



Exeter City Council

A virtual meeting of **EXETER CITY COUNCIL** will be held on **TUESDAY 21 APRIL 2020**, at 6.00 pm. via 'Skype' (the Press and Public can contact the Democratic Services Officer on 01392 265107 for further details) as legislation has been passed to allow Council's to hold meetings remotely.

If you have an enquiry regarding any items on this agenda, please contact John Street, Corporate Manager Democratic & Civic Support on 01392 265106.

The following business is proposed to be transacted:-

- | | Pages |
|---|--------|
| 1 Minutes | |
| To approve and sign the minutes of the Extraordinary and Ordinary meetings held on 25 February 2020. | 3 - 18 |
| 2 Postponement of the 2020 Annual General Meeting | |
| In accordance with Part 2, Regulation 4 (2) of The Local Authorities and Police Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, it is:- | |
| RECOMMENDED that:- | |
| (1) the Annual General Meeting scheduled for 19 May 2020, be postponed until at least December 2020, subject to the necessary Government guidance being received before that time, that it is appropriate to hold such a meeting; and | |
| (2) as a consequence of (1) above, all current appointments for Lord Mayor, Deputy Lord Mayor, Committee Chairs and Deputy Chairs, continue until the meeting identified in paragraph (1) above takes place. | |
| 3 Official Communications | |
| 4 Public Questions | |
| Details of questions should be notified to the Corporate Manager Democratic and Civic Support at least three working days prior to the meeting - by 10am on Thursday 16 April 2020. Further information and details about speaking at Council to be found here: Public Speaking at Meetings . | |

Office of Corporate Manager Democratic & Civic Support

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To receive minutes of the following Committees and to determine thereon:-

- | | | |
|---|---|---------|
| 5 | Audit and Governance Committee - 11 March 2020 | 19 – 24 |
| 6 | Executive - 10 March 2020 | 25 – 28 |
| 7 | Executive - 7 April 2020 | 29 – 34 |
| 8 | Questions from Members of the Council under Standing Order No. 8. | |

A plan of seating in the Guildhall is attached as an annexe

Date: Thursday 9 April 2020

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register

Office of Corporate Manager Democratic & Civic Support			
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EXTRAORDINARY MEETING OF THE COUNCIL

Tuesday 25 February 2020

Present:-

The Right Worshipful the Lord Mayor Councillor Peter Holland (Lord Mayor)
Councillor Mrs Yolonda Henson (Deputy Lord Mayor)
Councillors Atkinson, Begley, Bialyk, Branston, Foale, Ghusain, Hannaford, Harvey,
Henson, D, Leadbetter, Lyons, Martin, A, Mitchell, K, Mitchell, M, Moore, D, Morse, Newby,
Oliver, Packham, Pattison, Pearson, Sheldon, Sills, Sparkes, Sutton, Vizard, Wardle,
Warwick, Williams, Wood and Wright

6

APOLOGIES

Apologies for absence was received from Councillors Buswell, Foggin, Moore J., Owen and Quance.

7

PUBLIC QUESTIONS

No questions from the public were received.

8

BUDGET 2020/21

Minute 10 (2020/21 Council Tax Base and NNDR1) of the meeting of Executive held on 14 January 2020 was taken as read and adopted.

The Leader moved, and Councillor Sutton seconded, the resolution as set out in the agenda and circulated papers in respect of the Council Tax for 2020/21 – budget and fees and charges attached.

- [Budget Book](#)
- [Fees and Charges](#)

The Leader, in presenting his budget speech, highlighted the following:-

- the proposed balanced budget for 2020/21 would protect and maintain services as well as maintaining the City Council's General Fund working balance, although there was a need to find further savings of nearly a third of the budget representing a reduction of £3.7 million over the following three years;
- the Council had been awarded a further £2.490 million in New Homes Bonus (NHB) taking the total earned to over £25 million and had generated £2.5 million more in Business Rates Growth than the Government believed was needed to provide vital services in Exeter. However, the NHB was being withdrawn by the Government and the Business Rates Retention Scheme was being overhauled which would mean a loss in financial benefits from 2021/22 onwards;
- a key goal was managing the climate emergency and delivering a carbon neutral Exeter by 2030. Over 23 energy savings projects had been delivered including the Water Lane Smart Grid and Storage Project supporting

- electrification of the Council's operational fleet with battery storage located at the Livestock Centre, Mary Arches Street and John Lewis Car Park;
- a significant reduction in the Council's base load energy consumption had been achieved with carbon emissions cut by 29%, energy consumption dropped by 37% and a 34% reduction in the carbon emissions of the Council's fleet after the introduction of electric vehicles and pool cars;
 - following an extensive community engagement process, an Exeter Grants Programme had been launched with an annual budget of around £1 million;
 - significant progress had been made with Wellbeing Exeter with the Exeter Live Better and Move More Physical Activity Strategy launched in July 2019 and linked to work with Sport England who had provided £2,435,408 to date;
 - the Liveable Exeter (Garden City) Programme aimed to deliver 12,000 new homes and neighbourhoods for the city and its residents, while also supporting the need for a more sustainable and active city to assist in meeting the Council's aspirations to make Exeter a carbon neutral city by 2030;
 - there were plans for the development of a Community Sports Village at the Exeter Arena and work was being undertaken with Wonford residents and health care providers and other stakeholders to create a new health and wellbeing centre;
 - the St Sidwell's Point Swimming Pool and Leisure Centre and Bus Station were progressing well;
 - significant progress had been made in the Housing Revenue Account (HRA) development programme during 2019 and a firm delivery schedule of 100 properties established as part of a wider 500 programme;
 - the HRA medium term financial plan provided for a capital investment of £13.894 million for improvements to the Council's existing housing stock, and £13.895 million towards the provision of new council homes;
 - there were pioneering approaches for retrofit energy measures to existing properties. A pilot at Chestnut Avenue was delivering a retrofit Energiesprong solution to six properties with added benefits including a ground source heat pump heating system and photovoltaic roof panels with an ambition to deliver the entire Council housing stock to this standard by 2030;
 - an Extra Care Scheme was being constructed to provide 53 affordable homes for residents over 55 with care needs;
 - a revised Homelessness and Rough Sleeping Plan had been launched in September 2019;
 - Building Greater Exeter had the support of 30 project partners to reach some 30,000 people to provide the skills needed for the construction industry with a nationally recognised commitment to apprentices and the Council was set to submit a Local Industrial Strategy for Exeter;
 - a glass and food waste Kerbside Re-cycling scheme would be introduced in 2021 with newer, lower emission diesel vehicles along with more electric vehicles replacing the old fleet;
 - there had been continued investment in Culture, supporting the city's national portfolio organisations with £250,000 a year. UNESCO had awarded City of Literature Status and designated cultural compact status in recognition of the strength and importance of the arts in the city;
 - the Council's legal team had secured a landmark ruling at the Royal Courts of Justice regarding the rateable valuation of the RAMM. The case had decided the rateable value of RAMM at £1 from April 2015 bringing it down from the previous rateable value of £445,000. The Valuation Office had until 19 March to challenge the decision; and
 - the Exeter Festival 2020 would provide low cost and free entertainment with the work of the Red Coat volunteers acknowledged when awarded The Queen's Award for Voluntary Service.

It was proposed to set a District Council tax of £160.05 for a Band D property, an increase of £5 a year for this Band, less than 10p a week. By comparison the Devon County Council precept would rise by £55.17 (£1.06 a week), the Devon and Cornwall Police by £9.36 a year (18 pence a week) and the Devon and Somerset Fire and Rescue Service by £1.72 (3 pence a week). Therefore the Band D Council Tax would be split as follows:-

Devon County Council	£1,439.46
Devon and Cornwall Police	£ 221.64
Devon and Somerset Fire	£ 88.24
Exeter City Council	£ 160.05
 Making a total bill of	 £1,909.39

The Leader commended the budget and the recommendations set out in the papers in terms of the approval of both the revenue estimates and capital programme for the year 2020/21 and which would result in Exeter City Council setting the fourth lowest council tax in the country.

The Leader's Exeter Budget statement can be found here:-
<https://app.box.com/s/btfu0p64xb24eo2u1lakw0xmgmjuppig>

Councillor Sutton seconded the proposal.

Amendment to the budget by the Progressive Group

In accordance with Standing Order 10(7) Councillor D. Moore moved and Councillor M. Mitchell seconded the following amendment to the budget:-

Budget proposal 1) Creation of a Planning Officer: Planning Enforcement Officer.

Reason for proposal: Enforcement planning and landscaping conditions to protect the city's built and natural environment.

- One off capital cost: Nil;
- Income source: N/A;
- Ongoing revenue cost: £33,598; and
- Income source: Grade G officer including on costs taken from NHB underspend.

Budget proposal 2) Re-open three city toilets in key shopping areas. Musgrave Row, Heavitree Fore Street and Cowick Street, St Thomas.

Reason for proposal: Protect city centre economy and tourism, address problems identified in Equalities Impact Statement of March 2019 on closure and reduce anti-social behaviour in shopping areas.

- One off capital cost: £285,000;
- Income source: Communications and Tourism budget - delete consultant's £5,000 for one year, remainder from unallocated Community Infrastructure Levy funds;
- Ongoing revenue cost: £53,487; and
- Income source: Re-instate Thursday car parking charges plus rises plus inflation providing ongoing revenue in following years. Delete food for Democratic representation (meetings) £2,000. Remainder from NHB underspend.

Budget proposal 3): Creation of Climate Change Transformation Officer and creation of a standing Climate Change Committee.

Reason for proposal: To co-ordinate rapid transformation across all Council policy and activities and partnerships to ensure rapid and consistent delivery of the carbon neutral 2030 plan. To secure external investment and develop income generation to continue this from Year 3. To ensure democratic involvement and scrutiny of the Council's aim to be carbon neutral by 2030.

- One off capital cost: Nil;
- Income source: N/A;
- Ongoing revenue cost: £53,975; and
- Income source: Delete budget line ref M314 (£107,950) funding for reserves and reallocate funds to 2020/21 and 2021/22 (from reserves) and thereafter posts continue if funded from external investment for three further years (Exeter City Futures receipt of lottery funds and the bid for £500,000 in Exeter's Industrial Strategy). Oversee budget line T102 to be retained in year 1 2020/21. Climate Change Committee administration costs covered by existing Democratic Services structure. Chaired by Relevant Portfolio Holder and Deputy Chair to be Leader of the Opposition so no additional allowances required.

Councillor D. Moore spoke in support of the amendment, making the following points:-

- a planning enforcement officer would contribute to developers taking planning conditions more seriously;
- the re-opening of toilets would benefit communities by helping to support shopping, culture and tourism, therefore enhancing the local economy as well as benefitting the wider population, particularly the elderly and disabled;
- Network Rail should be asked to contribute to the re-opening of the Cowick Street toilets underneath the railway bridge;
- whilst the involvement of other organisations, including Exeter City Futures, in the challenges being faced as part of the Climate Emergency was welcome, the Council itself had a unique and pivotal role and that the establishment of a Climate Emergency Committee was necessary to effectively scrutinize initiatives being brought forward to ensure that the Council meets its goal of becoming carbon neutral by 2030; and
- the Council's approach to climate change should reflect the risks and priorities set out by the National Climate Change Committee.

A number of Members responded as follows to issues and concerns raised within the three elements of the amendment:-

- whilst supporting the sentiment behind the amendment, it was considered to be neither affordable nor sustainable;
- technical engineering difficulties prohibited the re-opening of the Cowick Street toilets and the Police had been supportive of their closure because of significant problems of anti-social behaviour and drug related issues. Working with the local community and Libraries Unlimited, the Council was exploring the potential of providing toilets in the St. Thomas Library for wider community use;
- alternative toilet provision was also available in Heavitree Park and alternative facilities adjacent to Musgrave Row include the Phoenix, RAMM and the Guildhall shopping centre;
- the City Council, for a number of years, had implemented solutions to address climate change but it was essential to work externally with partners through

Exeter City Futures to encourage all the City's major players to be as equally committed to the carbon neutral goal as the Council. Initiatives within the Sport England project also reflected carbon neutral goals as did the Kerbside Recycling scheme which included investment in electric and low emission vehicles;

- scrutinisation of climate change initiatives could also be effectively undertaken through the new Scrutiny Committees established following the governance review; and
- discussions could be progressed with planning case officers in respect of breaches such as advertisement controls.

Other Members raised the following points on the amendment:-

- welcomed many of the initiatives within the budget put forward by the Leader but emphasised that the proposed amendment had been fully costed and was the first time for a number of years that an alternative budget had been presented to Members;
- Article 4 Direction areas and the St. James Neighbourhood Plan area, both created to achieve greater control, also suffered from breaches in planning conditions;
- adequate toilet provision was necessary to support shopping districts and health and community safety hubs. Re-opening would help reduce problems of anti-social behaviour and also address Equality Impact Assessment issues. There was also an absence of public toilets across much of the north of Exeter;
- the Council should lead on climate change initiatives through the creation of a Climate Change Committee; and
- there was insufficient time to fully scrutinise the budget papers following publication which should therefore be made available earlier in future.

A number of Members welcomed and commended the budget proposals as an ambitious and balanced approach to the serious challenges faced by the Council, referring to some of the many achievements. The following points were referred to:-

- the City Council is the city's leader in tackling climate change with some 23 initiatives already introduced, but the challenge was one everyone had to face;
- the Council embraces the partnership approach in, for example, the cultural, education and business fields and, notably, had recently been recognised by UNESCO as a City of Literature;
- the budget was a positive response to many years of austerity which had contributed to the current housing crisis and homelessness. The Council had retained its own housing stock with an ambitious house building programme through the delivery of 100 properties as part of the wider 500 programme. They would be delivered to Passivhaus standard and there was a retrofit Energiesprong solution to six properties as a response to climate change, and to help address problems of fuel poverty;
- the Council had retained public open space at both Clifton Hill and Bull Meadow Park and, as part of its commitment to a green agenda, was working proactively with the Devon Wildlife Trust to further improve the Valley Parks including linking the Northbrook Approach Golf Course to the Riverside Valley Park and sought to increase tree coverage in the city from 24.5% to 30%; and
- secured the waste collection contract for the University campus.

The Opposition Leader also welcomed the budget, referring to a good settlement by the Government and to the extra resources the Government had made available. Whilst acknowledging the uncertainty in respect of the NHB, he referred to the Government's commitment to supporting improved service provision going forward.

In exercising her right of reply, Councillor D. Moore:-

- referred to reductions in the open space, grounds maintenance, children's play areas, estate management, canal and allotments budgets;
- asked for care to be taken on ensuring funding investments with banking institutions reflected the Council's Climate Change agenda;
- urged the re-opening of toilets as a means of combating anti-social behaviour particularly around areas where the public engaged in leisure and cultural activities; and
- re-iterated the need for a Climate Change Committee and sought clarification on the policy framework required to enable partners to deliver this agenda.

In conclusion, the Leader:-

- emphasised his desire to maintain a collaborative approach, which was recognised by partner agencies, in delivering the Council's agenda and that he was available to discuss issues of concern raised by Members and would discuss these with the relevant Portfolio Holders;
- reminded Members that a briefing had been arranged on the Council's budget proposals;
- referred to the extensive consultation process undertaken in the review of the grants process, detailing the grants made to date in the various categories and stating that it would be inappropriate to cut the community grants budget; and
- affirmed that the Council was recognised as a low spend and efficient authority that had responded effectively to the Public Works Loan Board changed interest rate.

The Leader commended the budget to Council.

In accordance with Standing Order 30, a named vote on the amendment was recorded, as follows:-

Voting for:-

Councillors K. Mitchell, M. Mitchell and D. Moore

(3 Members)

Voting against:-

Councillors Atkinson, Begley, Bialyk, Branston, Foale, Ghusain, Hannaford, Harvey, Henson, D. Deputy Lord Mayor, Leadbetter, Lyons, Martin, Morse, Newby, Oliver, Packham, Pattison, Pearson, Sheldon, Sills, Sparkes, Sutton, Vizard, Wardle, Warwick, Williams, Wood and Wright.

(29 Members)

Abstain:-

The Lord Mayor

(1 Member)

Absent:-

Councillors Buswell, Foggin, Lamb, J. Moore, Owen and Quance

(6 Members)

The vote was lost and the amendment fell.

In accordance with Standing Order 30, a named vote on the Resolution as set out in the agenda papers was recorded, as follows:-

Voting for:-

Councillors Atkinson, Begley, Bialyk, Branston, Foale, Ghusain, Hannaford, Harvey, Henson, D. Deputy Lord Mayor, Leadbetter, Lyons, Martin, Morse, Newby, Oliver, Packham, Pattison, Pearson, Sheldon, Sills, Sparkes, Sutton, Vizard, Wardle, Warwick, Williams, Wood and Wright.

(29 Members)

Voting against:-

Councillors K. Mitchell, M. Mitchell and D. Moore

(3 Members)

Abstain:-

The Lord Mayor

(1 Member)

Absent:-

Councillors Buswell, Foggin, Lamb, J. Moore, Owen and Quance

(6 Members)

The Resolution was carried:-

RESOLVED:-

- (1) That the following, as submitted in the Estimates Book, be approved:-
 - (a) the Revenue estimates for 2020-2021;
 - (b) the Capital programme for 2020-2021;
 - (c) the Treasury Management Strategy for 2020-2021
 - (d) the Prudential indicators for 2020-2021 (incorporating the Minimum Revenue Provision Statement
 - (e) the Capital Strategy for 2020-2021
- (2) that it be noted that, at the meeting of the Executive on the 14 January 2020, the Council calculated the figure of 37,348, as its council tax base for the year 2020-2021 in accordance with the Local Authorities (Calculation of Council

Tax Base) (England) Regulations 2012 made under Section 33(5) of the Local Government Finance Act 1992;

(3) that the following amounts be now calculated by the Council for the year 2020-2021 in accordance with Sections 31A of the Local Government and Finance Act 1992:-

- (a) £113,195,600 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2)(a) to (f) of the Act;
- (b) £107,218,053 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act;
- (c) £5,977,547 being the amount by which the aggregate at (3)(a) above exceeds the aggregate at (3)(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year;
- (d) £160.05 being the amount at (3) (c) above divided by the amount at (2) above, calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its council tax for the year;

(e) Valuation Bands

A	B	C	D
£106.70	£124.48	£142.27	£160.05
E	F	G	H
£195.62	£231.18	£266.75	£320.10

Being the amount given by multiplying the amount at (3)(d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

(4) That it will be noted that, for the year 2020-2021, Devon County Council, the Office of the Police and Crime Commissioner for Devon and Cornwall and the Devon and Somerset Fire and Rescue Authority have stated the following amounts on precepts issued to the Council, in accordance with Section 83 of the Local Government Act 2003, for each of the categories of the dwellings shown below:-

Devon County Council

A	B	C	D
£875.82	£1,021.79	£1,167.76	£1,313.73
E	F	G	H
£1,605.67	£1,897.61	£2,189.55	£2,627.46

Devon County Council - Adult Social Care

A	B	C	D
£83.82	£97.79	£111.76	£125.73
E	F	G	H
£153.67	£181.61	£209.55	£251.46

Office of the Police and Crime Commissioner for Devon and Cornwall

A	B	C	D
£147.76	£172.39	£197.01	£221.64
E	F	G	H
£270.89	£320.15	£369.40	£443.28

Devon and Somerset Fire and Rescue Authority
Valuation Bands

A	B	C	D
£58.83	£68.63	£78.44	£88.24
E	F	G	H
£107.85	£127.46	£147.07	£176.48

- (5) That, having calculated the aggregate in each case of the amounts at (3)(e) and (4) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby set the following amounts as the amounts of council tax for the year 2020-2021 for each of the categories of dwellings shown below:-

Valuation Bands

A	B	C	D
£1,272.93	£1,485.08	£1,697.24	£1,909.39
E	F	G	H
£2,333.70	£2,758.01	£3,182.32	£3,818.78

(The meeting commenced at 6.00 pm and closed at 8.31 pm)

Chair

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COUNCIL

Tuesday 25 February 2020

Present:-

The Right Worshipful the Lord Mayor Councillor Peter Holland (Lord Mayor)
Councillor Mrs Yolonda Henson (Deputy Lord Mayor)
Councillors Begley, Bialyk, Branston, Foale, Ghusain, Hannaford, Harvey, Henson, D, Leadbetter, Lyons, Martin, Mitchell, K, Mitchell, M, Moore, D, Morse, Newby, Oliver, Packham, Pattison, Pearson, Sheldon, Sills, Sparkes, Sutton, Vizard, Wardle, Warwick, Williams and Wood

1

MINUTES

The minutes of the Ordinary Meeting of the Council held on 17 December 2019 and the Extraordinary Meeting held on 21 January 2020 were moved by Councillor Bialyk, the Leader, seconded by Councillor Sutton, the Deputy Leader, taken as read, approved and signed as correct.

2

APOLOGIES

Apologies for absence was received from Councillors Buswell, Foggin, Moore J., