

PLACE SCRUTINY COMMITTEE

11 January 2018

Present:

Councillor Luke Sills (Chair)

Councillors Foggin, D Henson, Keen, Owen, Mitchell, Prowse, Wardle and Wood

Apologies:

Councillor Lyons

Also present:

Director (DB), Environmental Health and Licensing Manager, Service Manager, Community Safety & Enforcement, Senior Environmental Technical Officer, Principal Accountant (PM), Principal Accountant (MH), Scrutiny Programme Officer and Democratic Services Officer (Committees) (MD)

In attendance:

Councillor Harvey	- Attended for Item 10
Robert Williams	- Stagecoach
John Richardson-Dawes	- Devon County Council
Councillor Bialyk	- Portfolio Holder Health and Wellbeing, Communities and Sport
Councillor Brimble	- Portfolio Holder Place
Councillor Denham	- Portfolio Holder City Transformation, Energy and Transport
Councillor Gottschalk	- Portfolio Holder City Development
Councillor Sutton	- Portfolio Holder Economy and Culture
Councillor Musgrave	- Speaking under Standing Order 20 and 44

1 Minutes

The minutes of the meeting held on 9 November 2017 were taken as read and signed by the Chair as a correct record.

2 Declaration of Interests

No declarations of disclosable pecuniary interest were made.

3 Questions from the Public under Standing Order 19

In accordance with Standing Order No 19, two members of the public, Ms Wetenhall and Mr Walton submitted questions on issues relating to air quality.

A copy of the questions had been previously circulated to Members, and these, together with the appropriate responses from Councillor Denham Portfolio Holder City Transformation, Energy and Transport is appended to the minutes.

4 Questions from Members of the Council under Standing Order 20

In accordance with Standing Order No 20, Councillor Musgrave had submitted questions on the Air Quality Action Plan and Councillor Prowse had submitted questions on the Exeter Car Boot Market.

A copy of the questions had been previously circulated to Members, and this, together with the appropriate responses from Councillor Denham, Portfolio Holder City Transformation, Energy and Transport and Councillor Sutton, Portfolio Holder Economy and Culture is appended to the minutes.

5 **Presentation**

Robert Williams, Commercial Director from Stagecoach and John Richardson-Dawes, Team Leader, Integrated Public Transport, Devon County Council attended the meeting for specific discussion around the following points -

- Devon County Council and Stagecoach design of bus routes
- How Exeter City Council could play a role in that
- Bus routes between the City and the Quay

John Richardson-Dawes, discussed the design of the bus routes, stating they had been designed around the Transport Act 1985 which provided commercial freedom for bus companies to establish bus services. Devon County Council could not object to an approved bus service route by the Traffic Commissioner and commercially provided services had to be left alone. He confirmed that Stagecoach was not commercially viable for all day services despite functioning as an all-day service.

He provided an overview of decisions made at Devon County Council and how bus services could be lost following consultation and that maintaining contact with Devon County Council was important. Although fare increases and subsidy had increased bus patronage by 42% since 2002 there were still significant funding issues to the maintenance of bus links.

Robert Williams explained that the bus service was a local business that responded to the local market to maximise its patronage for running costs and was focussed on growing the number of people using the service to determine the next stage of service development. Stagecoach were happy to continue working with Exeter City Council but there were funding limitations.

John Richardson-Dawes and Robert Williams discussed the Quay and City routes, explaining that bus route G was dependent on an annual £17,000 subsidy from Devon County Council. 80% of the bus users held free bus passes, making support difficult because of cost. They highlighted the Green Park and Ride service, which connected to the Quay, running every 15 minutes Monday to Saturday. There was a need to develop links to the quay with ongoing discussions with Exeter BID to establish a viable option and were keen to work with Exeter City Council and local residents.

Councillor Musgrave attended the meeting under Standing Order 44. He informed that there were a number of housing developments in and around the Alphington Ward, with a proposed bus route on a protected country lane causing concern for residents. He asked what Devon County Council and Stagecoach could do to support the residents.

John Richardson-Dawes and Robert Williams explained that, although there was a bus service funded through the planned housing developments there were currently no confirmed proposals for funding arrangements and emphasised, that if a route was not suitable then it would not be used.

In response to Members' enquiries John Richardson-Dawes and Robert Williams responded:-

- They would be happy to engage with Councillors and residents to discuss issues with bus service in Duryard and St James Ward. They agreed to liaise with the Chair to establish a co-ordinator to setup up a meeting;
- They were aware bus users were elderly and take their wellbeing into consideration with 100% accessibility on buses. Where some users couldn't use a bus, there were community services available;
- Stagecoach worked in partnership with Devon and Cornwall Police, Devon County Council and residents to review bus stops. They rely on resident feedback to see which bus stops work and following a Members' suggestion would look at the Royal Devon and Exeter Hospital bus stop;
- The Transport Act 1985 introduced deregulation across the UK, except in London which were specified as a franchise. The Bus Service Act 2017 would extend the London Model to other authorities. The Secretary of State of Transport could also extend this beyond authorities with Elected Mayors of Combined Authorities to cover a wider range;
- Bus companies require additional funding for franchising, with alternative methods operating in different areas such as Cornwall. The Bus Service Act 2017 had enhanced partnership working between local authorities and bus companies;
- The Monkerton Housing development was looking at bus service routes to the area. More information would be made available following further development of the estate. Devon County Council in the meantime were looking to extend two bus services from Spring 2018;
- Both Stagecoach and Devon County Council had agreed to trial a Quayside bus service during the summer period running beyond 3:30pm to their operational agenda, to assess costs and options. They considered that partnership working with local authorities and Exeter BID was the best solution and would be happy to attend a meeting with the Chair.

The Chair thanked the guest speakers for their attendance.

6 Place Scrutiny Committee - Estimates/New Capital Bids/Fees and Charges : 2018/19

The Principal Accountants (PM and MH) presented the report which set out the proposed revenue and capital estimates for 2018/19 in respect of Place Services. The report outlined the strategic framework, within which the estimates had been prepared; changes in accounting practices which affected all budgets and gave detailed reasons for major changes in the Management Unit estimates. A detailed schedule of the Capital Programme and the proposed Fees and Charges for 2018/19 were included as an appendix.

The Principal Accountant (MH) informed that an allowance of £274,920 had been set aside for inflation within Place Services and referred Members to the inflationary increases in the report and budgets.

The report states that the likely revenue resources from 2017 to 2022 were the same as the medium term financial plan but there was an expected four year settlement reduction when business rates were reset. It explains that all authorities in Devon had applied to take part in the Business Rates pilot scheme for 100% retention of Business Rates, which could generate between £300,000 to £500,000 in 2018/19 for the Council. The General Fund Capital Programme had been established for three years and Members were referred to the key budget changes for 2018/19.

The Principal Accountant (MH) referred Members to Support Services, and commenting on the changes to accounting guidance, which had ended the requirement to spread support service costs as overheads and to report financial performance.

In response to Members' questions the Principal Accountants (PM and MH) and the Environmental Health and Licensing Manager responded:-

- There were adequate reserves in the budget which was balanced;
- The replacement of Mallison Bridge (Exeter Quay) work was confirmed to be located by the incinerator;
- The Leisure Centre changes were agreed on an annual basis;
- Support Services fees for licensing will be charged where appropriate, eg Taxis,

Place Scrutiny Committee supported the draft Revenue Estimates for 2018/19 including the proposed Capital Programme, Fees and Charges for further consideration by Executive on 13 February 2018 and the Special Meeting of the Council on 20 February 2018.

7 **Parking Tariffs**

The Service Manager Community Safety & Enforcement presented a report which set out increasing both car park tariffs and the number of pay and display parking sites from April 2018. This would further enable a reasonable pricing policy to support the Council's ambitions to reduce congestion in the city, address permit fees which had fallen disproportionately behind daily parking tariff rates, and also control parking areas alongside the canal to help ensure spaces remain accessible for those wishing to visit and enjoy the area.

In response to questions from Members, the Service Manager Community Safety & Enforcement informed that:-

- Card transactions at display machines and the withdrawal of card payment costs would be absorbed, costs of £15,000 were not previously absorbed;
- Bromhams Farm car park would be restricted to a maximum of a three hour stay.

