

PLACE SCRUTINY COMMITTEE

Thursday 14 June 2018

Present:

Councillor Sills (Chair)
Councillors Wood, Begley, Lyons, Mitchell, Pattison, Prowse and Robson

Apologies:

Councillor Keen and Yelland

Also present:

Director (DB), Chief Finance Officer, Environmental Health and Licensing Manager, Service Manager, Community Safety & Enforcement, Skills Officer, Scrutiny Programme Officer and Democratic Services Officer (SLS)

In Attendance:

Councillor Philip Bialyk	- Portfolio Holder Health and Wellbeing, Communities and Sport
Councillor David Harvey	- Portfolio Holder Place and Commercialisation
Councillor Rachel Sutton	- Portfolio Holder Economy and Culture
Councillor Keith Owen	- Member attending Under Standing Order 44, and as Chair of the Green Travel (IKEA) Task and Finish Group
Councillor Greg Sheldon	- Chair of the Green Travel (Policy) Task and Finish Group

20

MINUTES

The minutes of the meeting of Place Scrutiny Committee held on 8 March 2018 were approved and signed by the Chair as correct.

21

TASK AND FINISH GROUPS

The Chair requested Members to advise the Scrutiny Programme Officer of any potential topics for consideration by a Task and Finish Group.

22

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

23

PRESENTATION GIGABIT BROADBAND VOUCHER SCHEME

The Growth and Enterprise Project Officer set out the detail of the Government's Gigabit Broadband Voucher Scheme, with £67 million available from the Productivity Fund for small to medium sized businesses to apply for up to £3,000 of funding. Residents were also able to apply for funding of up to £500 as long as they were linked to a business application. Details of the scheme were available via

Twitter, Facebook, LinkedIn, promotional literature as well as a number of promotion and marketing events taking place. He urged Members to share details of the scheme wherever possible.

A Member sought clarification over the criteria of a small to medium sized business. The Growth and Enterprise Project Officer advised that the definition of a small or medium sized business (SME), included up to 250 employees, along with turnover not exceeding £40 million. Businesses based in residential premises could also apply. He responded to a number of Members' questions which included a maximum of a three year life cycle of funding. He also addressed a specific query relating to a Member who had intended to use his own County Council Locality funding to match fund residents' contribution to boost their broadband in his ward and reiterated that both an existing small business or resident were eligible to apply for funding, thereby reducing the overall contribution.

The Chair thanked the Growth and Enterprise Project Officer for the presentation.

24

REVIEW OF ENVIRONMENTAL HEALTH AND LICENSING STATUTORY SERVICE PLAN 2018/19

The Environmental Health and Licensing Manager presented a report and sought approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2018/19, which 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.

The Environmental Health and Licensing Manager highlighted some of the challenges his team had faced during 2017/18:-

- 534 food inspections with 96% targeted for inspection 96% achieved despite the corporate restrictions and changes of personnel within the team.
- a high number of sampling was undertaken with 52% of the 147 food samples taken being found to be unsatisfactory or borderline.
- 4,465 requests for the service including food safety, health and safety regulation, infectious disease control, air quality, environmental permitting, contaminated land, licensing and antisocial behaviours, statutory nuisance as well as staff supporting health promotion and training activities.
- 342 antisocial behaviour cases, with a further 59 more complex cases which were all very time consuming for the service.
- good levels of compliance of CCTV coverage which became mandatory in all Exeter Hackney Carriage vehicles.

He also highlighted several of the priorities for 2018/19.

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

- the government has changed the requirements for mandatory licensing for properties in Multiple Occupation (HMO) from 1 October 2018. The change removes the three floors requirement which means that all properties that are rented have five or more occupants from two or more households will be licensable.
- the recent Air Quality consultation exercise had been one of the most successful engagement exercises in terms of responses received. Once the responses had been assimilated it was also anticipated that the results of

the consultation on the Air Quality Action Plan would come back to this Scrutiny Committee in November 2018.

- a report presenting the annual monitoring report on air quality with data covering a number of years will be presented to the Scrutiny Committee meeting in September. This report (as in previous years) details the monitoring locations and additional monitoring locations that have been added.

