive or Council Function?**

#### **1. What is the report about?**

This report provides a progress update on the Exeter Cultural Action Plan

#### **2. Recommendations:**

Members recognise the progress made in taking forward the Cultural Action Plan, endorse the approach adopted by Exeter Cultural Partnership and its ongoing collaboration with the City Council.

#### **3. Reasons for the recommendation:**

This report is for information and provides a scheduled progress update on delivery of Exeter Cultural Action Plan. The plan is a shared document jointly owned by Exeter City Council and Exeter Cultural Partnership. The community involvement and collaboration central to this approach is intended to maximise the positive impacts of culture on the city's life through for instance, its contribution to place making; quality of life, community engagement and cohesion.

The intervening period since the last update report (June 2015) has seen significant advances in Exeter Cultural Partnership's own development and delivery against the Action Plan. These are outlined as part of this report.

#### **4. What are the resource implications including non financial resources.**

There will be some ongoing administrative and financial support required from RAMM to support management of Exeter Cultural Partnership's (ECP) Grants for the Arts Award from the Arts Council, England for 'Exeter Cultural Connections'.

RAMM (acting on behalf of ECP) is host organisation for the seconded post of ECP Culture Director. Liaising with the University entails some financial and management duties but these are not expected to be great.

Some of RAMM's revenue or Major Partner Museum funded activities can be aligned with the Cultural Action Plan but these do not have additional resource or financial implications. Similar observations also apply to the City Council's arts funding.

## **5. Section 151 Officer comments:**

The Grants for the Arts Award and partner funding will be held as a separately identified cost code within RAMM's cost centre. There are no additional requests for funding in the report.

## **6. What are the legal aspects?**

As part of its collaborative relationship with Exeter Cultural Partnership, Exeter City Council is acting as grant recipient for ECP's Arts Council, England (ACE) award. This is made on the basis of standard ACE terms and conditions applied across England, copies of which have been made available to Legal Department.

A legal agreement has been made between the City Council as RAMM, on behalf of ECP, is acting as secondment host for the ECP Culture Director, an employee of the University of Exeter.

## **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

## **8. Report details:**

The Cultural Action Plan was presented to Economy Committee on 14 November 2014 and adopted as a shared document jointly owned by the City Council and Exeter Cultural Partnership (ECP).

Exeter Cultural Partnership represents the city's cultural organisations including libraries, museums, sport, arts, health, education, food and retail. As an umbrella organisation it now has over 390 members (individuals and organisations) across the city and its hinterland. It draws together the efforts and interests of an extremely diverse sector which includes public, commercial, charity and independent representation. It is led by a Steering Group which includes City Council members. Its mission is to contribute to a city where a vibrant cultural life enriches the experience of everyone living in, working in and visiting Exeter.

The City Council also recognises culture's quality of life contribution to the city's offer in regard to visitor destination, national profile and draw for inward investment. This creates strong connections to the city's Tourism; City Centre and Knowledge Economy strategies. Acknowledging the developing nature of these areas the 2013 presentation described the Action Plan as a 'living and growing' document which would emphasise different and new priorities over time.

The Action Plan (<http://exeterculturalpartnership.co.uk/action-plan>) has four key goals

1. To develop a vibrant cultural economy – Exeter as a cultural destination.
2. To develop cultural opportunities and experience
3. To enable wide and diverse engagement with the cultural sector
4. To build a stronger, more confident sector

The priorities of the Cultural Action Plan have informed ECP's subsequent work including a successful application to the Arts Council, England (March 2015) for a programme of work titled 'Exeter Cultural Connections'. The application to the Arts Council, England was written and submitted by RAMM on behalf of ECP. The successful bid is for an award of £95,000 and is offered under standard Arts Council England terms and conditions which have been



made available for review by Legal Services. The award was 'unlocked' with local financial support from the University, City Council and Cathedral.

Exeter Cultural connections is based on a detailed work programme and budget described in the Scrutiny Report of 18 June 2015 'update on Exeter Cultural Action Plan'. Key to the programme was the appointment of ECP's first Culture Director, a role which would create much needed officer capacity within the otherwise volunteer resourced ECP. Working with in the Steering Group the Culture Director would pursue and support collaborations that deliver ECP's objectives.

The June 2015 report went on to describe a setback. The role of Culture Director had recently been advertised nationally but following interviews (May 2015) the panel (which included ECC, ACE and ECP Steering Group representation) had been unable to make an appointment. This report explained that it was ECP's intention to explore the option of making the Culture Director an employed part time role, rather than a freelance/contracted one as previously advertised.

This update report picks up from that point. As an un-constituted body, ECP was not itself in a position to employ a part time Culture Director and with this agreed goal subsequent conversations were with ECP's larger institutional partners including the University of Exeter.

The University's recognition of culture's wider significance to its own and its shared priorities with the City Council led it to offer to employ the ECP Culture Director role, seconding the new staff member to ECP. For the purpose of the secondment RAMM (acting on behalf of ECP) is the host and an appropriate legal agreement was drawn up between the University and City Council's legal teams to support the arrangement.

The University's decision was instrumental in moving forward the Exeter Cultural Connections project and this report notes with gratitude their support and practical assistance in enabling this progress.

The Culture Director role was advertised through the University's recruitment portal as well as a number of other networks and sites. This second recruitment exercise produced a larger and stronger field of candidates for short listing. Interviews were held at the end of October and the appointee was able to take up his post at the beginning of December. The delayed appointment of the Culture Director has had implications for delivery of the remaining parts of the Exeter Cultural Connections programme. As holder of ECP's ACE Grants for the Arts Award, RAMM has provided an update to the Arts Council, England and negotiated a time extension to ECP's delivery schedule.

As Exeter Cultural Partnership's first Culture Director, Martin Thomas brings to the role extensive experience of the South West and arts and heritage sectors having previously worked for related strategic roles for government agencies, as well as directly for cultural organisations as a freelance consultant.

In his first five months in post he has represented ECP in discussions with Business Improvement District (BID) and strengthened University links to the city's cultural offer. He has also taken a lead on some work in progress as well as shaping a series of new initiatives. The breadth of activity is summarised in appendix1 a Review of Delivery for the period November 2013 to April 2016. The review which is based on the four goals and actions described in the original plan, will inform ECP's revision of the plan which will take place during 2016. The City Council will act as a partner in this process through its membership of the ECP Steering Group.

The plan's development will need to take into account opportunities that may arise from the Government's Culture White Paper published in March 2016. Its emphasis is on opportunity for all to enjoy culture; culture's role in creating stronger and healthier communities; boosting economic growth and place making are all reflected in Exeter's Cultural Action Plan and ECP's and ECC shared thinking.

