

EXECUTIVE
(HELD AS A VIRTUAL MEETING)

Tuesday 7 April 2020

Present:

Councillor Bialyk (Chair)
Councillors Sutton, Foale, Ghusain, Harvey, Morse, Pearson, Williams, Wright, Wood,
Leadbetter, Mitchell, K and Moore, D

Also in attendance:

Councillors Leadbetter and K. Mitchell

Councillor in attendance under Standing Order No. 44.

Councillor D. Moore speaking on item 11 (minute 45 below)

Also present:

Chief Executive & Growth Director, Director (BA), Director (DB), Director (J-PH), City Solicitor, Chief Finance Officer, Museums Manager and Cultural Lead, Corporate Manager Democratic and Civic Support and Democratic Services Officer (MD) and Democratic Services Officer (HB)

37

MINUTES

The minutes of the meeting held on 10 March 2020, were taken as read, approved and signed by the Chair as a correct record.

38

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

39

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions had been received from the public.

40

UPDATE ON COUNCIL'S RESPONSE TO THE CORONAVIRUS PANDEMIC

The Chief Executive & Growth Director presented the report summarising how the Council was responding with its partners and stakeholders to the coronavirus outbreak. He highlighted the serious impact the crisis and the current lockdown was having on the Council's finances and the long term challenges now faced by all local authorities.

RESOLVED that the report be noted and the following thanked for playing their part in the collective response to COVID-19:-

- the organisations, staff and volunteers supporting the Exeter Community Wellbeing project;

- the Exeter Chiefs Foundation for the prompt and generous support;
- Strata for the outstanding support for the significant ICT and telephony requirements;
- the residents and businesses of the city;
- the NHS;
- Devon County Council;
- the Police, Fire and Rescue Services; and
- all the institutions of the city also playing their part in the collective response.

41 **OVERVIEW OF GENERAL FUND REVENUE BUDGET 2019/20 – QUARTER 3**

The Chief Finance Officer presented the report advising Members of the overall projected financial position of the General Fund Revenue Budgets for the 2019/20 financial year after nine months.

RECOMMENDED that Council notes and approves (where applicable) the:-

- (1) General Fund forecast financial position for the 2019/20 year;
- (2) the supplementary budgets of £1,440,390, as detailed in paragraph 8.13 of the report presented to the meeting;
- (3) the Outstanding Sundry Debt position as at December 2019; and
- (4) the creditors' payments performance.

42 **GENERAL FUND CAPITAL MONITORING STATEMENT 2019/20– QUARTER 3**

The Chief Finance Officer presented the report which set out the current position in respect of the Council's revised annual capital programme and advised Members of the anticipated level of deferred expenditure into future years. The report also sought Member approval to amend the annual capital programme in order to reflect the reported variations.

RECOMMENDED that Council notes and approves the revision of the annual capital programme to reflect the reported variations as detailed in 8.1 and Appendix 1 of the report presented to the meeting.

43 **HRA BUDGET MONITORING REPORT 2019/20– QUARTER 3**

The Chief Finance Officer presented the report advising Members of the overall financial position of the HRA Revenue and Capital Budgets for the 2019/20 financial year after the first six months.

In addition to the budgetary over/under-spends reported, Appendix 1 of the report highlighted further areas of risk, so that Members were aware that certain budgets had been identified as being vulnerable to factors beyond the control of the Council, which could result in potential deviations from budget, and were therefore subject to close monitoring, by officers.

RECOMMENDED that Council notes and approves (where applicable):-

- (1) the HRA forecast financial position for 2019/20 financial year; and

- (2) the revision of the HRA Capital Programme to reflect the reported variations detailed in Appendix 4 of the report presented to the meeting.

44 **EXETER CITY GROUP - REQUEST FOR FUNDING FOR NEW COMPANY BUSINESS CASES AND ADDITIONAL FINANCIAL SUPPORT**

RESOLVED that the item be deferred.

45 **URGENT CHANGE TO THE SCHEME OF DELEGATION TO OFFICERS**

The City Solicitor presented the report seeking to make various amendments to the Council's Constitution including the power to make urgent decisions as necessary. These changes were designed to allow the Council to continue to function if staff were absent as a result of the Corona Virus pandemic.

The recommendations would also enable the Council to make speedy decisions.

The City Solicitor also reported suggested changes to the recommendations following The Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which came into force on 4 April 2020. These were the inclusion of the requirement to consult the Leader of the Council or, in his absence, the Deputy Leader of the Council in respect of the delegating of authority to officers in recommendations 1 and 2 and the removal of recommendations 6 and 7 relating to public speaking and petitions respectively. The City Solicitor also reported the inclusion of a sunset clause of May 2021 in the regulations relating to the conduct of local authority meetings.

Councillors Leadbetter and K. Mitchell, speaking as group leaders, welcomed the report with the amendments suggested by the City Solicitor.

Councillor D. Moore, having given notice under Standing Order No. 44, spoke on this item. She made the following points:-

- thanked all involved in the response to the crisis;
- welcomed the proposal to extend the deputising arrangements to senior Councillors and the removal of recommendations relating to public speaking and petitions; and
- expressed reservations relating to the suspension of certain Standing Orders as proposed in recommendation 4.

The Leader moved and the Deputy Leader seconded the recommendations with the suggested amendments and they were carried unanimously.

RECOMMENDED that Council approve:-

- (1) amending the Council's Scheme of Delegation and Financial Regulations, including those to be made in consultation with a Councillor, giving the Chief Executive & Growth Director together with the Strategic Management Board delegated authority to discharge any delegated authority already set out in the Council's Scheme of Delegation, including those set out in the Council's Financial Regulations, effective immediately. This shall include the power to make urgent decisions in consultation with the Leader of the Council or, in his absence, the Deputy Leader of the Council.

- (2) granting the City Solicitor delegated authority to amend the Constitution to give effect to any change in legislation brought by the Government in response to the Corona Virus pandemic in consultation with the Leader of the Council or, in his absence, the Deputy Leader. In the absence of the City Solicitor, the Corporate Manager, Democratic & Civic Support and the Litigation Solicitor may also exercise this delegated authority;
- (3) granting permission to any Councillor to be absent from Council meetings for a period over six months provided that such absence is as a result of either a requirement to self-isolate or sickness due to the corona virus;
- (4) suspending Articles 14 and 15 of the Constitution and Standing Orders 47 and 48 for the next six months, effective immediately, to allow for the Council's Constitution to be amended by a simple majority of Council; and
- (5) amending Standing Order 1(1) to allow all meetings of the Council (including the Annual General Meeting) and its committees to be held at any venue considered suitable by the Corporate Manager, Democratic & Civic Support in consultation with the Leader of the Council.

46

PARKS & GREEN SPACES ANTI-INTRUSION MEASURES

RESOLVED that the item be deferred.

47

REPATRIATE CHIEF CROWFOOT'S REGALIA TO THE SIKSIKA NATION, CANADA

The Museums Manager and Cultural Lead presented the report seeking the de-accessioning from RAMM's collections a group of ceremonial items that once belonged to Chief Crowfoot, a Chief of the Siksika Nation, and transferring ownership to the Siksika Tribal Council, Alberta, Canada.

The Siksika were one of the four Indigenous nations that make up the Blackfoot Confederacy. The Siksika Nation is governed by a Chief and 12 Councillors constituting the Siksika Tribal Council. Described as the "Crowfoot regalia", the items once belonged to Chief Crowfoot, an important late nineteenth-century Blackfoot leader and believed to have been acquired in Canada by a Cecil Denny about the time of a treaty signing (Treaty 7) and loaned to RAMM by his sister in 1878. They had been purchased by RAMM in 1904.

RESOLVED that legal title to the Crowfoot regalia be relinquished by Exeter City Council and transferred to the Siksika Tribal Council, the living descendants of Chief Crowfoot and legally recognised representatives of the Siksika Nation.

48

MOVE MORE PHYSICAL ACTIVITY STRATEGY: BUILT FACILITIES STRATEGY CAPITAL REQUIREMENT

RESOLVED that the item be deferred.

49

CATHEDRAL AND QUAY MULTI-STOREY CAR PARK STRUCTURAL REPAIRS

RESOLVED that the item be deferred.

50

CORN EXCHANGE ROOF REPLACEMENT

RESOLVED that the item be deferred.

51

EXMOUTH BUOY STORE

RESOLVED that the item be deferred.

(The meeting commenced at 5.30 pm and closed at 6.24 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council.