Place Scrutiny Committee supported and requested Executive to recommend approval by Council of the Statutory Service Plan 2018/19, and the Environmental Health and Licensing Manager be authorised to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

25

CLEAR STREETS CHARTER

Councillor Owen attended the meeting Under Standing Order 44.

The Director (DB) presented a report and proposed the introduction of a Clear Streets Charter for Exeter. The Charter would demonstrate the commitment of Exeter City Council and Devon County Council to work together to ensure that the built environment of the City, was as safe as possible for everyone but in particular those affected by sight loss or mobility problems.

Councillor Owen welcomed the ethos and aims of the Charter and referred to his past involvement as a Portfolio Holder. He commented on his experiences with representatives from the Royal National Institute for the Blind, which had included a 'blind tour', when he became acutely aware of the potential hazards on the city's footpaths. Exeter City Council had a responsibility to consider such issues during all planning, decision making and operational tasks including licensing, and refuse collection. However the management of ensuring that the streets remained free of temporary obstacles and obstructions fell to the Highway Authority. He had also accompanied a Local Highway Officer visiting local businesses to offer advice or seek the removal from any obstruction and there were occasions when there was a level of challenge. He hoped that the Charter would offer the necessary support.

The Director responded to a number of Members' comments including:-

- noting the suggestion that street bollards could emit an alarm on approach or be individually decorated to improve their visibility as part of a sponsorship with local businesses. The Director advised that he would look into the suggestions.
- parking on footways was difficult to enforce under existing legislation but following new legislation in Scotland, where enforcement is proposed for any motorist parking on pavements, it may be only a matter of time before this was taken up in the rest of the UK. He thanked a Member for some background information on Section 30 of the Exeter City Council Act 1987, prohibiting parking vehicles on verges, central reservations and footways in a number of Exeter's streets.
- the Charter set out the need to proactively encourage residents to consider how they presented their bins and the responsibility for the bins to be replaced back on the property where possible. He did refer to enforcement action and education which could be used for individuals who repeatedly left their bins out on the city's pavements.
- the Charter had to progress through Devon County Council's Committee cycle, before it could be signed and enacted.

The Director requested a Member to forward the details of an issue of overgrown vegetation in a back alley so that ownership and responsibility for maintenance could be established.

Place Scrutiny Committee requested that Executive fully support the Clear Streets Charter and its aims.

26

PARKING BACK OFFICE AGENCY AGREEMENT

The Service Manager Community Safety & Enforcement presented a report which sought approval from Executive for Devon County Council to provide a Parking Back Office function to the Authority under an agency agreement. He advised that in return for providing this service, Devon County Council would take up operational occupation of empty office space at the John Lewis car park. He responded to a number of questions relating to the Department for Transport Statutory Guidance and would ensure that an audit trail was in place. He would clarify the arrangements to ensure that the change to the Agency Agreement which commenced in 2014 were also included in the Council's Constitution.

Place Scrutiny Committee requested Executive approval for Exeter City Council to enter into a five year agency agreement with Devon County Council to provide a Parking Back Office function.

27

MANAGING HARBOUR AUTHORITY RESPONSIBILITIES

The Service Manager Community Safety & Enforcement presented a report which set out the options for discharging the Council's Harbour Authority duties to an appropriate standard as soon as was practically possible. He confirmed that the area of responsibility spanned from the Blackaller Weir to the 'Safe Water Mark', one mile out to sea off Exmouth Beach. This also included a duty of care to users of the Estuary, ensuring preventative and reactive maintenance of buoys and navigational aids for safe navigation as well as working with other bodies such as Natural England and the Environment Agency to support their activities in respect of conservation and the environment. The proposed appointments for Harbour Master and two Harbour Patrollers would help to raise the Harbour Authority's profile in the Estuary as well as offering an education and enforcement role in response to an increased level of anti-social behaviour of a minority of water users. He also welcomed the opportunity to explore the future role of the Authority with a range of stakeholders, including the Port User Group.

He responded to a Members' comment and stated that, historically the Port of Exeter had been able to collect a levy from commercial vessels, but current use was almost wholly recreational and leisure use. There was currently no opportunity to levy Harbour dues from any non-commercial vessel or receive any contribution from neighbouring District authorities. It was noted that the buoy-store at Exmouth Marina provided a valued on-site presence for the Estuary.

The Chief Finance Officer also responded to a Member and stated that although substantial savings had to be found by Exeter City Council, there was a strategic responsibility to ensure safe navigational passage for vessels. The Director (DB) advised that the anticipated experience of the proposed appointments would also seek to strengthen the overall Waterways team.

Following discussion, the Service Manager Community Safety & Enforcement agreed to arrange a site visit of the area covered for Members.

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

- (1) the creation of a new Harbourmaster post within the Waterways establishment and recruit a suitably experienced and qualified candidate to the role;
- (2) the creation of two new Harbour Patroller posts within the Waterways establishment and recruit suitably experienced and qualified candidates to the roles;
- (3) to ensure compliance with the Port Marine Safety Code the Harbourmaster be designated as the 'Duty Holder' in respect of the Port of Exeter and the Constitution be amended accordingly; and
- (4) options for a Harbour Revision Order are explored with the Port User Group.

28

BUDGET MONITORING 2017/18 (OUTTURN)

The Chief Finance Officer presented the report which advised Members of any material differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2018 in respect of Place Scrutiny Committee. An outturn update in respect of the Place Capital Programme was also incorporated into this report in order to help provide a comprehensive financial update in respect of the Place Scrutiny Committee Budgets. It was noted that the final outturn had been calculated and the report highlighted the major differences by management unit from the approved annual budget after adjusting for supplementary budgets. The total variance for the year showed a surplus of £1,110,199 after transfers from reserves. This represented a variation of 16.36% from the revised budget, which included supplementary budgets of £632,000 already agreed by Council. A brief description of the variations including the delay in the transfer of the Countryside Recreation Service to Devon Wildlife Trust was given.

The Director (DB) provided the following information seeking further clarification on individual budgets:-

- the Refuse Collection Team had to play catch up following the unforeseen and exceptional snowfalls earlier in the year, and additional staff involved had resulted in an additional £11,000 expenditure.
- a volatile recycling market had meant a lower than anticipated income had been disappointing. However, there had been some success with working in cooperation with the neighbouring local authorities of Teignbridge and Mid Devon to process their mixed recycling with a share of the income.

Members were impressed by the dedication and commitment of the staff at Exton Road.

The Chief Finance Officer advised that the Place Capital Programme showed a total spend of £2,784,623 in 2017/18 with £312,730 of the programme deferred until 2018/19. He also responded to a Member's query and stated that money identified for deferred schemes would remain in the Council's reserves until required, and requests for a supplementary budget would be presented to Members as and when they were required. He added that a Section 106 contribution was included as part of the Salmon Pool play areas and Arena Skate Park schemes.

Place Scrutiny Committee noted the report.

BUILDING EXETER

The Skills Officer presented a report which set out the detail of the Building Exeter initiative to help connect local people with employers in the construction and built environment sector, including the engagement of training providers and education. This will support the reduction of the growing skills gap by ensuring there are enough skilled people across the whole of the construction sector in Exeter, and benefit local employment from the development growth that was already taking place or was planned.

It was anticipated that, as part of the initiative, the Construction Industry Training Board (CITB) Client Based approach could be rolled out for all developments over the value of £1m, within the geographical boundaries of Building Exeter. Informal discussions had already taken place with construction companies located in and around Exeter, training providers and the CITB, with a number already expressing an interest to be part of this initiative in Exeter.

Building Exeter has three key objectives and area of work including:-

- Inspiring the future workforce through an effective engagement programme with schools and young people;
- Support for employers by facilitating recruitment to existing vacancies through upskilling and reskilling; and
- Support the adoption of the National Skills Academy for a Construction Model through the Client Based approach.

The Chair referred to his role as the Member Champion for Young People and welcomed this initiative to retain and upskill talent in the city.

Place Scrutiny Committee supported the following:-

- (1) development of a framework to launch Building Exeter within Exeter, which improves skills within the construction sector in Exeter and provides opportunities for those wishing to enter the sector;
- (2) that existing financial resources of £15,000 per year for two years (£30,000 in total) from the Growth & Enterprise budget be earmarked, which subsequently funds a 2 year fixed term temporary post and a programme of activity. The remainder of the costs of the post (salary and on-costs) and programme of activity to be secured from other organisations and businesses;
- (3) adoption of the (CITB) Client Based Approach for all developments over the value of £1m within the geographical boundaries of the project; and
- (4) provide support, advice and guidance to the team managing the procurement of the new bus station and St Sidwell's Point in ensuring a Client Based Approach is included in contracts.

**UPDATE ON THE EXETER AND HEART OF DEVON (EHOD) SHARED
ECONOMIC STRATEGY 2017-2020**

The report of the Inward Investment Manager was presented which updated Members on the progress made with regard to the first year of the Exeter and Heart of Devon (EHOD) Shared Economic Strategy and a way forward for the next 12 months. It was noted that the Inward Investment Manager would also continue to work collaboratively with the neighbouring local authorities of East Devon, Mid Devon and Teignbridge on the shared objectives within the Strategy. The focus of work would be on supporting the growth of the Exeter economy, due to expanse of the Exeter Travel to Work Area.

Place Scrutiny Committee noted the report.

GREEN TRAVEL (POLICY) TASK AND FINISH GROUP

Councillor Sheldon, as the Chair, presented the findings and recommendations of the Green Travel (Policy) Task and Finish Group to the Place Scrutiny Committee. He referred to the Group's objective specifically in relation to the City Council's policy relating to transport and the environment and also in connection with planning applications. He stated that a main aim had been to highlight the importance of travel plans being in place as part of any prospective or impending planning applications. The Group had established the importance of working more closely with site developers during the determination period to ensure a culture of green travel was encouraged in their travel plans.

The Scrutiny Programme Officer and facilitator for the Task and Finish Group confirmed the process to identify the membership of the constituted group.

Place Scrutiny Committee noted the following:-

- (1) the principle of a best practice guidance note to accompany the Sustainable Transport Supplementary Planning Document be supported;
- (2) the re-launch of the Sustainable Transport Supplementary Planning Document in conjunction with a best practice guidance note subject to further Committee approval; and
- (3) acknowledge and support the suggestions contained within this report aimed to enhance and improve collaborative working between Exeter City Council, key partners and organisations.

GREEN TRAVEL (IKEA) TASK AND FINISH GROUP

Councillor Owen, as the Chair presented the findings and recommendations of the Green Travel (IKEA) Task and Finish Group to the Place Scrutiny Committee. He thanked the Members and Officers for their involvement and also the Scrutiny Programme Officer as facilitator for the Group. Members had welcomed the opportunity to study IKEA's Green Travel Plan, which on the face of it, adopted a very formulaic approach. The discussions complimented the Policy Green Travel Task and Finish Group and identified the need for more detailed and better quality green travel plans going forward through the planning process. It was recommended that certain larger scheme green travel plans should be particularly considered and commented upon at Planning Member Working Group meetings or Delegated Briefings. It was also logical that the Exeter Highways and Traffic Orders Committee should be invited to consider and comment upon proposed green travel

plans for larger schemes. This suggestion, alongside an update on the work of the Task and Finish Group, would be discussed at their next meeting.

The Scrutiny Programme Officer responded to a Member's comment about the availability of assistance in respect of creating green travel plans, and toolkits were available on a variety of web sites to assist businesses in tailoring requirements for suitable green travel plans. The County Council's Travel Devon Coordinator was also available to offer advice and was already working with businesses.

Place Scrutiny Committee noted the following:-

- (1) a review of the performance of the IKEA Green Travel Plan be made in 12 months' time;
- (2) request for early discussion of Green Travel Plans for larger schemes at Planning Member Working Group or at Delegated Briefing be made as appropriate; and
- (3) Green Travel planning should be incorporated into the yearly Planning Induction Training for Councillors.

33

EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE MINUTES

The minutes of the Exeter Highways and Traffic Orders Committee (Devon County Council) held on 18 May 2018 were circulated for information.

The Chair highlighted the successful arrangement of a pilot to trial a bus service from the city centre to the Quay on a Friday and Saturday evening and all day on Sunday. The pilot involved the extension of the H Bus service and would run for six months and commence in July until Christmas.

(The meeting commenced at 5.30 pm and closed at 7.15 pm)

Chair