Reviews of the museum sector, Arts Council, England and Heritage Lottery Fund were announced as well as a number of new national initiatives designed to promote tourism and young people's cultural citizenship.

## **9. How does the decision contribute to the Council's Corporate Plan?**

Strategic collaborations such as the one that exists between Exeter City Council and Exeter Cultural Partnership contribute to building a stronger sustainable city by encouraging community participation and 'joined up' working around shared priorities. The aspirations of ECP and Exeter Cultural Connections feed into several corporate purposes, the most obvious being 'Provide great things for me to see and do'. However there are also strong links between culture and economic development by, for instance, supporting the local and visitor economies. Contributions to place making and community engagement; health and well being, education, means this work also delivers outcomes around 'Help me run a successful business', and 'Keep me/ my environment safe and healthy'.

The appointment of ECP's Culture Director as an employee of the University seconded to RAMM is a good example of this important strategic partnership enabling and extending wider benefits to the city and the community as a whole.

## **10. What risks are there and how can they be reduced?**

This report is a progress update on Exeter Cultural Action Plan which is being led by Exeter Cultural Partnership, an independent organisation. The report focuses on the Exeter Cultural Connections work programme which has received financial support from the Arts Council, England. Delays to the delivery of the programme caused by the late appointment of the Culture Director have been flagged with the Arts Council, England and time extension agreed. ECP is responsible for delivering the work programme. Appropriate arrangements have been put in place for governance. ECP's Steering Group includes ECC representatives (officer and Portfolio Holder for Economy & Culture). There is a detailed budget associated with the work programme.

ECC (RAMM) 'holds' the ACE grant on behalf of ECP and will oversee draw downs from the ACE. Expenditure will be monitored by an ECP sub group to ensure it is in line with approved expenditure and cash flow. RAMM budget monitoring means there is also a secondary check within the system.

RAMM is familiar with the Arts Council, England Grants for the Arts programme having received and handled previous awards in its own right.

An appropriate legal agreement has been put in place between the University of Exeter and City Council covering the secondment of the Culture Director to RAMM (acting on behalf of ECP).

**11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?**

This report concerns progress being made by Exeter Cultural Partnership and its member organisations, many of which are actively engaged in addressing these issues.

**12. Are there any other options?**

This is a report for information only and does not require decision.

**Museums Manager & Cultural Lead**

**Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

None

Contact for enquires:

Democratic Services (Committees)

Room 2.3

01392 265275

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## Exeter Cultural Action Plan: Review of Delivery

### Collaboration, culture and creativity

Exeter Cultural Partnership represents the city's creative practitioners and cultural organisations including arts, education, health, heritage, food, libraries, museums, retail and sport. ECP's mission is to contribute to a vibrant, creative and culturally rich quality of life for residents and visitors to Exeter. ECP now has almost 400 members across the city and sub region.

**Our mission** as a partnership is to contribute to a city where a vibrant cultural life enriches the experience of everyone living in, working in and visiting Exeter. In 2013 ECP created a **Cultural Action Plan** for Exeter. With the support of Exeter City Council and Arts Council England, ECP undertook in-depth consultation with the city's cultural sector producing key findings that have informed the Plan.

The Plan is co-owned with Exeter City Council, ensuring that culture is embedded in the plans that will shape the city of the future. Named as one of the top five priorities in the ECC's five year strategic plan, culture is acknowledged as a major contributor to the city's prosperity and growth. Exeter's Cultural Action Plan published in 2013 summarised a programme of activity for a period of two – three years; during 2016 delivery was reviewed and the plan is now being refreshed. This paper summarises the delivery of the 2013 Plan and acts as an introduction for preparing the strategic themes for taking forwards beyond 2016/17. Those are to be determined by the ECP Steering Group during 2016.

### Strategic Aim

*'To develop Exeter as a culturally vibrant city'*

### Goals

- Goal 1**            **To develop a vibrant cultural economy - Exeter as a cultural destination**
- Goal 2**            **To develop cultural opportunities and experiences**
- Goal 3**            **To enable wide and diverse engagement with the cultural sector**
- Goal 4**            **To build a stronger, more confident cultural sector**

## Exeter Cultural Action Plan: Review of Delivery

### Goal 1

#### To develop a vibrant cultural economy - Exeter as a cultural destination

This goal relates specifically to repositioning culture as a key driver of the economy in Exeter

Actions <u>as set out in Nov 2013</u>	Delivery	Notes
<p>Develop a long term Communications Plan and campaign. This will include:</p> <ul style="list-style-type: none"> <li>• Explore options for a new cultural diary for the city, made available through using a variety of media</li> <li>• A social media strategy</li> <li>• The development of external networking events (developing relationships with business sector for example)</li> <li>• The development of internal networking events to enable different parts of the cultural sector to join up more effectively</li> <li>• Contributing to a rebrand of the city with culture at the core</li> </ul>	<p><i>Ongoing</i></p> <p><i>Deferred whilst other branding priorities being clarified (e.g. Heart of Devon/Visit Exeter, BID Brand)</i></p> <p><i>Delivery in progress</i></p> <p><i>Delivery in progress</i></p>	<p><i>ECPSG to encourage greater use of ECC diary; also advocate the Culture Diary (UK programme Feb 2016)</i></p> <p><i>ECP SG deferred Artory app option until later in 2016</i></p> <p><i>- Events are taking place: Open Space (Corn Exchange 2016)</i></p> <p><i>- Cultural Hustings (Bike Shed 2015 and 2016);</i></p> <p><i>- Creative Hub Socials (monthly at Phoenix)</i></p> <p><i>- Use of ning as virtual networking / communication space</i></p> <p><i>- Jan 2016 ECP informal gathering (Bike Shed)</i></p> <p><i>- CD and ECP SG members engaging with Exeter BID re-brand, meetings with One Voice media (e.g. to support</i></p>

## Exeter Cultural Action Plan: Review of Delivery

<ul style="list-style-type: none"> <li>Developing a pool of case studies about cultural projects and their contribution to Exeter as a cultural destination</li> </ul>	<i>Partly delivered</i>	<i>their creative approach re profile raising film)</i>  <i>- Delivered to some extent (e.g. Arts Council's case study of RAMM/Plymouth Major Partner Museum programme)</i>
<p>Ensuring that cultural activity around key strategic events is planned, scheduled and co-ordinated (For example Rugby World Cup 2015, First World War Centenary 2014-18)</p>	<i>Delivered and ongoing</i>	<i>- RWC15 delivered, FWWC ongoing.</i> <i>- BBC Radio 1 Big Weekend &amp; The Academy (May 2016)</i> <i>- AWE Art Week Exeter (May 2016) - planned and led by individual practitioners as well as organisations</i> <i>- Working with various organisations across the city, the City Council is working in partnership on the <a href="http://www.thesomme19240.co.uk/">http://www.thesomme19240.co.uk/</a> project</i>
<p>Implementing an economic and social impact study of culture's contribution to the economy of the city</p>	~	~
<p>Appointing a Culture Director connected to funding from Arts Council England's Grant for the Arts scheme</p>	<i>Delivered</i>	<i>Appointed Dec 2015, following extensive recruitment process. The CD is employed by the University and seconded to ECC and hosted at RAMM on behalf of the ECP. An appropriate legal agreement is in place between ECC and UoE to enable this partnership role.</i>
<p>Building a relationship with Hoteliers Association and Chamber of Commerce Devon County Council, The Local Enterprise Partnership and Arts Council of England - Referencing their strategic plans and exploring opportunities to align priorities</p>	<i>Delivery in progress.</i>	<i>In progress: prioritising Exeter BID, LE; also Arts Council England especially during its 2016 review of options in considering strategic approach beyond 2018.</i>

## Exeter Cultural Action Plan: Review of Delivery

Participating in relevant Visit England promotional campaigns	~	<p>- Where possible, Exeter participated in the South West Tourism Growth Fund promoting the city overseas.  <a href="https://www.visitbritain.org/northern-and-south-west-tourism-growth-funds">https://www.visitbritain.org/northern-and-south-west-tourism-growth-funds</a></p> <p>- Exeter will work with other SW destinations to submit a bid to the up and coming Discover England fund to promote the SW overseas:  <a href="https://www.visitbritain.org/discover-england-fund">https://www.visitbritain.org/discover-england-fund</a></p>
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### Goal 2

#### To develop cultural opportunities and experiences

<u>Actions as set out in Nov 2013</u>		
Understand and map out forthcoming strategic events and opportunities within the city. Convene project groups for responding, planning and delivery; encourage cross cultural collaboration.	<i>Delivery in progress – re Contact Group, Marketing group</i>	
Develop and support more opportunities for cultural programmes connected to the well-being agenda such as ageing, dementia, homelessness and social exclusion	<i>Delivery in progress</i>	<i>Organisational engagement (e.g. RAMM's 5 Steps and Living Each Season Dementia programmes). More to be done</i>
Develop opportunities linked to the City Centre Strategy, green spaces and public realm agendas to animate and	<i>Delivery in progress: New Visitor Strategy being</i>	<i>Festivals and events animating spaces and public realm; also Ludwell Valley Park Masterplan</i>



## Exeter Cultural Action Plan: Review of Delivery

contribute to their delivery	<i>developed in 2016</i>	
Create better strategic dialogue between Exeter City Council and cultural providers to ensure that strategic programmes, projects and events in the city maximise opportunities for cultural activity.	<i>Delivery in progress</i>	<i>Culture Director has begun this</i>
Provide feedback on the process and transparency of the distribution of arts finance by Exeter City Council	<i>Delivered</i>	<i>Arts funding process updated: open process, criteria aligned to Cultural Action Plan goals</i>
Investigate alternative sources of funding for development, commissioning and promotion	<i>Delivery in progress</i>	<i>Ongoing work underway with different members and organisations in ECP. Part of the role of the new ECC Tourism Officer will be to source funding for the promotion and development of tourism within Exeter.</i>

### Goal 3

**To enable wide and diverse engagement with the cultural sector**

<b><u>Actions as set out in Nov 2013</u></b>		
To develop a better and more qualified pool of volunteers interested in cultural events. This will help support larger scale events generated by small organisations with limited infrastructures. It will also provide a central place to access volunteers.	<i>Delivery in progress</i>	<i>Some organisational champions for this exist. Aim to share good practice and support future development.</i>
Develop a cultural volunteering toolkit	<i>Delivery in progress</i>	<i>Cathedral, Devon Libraries and RAMM collaborating</i>

## Exeter Cultural Action Plan: Review of Delivery

Liaise with Exeter Council for Voluntary Service	~	~
Collate and share box office data, city statistics and demographics to understand where cold spots are within the city and target work and priorities accordingly	<i>Some progress – to be clarified</i>	<i>Work with Audience Finder – to be discussed in future ECP SG.</i>
Develop a social impact study for culture to build the evidence base for more work that focuses on people that would not normally participate in cultural events		<i>This may be re-confirmed as a future action</i>
Create a better network for accessing schools' engagement through close work with Devon Art In Schools Initiative DAISI and RIO Real Ideas Organisation	<i>Delivery in progress</i>	<ul style="list-style-type: none"> <li>- <i>Discussions underway with ACE and DAISI in Feb 2016 regarding cultural education offer in city. Non-school engagement equally important and has been raised with ACE.</i></li> <li>- <i>Organisations' engagement with RIO (e.g. via MPM/NPO delivery)</i></li> <li>- <i>RAMM commissioned scoping study by Julian Vayne to consider options for a cultural-joined up Arts Award 'Exeter offer'; report in draft (2016)</i></li> </ul>

## Exeter Cultural Action Plan: Review of Delivery

<p><b>Goal 4</b></p> <p><b>To build a stronger, more confident cultural sector</b></p>
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<b>Actions as set out in Nov 2013</b>		
Develop a structured programme for progression routes for young people and cultural workers within the city that includes internships, mentoring, apprenticeships, master classes and discussion forums. Key partners include University of Exeter (UoE) and Exeter College	<i>Delivery in progress</i>	<i>In progress early 2016:</i> - Gateway seminars being developed; more to do. - ECP Chair and CD met with UoE (March 2016); considering plans to improve opportunities for students
Development opportunities leading to sustainable jobs		- ECP engagement via Employability agenda for UoE and others including Exeter College to be explored
Identify Cultural Leaders for certain areas of work, such as health, sport, heritage etc. Rugby World Cup activity may provide an opportunity to pilot this activity	<i>Progress in different areas – to be clarified</i>	- Plans to establish a Strategic Sports Board; - Existing networks/fora exist for areas of activity (Exeter Visual Arts Forum, Performance In Exeter Strategy group, etc) - Suggestions from ECC to allocate new roles of champions amongst the Elected Members (separate role to Portfolio Lead)
Ensure that small scale organisations are supported in terms of space, skills, equipment. Look to widen ECP Steering Group to include more small scale organisations	<i>Some progress – to be clarified</i>	<i>Conversations underway with organisations like Active Devon, the Exeter Canoe Club etc.</i>
Endorse Devon Libraries Enterprising Libraries bid. This	~	- Devon Libraries bid was successful

## Exeter Cultural Action Plan: Review of Delivery

will enable support for creative industries, young entrepreneurs and unemployed.		- <i>Libraries Unlimited has gone live (2016)</i> - <i>Supporting cultural entrepreneurship via the UoE Business School PhD in this subject (currently underway by Meg Peterson)</i>
Develop the skills of cultural sector in fundraising. ECP to act as a hub for the ACE Fundraising Fellows programme	~	~
Build better connections with 3 Sector and invite Exeter Council for Voluntary Service to join ECP	~	~

During 2016, Exeter Cultural Partnership's Steering Group will consider which strands of activity should form the priorities for action beyond 2016/17. For example, from the 2013 Plan, the ambition for detailed economic and social impact studies have not been undertaken, though some individual organisations have gone part-way to understanding their contribution to the city's economy (e.g. RAMM's audience surveys October 2014). The high profile 2014 'Stronger Exeter' public survey, conducted by Exeter City Council shaped ECC's planning and budgets.

Some items mentioned in the 2013 Plan have progressed, been amended or become more important for the city's partners. For example the BID is now live and active; ECC is reviewing how it may better promote the city; the University of Exeter is reviewing its internal Arts & Culture Strategy (March/April 2016); Arts Council England has undertaken a national ComRes survey (March 2016) to seeking opinions on a significant reform of its funding programmes; and the DCMS has published the government white paper on culture (23 March 2016). Over the coming months these developments will help inform the shape of a refreshed Cultural Action Plan.

Martin Thomas  
Culture Director  
Exeter Cultural Partnership

**REPORT TO:** PLACE SCRUTINY COMMITTEE  
**Date of Meeting:** 09 June 2016  
**Report of:** Economy & Tourism Manager  
**Title:** Update on Support for Small Businesses

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Executive Function.

**1. What is the report about?**

1.1 To update Place Scrutiny Committee on the progress made to procure a new contractor to provide business support for embryonic, new and existing businesses, covering Exeter, East Devon, Mid Devon and Teignbridge - Exeter & the Heart of Devon (EHOD).

**2. Recommendations:**

2.1 That members note this report.

**3. Reasons for the recommendation:**

3.1 That members note the decision to award to the contract to BIP and Cosmic for the delivery of Exeter & the Heart of Devon Business Support & Advice, and that meetings are held with the successful bid contractor.

**4. What are the resource implications including non financial resources:**

4.1 Officer time to manage the contract, which is met from existing budgets.

**5. Section 151 Officer comments:**

5.1 There are no additional financial implications contained within this report.

**6. What are the legal aspects?**

6.1 Please see below.

**7. Monitoring officer Comments**

7.1 It is understood that the Councils jointly let contract for a period of one year because of the future funding uncertainty. However, it seems that funding has very recently been agreed for a further two years. This means that the contract will have to be re let in April 2017 following a procurement procedure which complies with the European Union contract regulations.

**8. Background**

8.1 In January 2016 Economy Scrutiny Committee received a report on the City Council's funding of free professional business advice and guidance to support the start up and early survival of small businesses in Exeter.

- 8.2 Economy Scrutiny and Executive Committee at Exeter City Council together with corresponding Committees at East Devon, Mid Devon and Teignbridge District Councils agreed to each contribute £25,000 to a new pooled Exeter & Heart of Devon Business Support service from April 2016.
- 8.3 BIP's (Business Information Point) joint submission with Cosmic scored the highest and were subsequently appointed to deliver the Exeter & Heart of Devon Business Support service from the 1 April 2016 for 12 months.
- 8.4 The previous Exeter Business Support contract was brought to an end 31 March 2016 and client data returned to Exeter City Council.
- 8.5 The range of advice and business support offered by the new contractor has the main benefit of ensuring expertise is available across the EHOD area and across a wide spectrum of business needs which encompasses support for pre-starts, start-ups, and existing businesses; from privately owned entities to social enterprises, co-operatives, and mutuals and spans smaller 'traditional' to innovative/high growth businesses.
- 8.6 The following types of small business clients can receive support from the new service in the local authority areas of Exeter, East Devon, Mid Devon and Teignbridge:
- pre-starts not supported or eligible for assistance with other providers
  - start-ups (0 – 2 years of age)
  - those which are struggling to survive but have the potential to grow and are unable to afford fees charged by other providers (0 – 5 years of age)
  - existing businesses with growth potential but are not eligible for support through the new Growth Hub programme
- 8.7 As part of the City Council's overall contribution towards business support a range of other activity is also provided directly or in partnership with other organisations. These include:
- information for businesses on the City Council's website including the on-line Exeter Commercial Property Register
  - Exeter Business Centre (Marsh Barton)
  - retail shops leased by the Estate Services
  - partnership activities with the Exeter and the Heart of Devon Employment and Skills Board
  - Heart of the South West Local Enterprise Partnership business support through the Growth Hub

## 9. Partnership Working

- 9.1 The day to day management of the contract will be undertaken by officers at Exeter City Council with support from neighbouring local authorities, with Exeter City Council acting as the accountable body.
- 9.2 BIP will report against the KPIs listed below, once a month and provide a detailed report once a quarter.

Outputs secured for business support services	2016-2017 Target for	2016-2017 Target for	2016-2017 Target for	2016-2017 Target for	Total Target
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<b>to be equal across the four EHOD local authority areas</b>	<b>Exeter</b>	<b>East Devon</b>	<b>Mid Devon</b>	<b>Teign-bridge</b>	<b>2016 – 17</b>
Pre-start businesses assisted (yet to start trading)	125 clients	125 clients	125 clients	125 clients	500 clients
New businesses assisted (0 – 1 years trading)	35 clients	35 clients	35 clients	35 clients	140 clients
Existing small businesses assisted (1+ years trading)	35 clients	35 clients	35 clients	35 clients	140 clients
Number of new businesses set up	40 FTE	40 FTE	40 FTE	40 FTE	160 FTE
Number of new jobs created	60 FTE	60 FTE	60 FTE	60 FTE	240 FTE
Participants at EHOD workshops	200	200	200	200	800
Follow up meetings with clients	200	200	200	200	800

9.3 The working title of 'Exeter & Heart of Devon Business Support and Advice Service' was agreed to be too long and unwieldy for everyday use. Officers from all 4 local authorities worked closely with BIP and Cosmic to develop a new more appropriate name for the service - Business Boost. A logo has since been developed, as shown in Appendix 1.

9.4 A Press Release promoting the new service was released shortly after BIP and Cosmic were appointed. The new service has been publicised widely through business networks, social media and by each of the local authorities. BIP have produced a flyer to promote the service and are in the process of creating a new website promoting Business Boost.

9.5 A programme of business support events have been created (a requirement of the contract) which will take place across all four local authority areas, to improve accessibility for users of the service. The initial programme of events are listed in Appendix 2. BIP will be using their delivery partner Cosmic to provide digital, social media and web support to clients of Business Boost and attendees of relevant workshops.

## **10. Future Position**

10.1 The Exeter & Heart of Devon Business Support & Advice contract is for one year in length. During 2016 the contract will be reviewed on a quarterly basis by all four local authority partners, with a view to retendering the contract for April 2017.

10.2 Innovation Exeter is researching the type and level of business support available for high growth technology and knowledge based businesses located in the city, with the potential of providing business support for these specialist businesses. This type of business support is not covered by the Business Boost service.

## **11 How does the decision contribute to the Council's Corporate Plan?**

11.1 Exeter & Heart of Devon Business Support and Advice contributes to 'Building a stronger sustainable city' and the main purpose of 'Help me run a successful business' in promoting the city as a great place to do business and supporting the local economy and creating jobs.

**12. What risks are there and how can they be reduced?**

12.1 Monthly and quarterly meetings will be held with the contractor to ensure KPI's are followed.

**13. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults; economy; safety and the environment?**

13.1 Business support and advice is provided to residents and businesses of Exeter and the Heart of Devon free of charge regardless of race, age, gender or orientation. Business ownership promotes a more balanced and versatile economy.

**14. Are there any other options?**

- 14.1 There are a number of options available regarding the provision of business support and advice in Exeter:
- Exeter, East Devon, Mid Devon and Teignbridge Councils revert to providing business support and advice individually at a higher cost to each local authority
  - Stop provision when the contract comes to an end in March 2017 and provide a signposting service to other providers covering Exeter leaving a gap in the nature of the provision
  - Stop provision completely when the existing contract comes to an end in March 2017 and negotiate the newly developed Heart of the South West LEP Growth Hub to provide business support to cover the four local authority areas.

**Maureen Gori de Murden, Senior Economy & Tourism Officer**

**Victoria Hatfield, Economy & Tourism Manager**

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:

Democratic Services (Committees)

Room 2.3 01392 265275



Appendix 1

Business Boost logo



## Appendix 2

## Programme of events organised by BIP and Cosmic

Event	Deliverer	Date	Venue
Workshop: First Steps in Social Media	Helen- Cosmic	17.05.16	East Devon Business Centre 10.15- 12.30
Workshop: Getting Started with your First Website	Nina- Cosmic	23.05.16	East Devon Business Centre 10.15- 12.30
Workshop: Starting Your First Business	Chris- BIP	24.05.16	East Devon Business Centre 10.15- 12.30
Workshop: First Steps in Social Media	Helen- Cosmic	07.06.16	Exeter Civic Centre Max 10 attendees 10.15- 12.30
Workshop: Starting Your First Business	Petra- BIP	09.06.16.	Mid Devon TBC 10.15-12.30
Workshop: Getting Started with your First Website	Nina - Cosmic	10.06.16	Exeter Civic Centre Max 10 attendees 10.15- 12.30
Workshop: Getting Started with your First Website	Nina- Cosmic	13.06.16	Mid Devon Venue TBC 10.15 -12.30
Workshop: Getting Started with your First Website	Nina- Cosmic	20.06.16	Teignbridge Business Centre 10.15- 12.30
Workshop: First Steps in Social Media	Nina - Cosmic	20.06.16	Teignbridge Business Centre. 1.30 – 3.45
Workshop: Starting Your First Business	Jane- BIP	23.06.16	Teignbridge Business Centre 10.15 – 12.30
Workshop: First Steps in Social Media	Helen - Cosmic	27.06.16	Mid Devon TBC 10.15 -12.30
Workshop: Starting Your First Business	Chris- BIP	28.06.16	Exeter Civic Centre Max 10 attendees 10.15- 12.30

**REPORT TO:** PLACE SCRUTINY COMMITTEE  
**Date of Meeting:** Thursday 9 June 2016  
**Report of:** Project Officer, Economy  
**Title:** Filming in Exeter

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Executive. This report is for information only.

**1. What is the report about?**

1.1 To inform Members about progress on promoting Filming in Exeter since the report of 22 January 2015 was discussed.

**2. Recommendations**

2.1 That Place Scrutiny Committee notes the report and comments on the progress made by the Economy team in handling film enquiries and promoting the area as 'film friendly'.

2.2 For the Officer within Economy who responds to film enquiries to continue largely as before with the handling of film enquiries, taking advantage of changes in circumstances and opportunities as and when they arise and to proactively promote the city as film friendly, working with Creative England.

**3. Reasons for the recommendation**

3.1 To inform members of the progress made promoting Exeter as being film friendly, the amount spent in Exeter by film production companies and to continue to pro-actively promote Exeter as being film friendly.

**4. What are the resource implications including non-financial resources**

4.1 There are a number of implications as a result of this report. The handling of film enquiries is undertaken by a Project Officer within Economy. Working on the number of enquiries received in 2015/2016 (60) and an average of 2 hours per enquiry.

4.2 Economy financially supports Creative England at a cost of £1,000 per annum to ensure Exeter receives exposure and promotion through their promotional channels and links with buyers, agents and film production crews. This annual contribution is met from existing budgets.

**5. Section 151 officer Comments**

5.1 There are no additional financial implications contained within this report.

**6. What are the legal aspects?**

6.1 None identified.

## 7. Monitoring officer Comments:

7.1 This report raises no issue for the Monitoring Officer.

## 8. Economic benefits of filming

8.1 In the previous report, statistics were included to show the value of filming to Exeter with an explanation that financial benefits are of two types:

- the amount spent by a film crew when they are on location
- the secondary tourism benefits when the programme or film is shown on TV or in the cinema

During a typical year, benefits derived from having film production companies in the city (spending money in hotels, restaurants, on car hire etc.) will be between £40,000 and £60,000. The 2015/6, the annual total was approximately £47,200. This figure will always be approximate due to the possibility of film production crews simply pitching up and filming without permission. Also, not all production companies will release their spend figures so estimates have to be made.

8.2 The table below details the number of enquiries handled by the Economy Project Officer and the subsequent spend by production companies whilst filming in Exeter.

Year	Number of film enquiries handled	Amount spent by production companies in Exeter
2003	16	£512,000
2004	40	£42,900
2005	31	£28,600
2006	29	£32,400
2007	35	£55,300
2008	36	£275,000
2009	28	£31,000
2010/2011	20	£22,300
2011/2012	36	£37,500
2012/2013	56	£49,800
2013/2014	41	£63,000
2014/2015	53	£77,592
2015/2016	60	£47,200

\*Whilst many figures are based on information received from film production companies, some are estimates so all figures in this report should be treated as approximate.

8.3 During 2003 and 2008 FFP Media were located in Exeter, so income to the city greatly increased. FFP Media, a German film company, made several films for television with a typical audience 9m per episode. These figures exclude the consequent secondary spend which has been significant in some areas.

8.4 In addition, films that were made in the area have fostered a new type of South West tourism - Rosamunde Pilcher tours - which have brought substantial financial sums to the city in the form of secondary tourism benefits. Overseas visitor spend within Exeter totals £174m within the last 5 years, as shown in the table below. Filming has played its role in the number of people who visit the area and their subsequent spend, which

demonstrates that filming can significantly improve an area's fortunes, making sense to promote yourself as 'film friendly'.

	<b>Overseas visitor spend</b>	<b>Overseas visitor trips</b>
2014	£35,152,000	52,000
2013	£48,394,000	64,000
2012	£38,737,000	45,000
2011	£30,200,000	51,000
2010	£21,595,000	46,000

## 9. Recent Success Stories

- 9.1 **Balcony TV** – We became aware of Balcony TV during this financial year. It is a leading daily online viral music show that features bands, musicians and other variety acts on balconies around the world, organised locally by Matthew Calder. He auditions and selects local music artists to perform on the balcony at Samuel Jones, a pub on Exeter Quayside.
- 9.2 There are only two cities in the UK represented on this online video streaming which means that those people around the world accessing this website have an opportunity to see Exeter videos alongside those posted by BalconyTV London and other major cities throughout the world. The videos show Exeter in a very good light with swans and rowing boats appearing as a backdrop to the musicians. It is hoped that this will attract visitors from around the world.
- 9.3 Tourism (Visit Exeter) are sponsoring BalconyTV Exeter for one year at a rate of £120 per month. This assists with organising BalconyTV Exeter and has given us the opportunity to change the Exeter description and include Visit Exeter branding on their website and social media accounts. Videos for Exeter can be viewed via [www.balconytv.com/exeter](http://www.balconytv.com/exeter)
- 9.4 **Collaboration with Exeter College** – The College's Centre for Creative Industries provides media students with state-of the art modern film production facilities within a professional film studio. The standard of teaching is very high. Exeter City Council has forged a close working relationship with college lecturers and students. Noreen Medland has given a seminar at Exeter College giving advice on best practice when filming in the city.
- 9.5 **Relationships with local hotels** – It is in the hotels' best interests to be 'film friendly' but film crews do have particular demands and requirements, often working very long days and therefore expecting meals at odd hours. Getting the relationship right brings its own rewards. The concept of being film friendly has been discussed at meetings attended by the main hotels located in Exeter. Keeping a good relationship with local hotels is beneficial to Exeter City Council so that we can work together on large film projects – when we receive them.

## 10. How can Exeter attract more film production companies

- 10.1 **Creative England**  
Exeter City Council contributes £1,000 per annum to Creative England to ensure that Exeter is promoted through their channels and networks. Through

our annual contribution to Creative England, the City Council receives in return:

- An annual report on activity delivered to support production filming in the Local Authority area, including the economic value production has generated.
- Advice and guidance on appropriate fee structures to charge production companies for access to Local Authority services.
- A bespoke web-page for the Local Authority website on filming highlights in the area and contact details of who productions need to speak to for filming enquiries.
- Opportunity to work towards signing Creative England's Film Friendly Charter which is a recognised signal to the film and TV industry of a local authorities 'film friendly' credentials.
- Expert advice offered to Local Authorities on filming facilitation best practice, and support on exploring screen tourism opportunities.

10.2 Images of selected city locations were uploaded onto Creative England's online database, which is used by industry professionals seeking locations and venues. Whilst additional locations have been added to the Creative England database, this does not automatically guarantee a greater number of films being made in Exeter. However, it does increase our visibility.

### 10.3 **Exeter Film Pack**

In the previous report, the Project Officer planned to investigate options for a one off project to be carried out by an intern, to improve Exeter's presence on national film websites and to develop a film pack on the city. This was developed during the summer 2015 and spring 2016.

10.4 The film pack describes what filming has previously occurred in Exeter, to identify suitable locations and buildings for their project, and to understand how Exeter City Council and others can help with their film enquiry. This professionally-designed PDF can be downloaded from the Business section of the Council's website, will be promoted on social media and available through Creative England.

### 10.5 **Post release of films**

Creative solutions are considered and developed (as budgets allow) to boost the presence of Exeter being featured on a feature film or significant TV production. For example, if a themed drama was filmed in Exeter, events related around the theme were developed, such as talks, walks and film nights.

### 10.6 **Film Devon**

Exeter City Council have recently met with Film Devon, a group of independent actors, local film producers, screen writers and others connected with filming based in Torquay.

10.7 It is too early to say whether Film Devon will be effective but as they share common aims with us of wishing to attract more filming to the area – away

from the London-centric film scene – we will keep a watching brief and respond to concrete proposals as and when they arise.

**8. How does the decision contribute to the Council's Corporate Plan?**

8.1 Exeter's film support service contributes to 'Building a stronger sustainable city' and the main purpose of 'Help me run a successful business in Exeter' in promoting the city as a great place to do business and supporting the local economy.

**9. What risks are there and how can they be reduced?**

9.1 Limited risk arising from this activity.

**10. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults; economy; safety and the environment?**

10.1 Support is provided to members of the film industry free of charge regardless of race, age, gender or orientation.

10.2 The potential impact on the economy could be significant due to secondary tourism benefits detailed in 1.3. Economic benefits including job creation would result from a growing Creative Industry sector in Exeter.

**11. Are there any other options?**

11.1 Ceasing activity is not a recommended option as current support is largely reactive and location managers and film makers will always approach Exeter City Council for help. Significantly increasing levels of activity is not currently an option due to budget constraints and available staff resources. Continuing a relationship with Creative England and other agencies, and the good use of an intern, can make a beneficial difference and has done so in this case.

**Noreen Medland, Projects Officer**

**Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report:-**

None

Contact for enquires:  
Democratic Services (Committees)  
Room 2.3  
01392 265275

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## Legacy Leisure Working Group

### Terms of Reference

- Name of the Group: Legacy Leisure Working Group
- Membership: The Working Party is made up of the following:
- Chair of the Scrutiny Committee – Economy(*now Place Scrutiny Committee*)
  - Portfolio Holder for Economy and Culture
  - Representative from each Political Party
  - NB - Ward Members to attend when the facility in their ward was being discussed
  
  - Events Facilities and Markets Manager
  - Leisure Facilities Manager
  - Representatives from Legacy Leisure
- Frequency of Meetings: Quarterly / as required
- Reporting Mechanism: To report to the Scrutiny Committee
- Function of the Group: To work with Legacy Leisure to develop its service and enhance its facilities achieving a level of service for customers well above the contractual baseline. To monitor contractual issues, monitoring customer comments and relevant action taken and agreeing improvement initiatives.

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## EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

19 April 2016

Present:-

Devon County Council:-

Councillors J Owen (Chairman), O Foggin, R Hannaford, D Hannon, R Hill and R Westlake

Exeter City Council

Councillors P Bull, R Newby and T Wardle

Apologies:-

Councillors A Leadbetter and C Buswell

### 1 **Minutes**

**RESOLVED** that the minutes of the meeting held on 11 January 2016 be signed as a correct record.

### 2 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

### 3 **Petitions/Parking Policy Reviews**

There was no petition for a parking review from a Member of the public or Council.

### 4 **Bus Services in Exeter**

Mr Bailey, Commercial Manager, Stagecoach attended and spoke at the invitation of the Committee on developments affecting bus services and the network in Exeter and environs since the last meeting and, in particular on:

- upgrading of the 52A and B services from May with an increase in frequency and extension of routes to include Sidmouth, Seaton, Honiton and Lyme Regis
- improvement to the 56 Service to the Airport from end of May.

Additionally issues and/or observations identified during the course of discussions, included:

- residents' concerns about the location of the bus stop near the Marlborough Road/Magdalen Road junction and buses idling at this location, which Mr Bailey undertook to investigate;
- passenger concerns about the lack of signage (to indicate a bus stop and route information) at the top of South Street following the removal of the former shelter, which Mr Bailey undertook to investigate with County Council officers;
- the need for voice/visual information on buses serving routes to and from the special schools on Topsham Road, in particular, which Mr Bailey would discuss further with his colleagues;
- residents' concerns about the lack of a direct bus service from St Thomas to St David's Station (avoiding the High Street);
- progress of Stagecoach's Working Party on reliability and punctuality, on which Mr Bailey undertook to provide more information for members;

- development of the smart card which was progressing through purchases on-line and directly on buses and future proposals for cashless payment via smart phones for example
- discussions between developers of the Paris Street proposals and Stagecoach in terms of bus routing;
- local City and County members' support of the good level of bus services (J service) for the Newcourt development;
- local residents' concerns about the size of buses in the Countess Wear area and Mr Bailey indicated that there was no spare capacity to replace these with smaller ones.

The Chairman thanked Mr Bailey on the updates and responses to Members' questions.

## **5 Devon Highways Update**

The Committee received a presentation by the Head of Highways, Capital Development & Waste and Nigel Card of South West Highways who also attended and spoke at the invitation of the Committee updating Members on Devon Highways issues. The presentation and discussions covered:

(a) The Incentive Fund: this was Government 'Top Up' funding to the needs based highway maintenance capital allocation designed to encourage highway authorities to adopt good practice with an emphasis on collaboration with suppliers and other authorities. There were three bands of funding over 6 years from 2015/16 (with maximum funding in Band 3). The County Council was currently on course for Band 2 in 2016/17 and striving for Band 3 with its planned changes working with other local authorities and other efficiency savings and service improvements.

(b) Drainage Maintenance Strategy: relating to measures to mitigate drainage issues in respect of the highway and the role and responsibilities of adjacent landowners, the programmed works for rural and urban gullies for example and budgetary constraints and challenges and the work of the County Council with its contractor to develop valid data sources and information to better target limited resources.

(c) Footway Maintenance Programme: the programme to maintain a condition which was safe and commensurate with use with analysis of survey condition and budget allocations. Members referred to the need to recycling and re-use of materials which should be programmed within the planning stage in respect of remedial and replacement schemes.

Members referred to maintenance issues in respect of slabs/flagstones in the High Street and other locations in the City and the Head confirmed that where there were safety defects identified in line with policy based on national standards these would be rectified; and where there were recurring problems identified (through data analysis) other permanent and cost-effective solutions would be considered in consultation with local members and communities.

Arising from the above the Head of Service undertook to investigate drainage issues in Lancelot Road, Exeter following concerns raised by the local County Councillor and confirmed that a report on the High Street and footway maintenance would be submitted to the next meeting.

## **6 Exeter Residents Parking Review**

(Councillors Westlake and Bull each declared a disclosable pecuniary interest by virtue of being residents in roads affected by the proposals for residents' parking charges and withdrew from the meeting for consideration and vote on this item).

The Committee considered the Report of the Head of Highways, Capital Development & Waste (HCW/16/35) on areas identified for residents' parking schemes for which there was identified funding to progress proposals in a number of these areas at the same time.

The Head of Service confirmed that following discussions with local relevant members, proposals had been developed for the Burnthouse Lane, Rifford Road, Heavitree, Polsloe and Elizabeth Avenue Areas. These formed the basis of two rounds of public consultations and the Report detailed the responses to both consultations. The Head of Service outlined the statutory consultation methodology including press notices, press releases and on-site notices. The Committee noted that the original proposals had been amended following the initial informal consultations in May and June 2015.

It was **MOVED** by Councillor Owen, **SECONDED** by Councillor Hannan and

**RESOLVED**

(a) that the results of the public consultations be noted;

(b) that authority be given to advertise the necessary Traffic Regulation Orders detailed in section 3 of report HCW/16/36 subject to inclusion of details of proposed Disabled Parking Bays (in consultation with local County Councillors); and

(c) that, as well as the statutory notices, further consideration be given to advising each household affected of the statutory consultation on the detailed proposals, by way of letter (with detailed maps, if practicable) and arranging public displays in local community buildings and use of social media as appropriate;

(d) that the results of the statutory consultation be reported to a future Committee to determine which restrictions are to be implemented.

**7 Proposals for the delivery of an Annual local Waiting Restrictions Programme**

(Cllr Morse declared a disclosable pecuniary interest by virtue of being a resident in a road subject to the proposals under and withdrew from the meeting for consideration of this item item)

Councillor Sutton (Exeter City Council) attended in accordance with Standing Order 25(2) and spoke to this item in support of additional waiting restrictions at Exwick Villas, to be added to the proposed programme.

The Committee considered the report of the Head of Highways, Capital Development and Waste (HCW/16/34) setting out proposals for the delivery of an annual local Waiting Restrictions Programme.

A managed process had now been developed whereby existing requests from Local Members and local communities had been collated and a prioritisation tool developed.

The Committee noted, that all the schemes identified could be progressed within the current budget and that Members could request consideration of further schemes under the programme (in consultation with local Highways Neighbourhood Officers).

The local County Councillor (Exwick & St Thomas) referred to continued problems at Exwick Villas and the need for a further review in view of non-residents' parking in the area and problems faced by local residents, noting that the Police had objected to any proposed removal of current restrictions.

It was **MOVED** by Councillor Owen, **SECONDED** by Councillor Hannaford and

**RESOLVED**

(a) that work to date on the annual waiting restrictions programme and the prioritisation process applied be noted;

(b) that waiting restriction schemes be progressed through advertising and sealing of subsequent Orders in priority order as presented in Appendix 1 to the Report of the Head of Highways, Capital Development and Waste (HCW/16/34), subject to any further requests from Members of this Committee and to funding being agreed;

(c) that the detail of individual schemes be developed with the relevant local County Councillor prior to advertising;

(d) that a meeting involving the Chairman, the County Councillor and City Councillors be arranged to review the need to add waiting restrictions at Exwick Villas and options be discussed with the Police and reported back to the Committee.

## **8 Proposed Waiting Restrictions in Chieftain Way Area**

(Councillor Packham (Exeter City Council) attended in accordance with Standing Order 25(2) and spoke to this item in support of the proposals).

The Committee considered the Report of the Head of Highways, Capital Development and Waste (HCW/16/36) on proposed waiting restrictions to prevent obstructive parking in Chieftain Way/Sanford Place (County Ground). Proposals for double yellow lines at junctions along Sydney Road, Ferndale Road and Old Vicarage Road and restrictions on Cowick Street had also been reviewed in light of road safety and bus priority concerns. A summary of the responses received to the consultation was shown in Appendix I to the Report.

After consideration of the comments submitted and discussions with the local County Councillors it had been recommended that 2 amendments be made: (i) the proposed No Waiting At Any Time in Sanford Place be relaxed opposite numbers 22 to 26 and 30 to 34 and (ii) the proposal to remove the limited waiting on the south side of Cowick Street be not progressed at this time.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Bull and

**RESOLVED** that the Report be noted and approval be given to make and seal the Traffic Regulation Order, as amended in section 2 of report HCW/16/36.

## **9 Vegetation Management in Exeter: Update**

In accordance with Standing Order 23(2) Councillor Owen had requested that the Committee consider this matter.

The Committee noted the report of the Head of Highways, Capital Development and Waste (HCW/16/37) on the situation regarding management of vegetation within the City which had been agreed for the next two years. The Committee also noted that the weed clearing work would be augmented by the Community Payback Schemes in the City.

## **10 Reduced Gritting Routes**

In accordance with Standing Order 23(2) Councillor Hannaford had requested that the Committee consider the difficulties for residents during the winter period in the Exwick Heights area on surrounding roads with steep gradients.

The Neighbourhood Group Manager confirmed that there had been no changes to gritting policy on roads in the City and undertook to investigate further and advise the local County Councillor of the gritting routes.

## **11 Stoke Hill, speed limit past Stoke Hill Junior, Infants and Nursery Schools**

In accordance with Standing Order 23(2) Councillor Prowse had requested that the Committee consider the restrictions on this road.

The Committee noted that a site visit had been arranged recently to look at proposals for improved parking and cycling routes to the School which would be the subject of a further report to the Committee.

**12 Parking Resolution, upper Pennsylvania Road Petition**

In accordance with Standing Order 23(2) Councillor Prowse had requested that the Committee consider this matter in light of concerns expressed by local residents about non-residents' parking in Rosebarn Lane and Argyle Road and requests for Access Protection Marking (APMs).

The Committee noted that the matter would be considered as part of the Annual Local Waiting restrictions Programme (Minute 6 Refers).

**13 Earl Richards Road North, Exeter**

In accordance with Standing Order 23(2) Councillor Hannan had requested that the Committee consider this matter following a petition to the Cabinet on 13 April 2016 by the Earl Richards Road North Residents Association (Exeter) containing the signatures of residents of the area seeking action to secure the reinstatement of the highway and the repair of damage resulting from construction traffic accessing an adjacent housing development.

The Head of Highways, Capital Development and Waste had responded to the petitioners and the Council had agreed with the developers to repair the lower section of the Road and had offered to work with the residents and the developers to determine the scope for further improvements to the road surface.

**14 Speed of traffic in Parkland Drive**

In accordance with Standing Order 23(2) Councillor Leadbetter had requested that the Committee consider parking and speeding issues in this Road.

Councillor D Henson (Exeter City Council) attended in accordance with Standing Order 25(2) and spoke to speed of traffic and provision of waiting restrictions to prevent excessive parking from non-residents.

Requests for localised waiting restrictions would be considered as part of the Annual Local Waiting restrictions Programme (Minute 6 Refers).

**15 Commuter Parking from the Peninsula and Pynes Hill Business Parks**

In accordance with Standing Order 23(2) Councillor Leadbetter had requested that the Committee consider parking issues for residents.

Councillor D Henson (Exeter City Council) attended in accordance with Standing Order 25(2) and spoke to this item relating to provision of waiting restrictions to prevent excessive parking from non-residents.

The Committee noted that a request for residents' parking could be considered when it next considered future schemes. However, requests for localised restrictions could be considered as part of the Annual Local Waiting restrictions Programme (Minute 6 Refers).

**16 Actions Taken Under Delegated Powers**

The Committee received the report of the Head of Highways, Capital Development and Waste (HCW/16/38) on actions taken by him in respect of Traffic Orders under delegated powers since the last meeting.

**17 Date of Next Meeting**

The Committee noted dates of future meetings of the Committee were available in the County Council Calendar of Meetings at:

<http://democracy.devon.gov.uk/ieDocHome.aspx?bcr=1>

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 4.51 pm



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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