Place Scrutiny Committee supported and recommended approval by Executive of the following:-

- (1) The amendment of the Car Parking Places Order 2014 as set out below:-
 - (a) An increased tariff at Premium, Zone 1, Zone 2 and Zone 3 car parks by between £0.20 and £5.00 within the existing linear pricing structure as set out in the table below, and
 - (b) To increase the price of parking permits by between £25.00 and £300.00 per annum as set out in the table below.

Premium Car Parks (Guildhall, Mary Arches, John Lewis)		
Stay	Current Tariff	Proposed Tariff
1 hour	£2.20	£3.00
2 hours	£3.30	£4.00
3 hours	£4.40	£5.00
4 hours	£5.50	£6.00
5 hours	£6.60	£7.00
6 hours	£7.70	£8.00
7 hours	£8.80	£9.00
All day	£12.00	£15.00
Zone 1 Car Parks (Bampfylde Street, Bartholomew Terrace, Harlequins, King William Street, Magdalen Road, Magdalen Street, Matthews Hall, Princesshay 2, Princesshay 3, Smythen Street)		
Stay	Current Tariff	Proposed Tariff
1 hour	£1.10	£2.00
2 hours	£2.20	£3.00
3 hours	£3.30	£4.00
4 hours	£4.40	£5.00
5 hours	£5.50	£6.00
6 hours	£6.60	£7.00
7 hours	£7.70	£8.00
All day	£10.00	£12.00
Zone 2 Car Parks (Belmont Road, Bystock Terrace, Cathedral & Quay, Haven Road 1, Howell Road, Richmond Road, Parr Street, Topsham Quay, Triangle)		
Stay	Current Tariff	Proposed Tariff
1 hour	£1.10	£2.00
2 hours	£2.20	£3.00
3 hours	£3.30	£4.00
4 hours	£4.40	£5.00
5 hours	£5.50	£6.00
All day	£6.00	£10.00
Zone 3 Car Parks (Flowerpot, Haven Road 2 & 3, Holman Way, Okehampton Street, Tappers Close, Turf Approach)		
Stay	Current Tariff	Proposed Tariff
1 hour	£0.50	£0.50
2 hours	£1.00	£1.00
3 hours	£1.50	£1.50
4 hours	£2.00	£2.00
All day	£2.50	£3.00
Zone 3 Car Parks with Maximum Stay (Bromhams Farm, Clifton Hill, Gordons Place, Station Road (Exwick))		
1 hour	£0.50	£0.50
2 hours	£1.00	£1.00
3 hours maximum stay	£1.50	£1.50

Coach Parking at Haven Road 3 (per day)	£5.00	£10.00
Quarterly Commuter Season Ticket	£300.00	£375.00
Residents Annual Season Ticket	£125.00	£150.00
Bartholomew Terrace Business Permit	£205.00	£250.00
Cathedral & Quay Business Bays	£565.00	£750.00

- (2) The conversion and inclusion of the following additional car parks in the Parking Places Order 2014:-
 - (a) Bromhams Farm (Appendix 1) and
 - (b) Turf Approach (Appendix 2)
 (by way of pay and display).
- (3) The designation of the following car parks as Zone 3 Car Parks as set out in paragraph 2.1 above table in the Parking Places Order 2014:-
 - (a) Bromhams Farm and
 - (b) Turf Approach
- (4) The restriction of parking to a maximum 3 hour stay at the new Bromhams Farm car park.
- (5) To ring-fence income from the above two new sites and re-investment in improving the upkeep of the canal and associated facilities.
- (6) An increase in the charging period in Zone 1 and 2 car parks by 2 hours (8am to 8pm) with the exception of Topsham car parks and overnight resident car parks at Bartholomew Terrace and Richmond Road; and
- (7) The alteration of the boundary of Matthews Hall car park with the Parking Places Order to reflect recent land change to create an additional parking bay (Appendix 3); and
- (8) Place Scrutiny Committee sought Executive support and recommendation to Council for the approval of a request for £60,000 capital funding available to undertake necessary surfacing and lining works in order to convert Bromhams Farm and Turf Approach into pay and display car parks.

8 Charging for Food Hygiene Rating Scheme Revisits

The Environmental Health and Licensing Manager presented a report which sought the introduction of a cost recovery fee for re-rating food hygiene ratings. In partnership with the Food Standards Agency, Environmental Health & Licensing participate in the delivery of the national Food Hygiene Rating Scheme (FHRS). The scheme, which had been in place in Exeter since 2011, encouraged businesses to improve hygiene standards and assist consumers in making informed choices about where to eat.

Businesses were rated between 0 (*urgent improvement necessary*) and 5 (*very good*). Those with a food hygiene rating of 4 or below could request a re-rating

inspection. There was currently no charge for these visits but there were costs, in terms of officer and administration time, which were currently absorbed by the service. Following a trial of charging for requested FHRS re-rating inspections with some local authorities in England using existing powers in the Localism Act 2011, the Food Standards Agency had now confirmed a change in policy allowing use of these powers by local authorities in England to introduce fees on a cost recovery basis only for re-rating inspections. He informed Members that 30 businesses on an annual basis requested a re-visit to assess their hygiene certificate, which can cause a burden on the service.

In response to Members questions, the Environmental Health and Licensing Manager responded that:-

- There was currently no legislation to ensure that a restaurant was required to display its food hygiene certificate. If one is not displayed, it did not mean they didn't have one. Legislation for this had been introduced in Wales, which the Food Standards Agency were keen to introduce in England;
- A re-visit by Environmental Health Officers was dependent on the restaurants compliance, but was requested by the business to raise their standard. A re-visit would entail a three month period where no inspection took place followed by a further three months where the re-inspection would be undertaken;

Members discussed and supported an introduction of mandatory legislation, to ensure the display of food hygiene certificates.

Place Scrutiny Committee noted the change in the Food Standards Agency charging policy and requested Executive to recommend approval by Council the proposal to introduce a cost recovery fee of £160 for Food Hygiene Rating Scheme re-rating inspections which are requested by the Food Business Operator, with effect from 1 April 2018.

9 Local Air Quality Management - Draft Air Quality Action Plan

The Environmental Health and Licensing Manager referred to the legal duty placed on the Council (and all district and county councils) in respect of local air quality by Part IV of the Environment Act 1995. He updated Members on the Council's draft Air Quality Action Plan (AQAP) which had been circulated with the report and would be released for public and stakeholder consultation and commented on an amendment to the consultation. The draft plan outlined the Council's vision for air quality in the city and proposed measures that the Council would take during the period 2018 to 2023. The closing date for responses to the consultation is 11 April 2018. A review of all of the responses to the consultation will be made, and a final version of the AQAP will be produced to reflect these responses.

He emphasised that the consultation was a three month public engagement which provided residents with the opportunity to be involved and help to make changes. The final plan would be presented to the meeting of Place Scrutiny Committee in June 2018.

In response to Members' questions, the Environmental Health and Licensing Manager and Senior Environment Technical Officer responded:-

- All available information was in the public domain and the draft plan would address concentrated areas of high pollution in the City. Data and progress is also reported annually to Central Government;

- Additional information on the impact of measures was not available at this stage, because of it cannot be estimated until full details of the proposed measures are available. At this stage the Council are seeking views from the public on the broad themes and outline measures in the draft action plan. Further information on the air quality impact of measures will be produced as the measures develop, and will be made available to the public;
- There is no legislation available that bans bonfires, however the Council would continue to encourage residents to use composting and using alternative methods to burning;
- The air quality plan focusses on NO² levels from traffic. The inclusion of other sources and types of pollution is open for contribution by residents during the consultation period;
- The Council will utilise the Communications and Marketing team to provide support for public engagement and to provide plain English information;
- Less than 10% of the PM^{2.5} levels in Exeter arise from sources within the city. The majority is from regional, national and international sources such as agriculture and natural sources.
- The smog levels from the motorway network are monitored by Highways England, who used their own monitoring sites. Exeter City Council monitors levels where people are more exposed;
- Although the Portfolio Holder was involved with public engagement, it was the residents who had the real power to make changes to the city;
- Devon County Council would be consulted with in regards to the congestion changes.

Councillor Musgrave attended the meeting under Standing Order 44 and welcomed the consultation and expressed his appreciation of the hard work of both the Portfolio Holder and Senior Environment Technical Officer. He expressed concern about the air quality in the city which he considered was not at a good level and that the consultation could distort results and impact on air quality control measures. Supported by Councillor Mitchell as a Member of Place Scrutiny Committee, he requested new recommendations to Executive as follows:-

- (1) Remove the suggestion that air quality in the City was generally good;
- (2) Provide clearer details about how and when specific measures could be adopted and what impact they would;
- (3) Provide details about how money was raised and parking charges would be spent to make alternatives and better public transport.

Councillor Denham requested to speak at the meeting under Standing Order 44 and expressed her thanks to the Senior Environment Technical Officer for the hard work done to report in a short period of time. She explained that she had requested to speak under Standing Order 44 to address any issues that may be raised.

She stated her concern regarding the amendment of the recommendations. Available air quality data showed that it was good and although she recognised the concerns of the public, it was important to use the existing data. She discussed how information could be explained in clearer way, how to identify where more work was needed and where money could be used for improvements. She stated that it would be better to wait until the consultation was completed.

Members agreed that it was the responsibility of all residents to reduce the impact of their travel choices, and that getting the consultation underway was important. Following a vote by Members, the recommendations made by Councillor Musgrave were not agreed.

Place Scrutiny Committee:-

- (1) noted the consultation draft of the Air Quality Action Plan;
- (2) supported the consultation process that Council officers will undertake;
- (3) supported and actively encouraged wider community engagement in the collective ambition to reduce transport emissions; and
- (4) requested a report be presented to the Place Scrutiny Committee on 14 June 2018 to summarise the outcomes of the consultation process and to seek approval by the Executive of the final Air Quality Action Plan.

10 **Green Travel Plans and Planning Conditions Spotlight Review**

Councillor Harvey, Chair of the Green Travel Plans and Planning Conditions Spotlight Review Group, presented the findings and recommendations of the Group to the Place Scrutiny Committee. He informed Members that the report went to People Scrutiny Committee on 4 January, with comments made by the Members of People Scrutiny Committee had been circulated for information.

He explained that the Portfolio Holder for City Transformation, Energy and Transport and Portfolio Holder for City Development had been involved in addressing congestion. He discussed the issues faced in the city and what could be done:-

- Devon County Council were the highways authority and both they and Exeter City Council did not have the funds available to develop infrastructure to resolve the congestion issue;
- Although Exeter had a good number of rail stations, the train service times were limited and there were not enough car parks at certain stations;
- There was no bus park and ride service in one part of city;
- The Exeter Cycle Campaign had been consulted and were looking to improve cycling in the city.

In response to Members' questions the Scrutiny Programme Officer responded that:-

- At an Interim Scrutiny Work Programme meeting held in November, a Task and Finish Group was agreed to be established for the Green Travel Policy and how it could be improved. This group was a separate entity to the one outlined in the recommendations. The group was expected to commence at the end of January;
- Once the new Task and Finish Group was setup officers would take a soft encouragement approach, but she would clarify details as required.

Place Scrutiny Committee:-

- (1) Acknowledged the work of this Spotlight Review Group;
- (2) Agreed to share this report and findings with:-
 - The (yet to be formed) Transport Board;
 - Devon County Council in respect of the Sustainable Urban Movement Plan;
 - With Exeter City Council officers responsible for implementing the Parking Strategy;
 - Greater Exeter Strategic Partnership; and
- (3) Supported the formation of a Task and Finish Group to expressly monitor the IKEA green travel plan and ascertain what improvements to Green Travel Plans could be made in future.

11 **Exeter Highways and Traffic Orders Committee Minutes**

The minutes of the Exeter Highways and Traffic Orders Committee (Devon County Council) held on 20 November 2017 were circulated for information.

The meeting commenced at 5.30 pm and closed at 8.10 pm

Chair

**PUBLIC QUESTION RECEIVED for Place Scrutiny Committee – 11 January 2018
from Mr Mike Walton of the Exeter Cycling Campaign**

To Councillor Rosie Denham as Portfolio Holder for City Transformation, Energy and Transport

Given that the effects of local air pollution on health are undisputed and that these disproportionately affect our city's most vulnerable people leading to the premature death of more than 42 people every year we clearly need strong and bold action to improve our air quality.

It is appropriate therefore, and welcome, to see the draft AQAP being bolder in aspiring to make "the private car...seldom used for journeys within Exeter" and to "create sustainable car-free communities".

Given these AQAP aspirations will Councillors provide the active and vocal political support that will endorse the difficult decisions needed to make a reality of the AQAP strategy, in particular to:-

- **"Design and implement a filtered permeability plan and corridor improvements" (Measure #4)**
- **"Develop policies to make car travel unnecessary" (Measure #10)**
- **"Make it more more attractive and cost effective to access the city by public transport and active travel" (Measure #15)**
- **"Implement access restrictions/ charging" (Measure #16)**
- **"Maximise efficiency of existing highway network, but prioritising the most efficient transport modes: cycling and walking" (measure #24)**

And will Councillors reject contrary statements in the AQAP such as "*Dedicated pedestrian and cycle routes will be improved, but these road users will notbe given priority at all junctions.*"

Furthermore, given that road transport is the major contributor to nitrogen dioxide and a significant contributor to PM2.5 & PM10 particulates will Place Scrutiny insist that a date is set for when diesel vehicles will be banned from the city centre and identify development areas before July'18 which will be designated as car free developments.

The Chair, Councillor Sills read out the question from Mr Walton, who was unable to attend the meeting.

The Portfolio Holder for City Transformation, Energy and Transport, Councillor Rosie Denham responded to the question stating that Members had debated the issue and stated that the topic was the subject of a report on the meeting agenda. She explained that there was support for measures in the draft plan from Exeter Cycle Campaign and informed that she looked forward to working constructively with the group on development of the final plan. She commented that the engagement process welcomed views from the Exeter Cycle Campaign on why they felt this should be an immediate priority, and how it could be achieved.

Access restrictions to certain parts of the city for certain types of vehicles had not been ruled out in the draft plan, however restriction details had not been finalised, and would need to be based on robust evidence of cost and air quality benefits.

She felt that it would be inappropriate at this stage to present a potential strategy for access restrictions without the supporting evidence. She emphasised that because of the significance of access restrictions and charging for these, they would be subject to a separate consultation once the evidence base has been compiled and before they are implemented.

She stated that Exeter City Council welcomed suggestions from all interested parties on what could be included and the classes of vehicles to be addressed first. It was crucial that evidence for access restrictions would need local support when the detailed plans are developed.

**PUBLIC QUESTION RECEIVED for Place Scrutiny Committee – 11 January 2018
from Ms Lynn Wetenhall with reference to the Air Quality Action Plan.**

To Councillor Denham Portfolio City Transformation, Energy and Transport

Air pollution from traffic is, and has been for ten years or more, a serious issue in the city. No *significant* actions to reduce the illegal and close to illegal levels of NO₂, or other pollutants arising from cars, have been taken by the City or County Councils in that time, as evidenced by the lack of progress in securing cleaner air through named measures. Yet residents continue to suffer significant health impacts.

It therefore seems reasonable and important that any AQAP measures will be prioritised based on *evidence of which measures will give the quickest air quality improvements*. Yet the draft Action Plan does not provide any evidence on which measures are likely to provide the most impact, instead presenting an unprioritised list. Moreover, the introduction of a Clean Air Zone, generally agreed to be the single quickest way to clean up traffic-related pollution, is simply dismissed, (p95 of agenda pack) along with a possible congestion charge, with no clear rationale/evidence as to why these decisions were taken.

Another aspect of the list of the measures that makes them hard to respond to in a meaningful way, is that they are not clearly divided into those with Exeter City Council can pursue alone, (and soon) and those which depend on other agencies, notably Devon County Council. This makes the consultation process opaque and confusing – we are being asked to comment on actions that not in the power of the city council to deliver. This would be fine if it was a joint consultation with County Council for example, but it is not.

Will Scrutiny Committee therefore ask officers, as a matter of urgency before the draft Plan goes to consultation, to improve the Draft Air Quality Action Plan by amending it to include:-

- 1. Outline workings to show the relative air quality impacts of at least some of the more substantial measures**
- 2. A short list of which measures the council believes should be prioritised and why**
- 3. A fuller explanation of why key potential measures like a clean air zone have been rejected**
- 4. Clear explanation of which measures lie solely in the power of Exeter City Council to action**
- 5. Clear explanation of which measures lie solely in the power of Devon County Council to action**
- 6. Indication of any measures that can definitely be actioned during 2018, ie short term actions.**

The Portfolio City Transformation, Energy and Transport, Councillor Rosie Denham responded that the draft air quality action plan was at the start of a three month engagement process where the Council was looking to work with the community, businesses, voluntary groups and other statutory partners in order to finalise an action plan where partnerships commit to substantial measures to make a difference to the city.

She explained that a branded Clean Air Zone had not been included in the draft plan but many measures from the Clean Air Zone Framework had been included such as charging for or restricting access to certain classes of vehicle in certain areas. A

congestion charge which would charge all vehicles entering a certain zone, was thought to be less effective than a restriction based on vehicle class and type. She emphasised that this was a draft for public consultation and engagement and alternative views were welcomed by the Council.

There were areas of work which could be taken forward by the City Council alone and the comments on actions would need to be implemented by Devon County Council despite the consultation is being hosted by the City Council.

She referred to the report which detailed the air quality impact of measures and stated that a more detailed analysis of the air quality impact of measures would be developed as part of the evidence base for specific measures. Currently the Council expected to pursue all the measures in the draft plan, but the final plan would likely contain more detail on priorities, which the Council welcomed suggestions from all interested parties on what those priorities should be. Measures would be implemented from 2018 onwards.

She commented that Exeter City Council could not achieve substantial measures to improve air quality on its own and welcomed receiving proposals during the three month engagement process and any received from Ms Wetenhall achieved in partnership.

Debate

Members discussed critical aspects of the report and the need for officers to make improvements where they are needed but acknowledged that revisions to the consultation would cause a delay. The Portfolio Holder City Transformation, Energy and Transport was happy for suggestions to make improvements as recommendations to the consultation.

Supplementary Response from Ms Wetenhall

Ms Wetenhall commented that it would be disingenuous to not have public engagement and that it was a priority for technical information be written in a clearer manner for the public to understand. She thanked Councillor Denham for the response

It was noted that this written response would be attached to the minutes.

MEMBER QUESTIONS TO PORTFOLIO HOLDER at Place Scrutiny Committee – 11 January 2018

Response to be made by Councillor Denham, Portfolio Holder City Transformation, Energy & Transport

Questions from Councillor Musgrave on the Air Quality report on the agenda

Question 1

For past ten years, and in this report, Exeter's air quality is described in these terms: "Air quality in Exeter is mainly good, with just a small number of hot spots where levels of nitrogen dioxide are above government objectives". Does the PH agree with me, that this is highly misleading?

Q1 Response

Councillor Denham as Portfolio Holder City Transformation, Energy & Transport responded that she did not agree. The data that the Council had collected showed that air pollution levels were below the objectives in all but a few locations. She agreed that there was no city wide data on particulate concentrations, but there was nothing to suggest that emissions of PM^{2.5} in Exeter were unusually high. She considered that it would be misleading to suggest that pollution levels in Exeter were comparable to larger cities or conurbations.

She stated that it did not detract from the Council's commitment to take action to cut congestion, to reduce air pollution emissions and cut exposure to harmful pollution. The draft plan proposed that the Council would seek a full assessment of the actual health impacts of air pollution in Exeter which would be a reliable measure on the impact and make a clear case for action.

Supplementary Question

Does the Portfolio Holder agree that despite 64% of the locations which show that the NO₂ levels are above the safe level, there is no acceptable level for NO₂?

Supplementary Response

The Portfolio Holder City Transformation, Energy & Transport referred to the Environmental Health and Licensing Manager and Senior Environment Technical Officer who responded that the monitoring locations focus on the areas with the highest levels and not representative of the city as a whole. Health impact evidence was not consistent between scientists for what a safe level would be, however Exeter was considered good for air quality, which the Air Devon Health Impact report could provide more information.

Question 2

Will the Portfolio Holder ask for a more accurate and full picture of the reality of current air quality in the city, instead of the incomplete information provided in this draft version?

Q2 Response

Councillor Denham as Portfolio Holder City Transformation, Energy & Transport responded that the air quality data was presented in the Annual Status Report published on the Council's website and was presented to Place Scrutiny Committee every September. She considered that there was no benefit in reprinting a vast amount of scientific data which was

already in the public domain and appropriately referenced in the draft action plan presented at this meeting.

MEMBER QUESTIONS TO PORTFOLIO HOLDER at Place Scrutiny Committee – 11 January 2018

Response to be made by Councillor Sutton Portfolio Holder Economy and Culture

Question from Councillor Prowse on the Exeter Car Boot Sale

The Exeter boot sale is an event that is part of the fabric of this City. Recent visits confirm that it is suffering poor patronage.

Question 1

What does the Portfolio Holder suggest to rejuvenate this weekly event?

Response 1

Councillor Sutton as Portfolio Holder Economy and Culture responded that she agreed that the Sunday Market and Car Boot Sale was not as busy as it once was, but, it was still well supported, with income figures and attendance higher than expected, when changes needed to be made to the market because of the development of the bus depot on the site.

The market was closed for a short period at the end of 2015, which the opportunity was used to check that all market traders were registered with the Council and submitted their public liability insurance details. However because a few of the traders refused to provide these details, they were informed that they would no longer be able to attend the market, following advice from Trading Standards.

There had also been a fall in the number of car boot traders attending the market although not as great as the fall in the number of traders because of a change in regulations to ensure confidence that car boot traders are just casual car booters and not market traders masquerading as private car booters. She explained that this had been achieved by ensuring all car booters were now in private cars, rather than vans and were restricted to a defined space within the market site.

These changes meant that the market was safer smaller and better organised, market. It had lost the 'rogue traders' who refused to register with the Council and issues the market staff had to deal with previously, including verbal and physical abuse had been reduced considerably which was a positive outcome of the changes. She highlighted that the £45,000 income lost at the market would be covered by the rental income received from Stagecoach.

The Marketing and Communications team would be looking at ways provide the event with an extra boost in the spring of 2018, but it wouldn't be as big as it was before because of the reduced amount of space available and the necessary much tighter control on the traders attending.

Supplementary Question

Having visited the site in the early hours, there is plenty of space available, but the rest of the time the vehicles are too close together for the customers. Could there be space available to ensure the vehicles are not touching?

Supplementary Response

The Portfolio Holder Economy and Culture stated she would contact the Marketing Manager on Councillor Prowse's behalf and provide a response.

Question 2

Is the Portfolio Holder able to confirm that there are sufficient charities that still wish to perform marshalling duties given the drop in income that they now benefit?

Response 2

Councillor Sutton as Portfolio Holder Economy and Culture explained that it had become increasingly difficult to recruit charity groups to assist with the market for a few years. Although this has been addressed by by reducing the number of charity workers required from 12 to 6 in 2016 and in 2017, increased the amount paid to the charities from £225 to £250 (before the market size reduced the charity groups were paid a variable fee with a guaranteed minimum of £400 in return for providing 12 volunteers). The Council has had to rely on two or three organisations who were willing to step in at short notice because of frequent late drop outs from the charities.

She stated that recently it had become difficult to get the regular groups to step in to cover markets and that has left the staff exposed to potential safety issues on Sunday mornings. The decision was taken to remove the charity volunteer element of the event from January 2018 because it was increasingly obvious that no enough charities would be able to be recruited. Following an increase in the bank of casual staff, staffing numbers will now increase from 3 to 6 for each market. Using paid staff and reduction of changing volunteers allows better control of the event and be able to run it with a smaller team.

To ensure that there is still a charity/community element to the event the Council had offered these groups a free pitch at the event with all organisations able to take advantage of this up to four times a year.

Question 3

If the Portfolio Holder is unable to propose any impetus is it not time to given the event to a franchise on an experimental basis?

Response

Councillor Sutton as Portfolio Holder Economy and Culture responded that she was happy with the way the market was run currently, and hoped to be able to improve attendance in the future. She stated that she would always be willing to listen to offers from others interested in taking over the running of the Sunday market and that any bids would need to make financial sense and guarantee that the safeguards remain in place. The market would remain open all year despite lower demand in the winter months. She highlighted however that it was important that the site wouldn't cause any issues for permanent tenants and that by running the market in-house it would ensure the issues were properly considered.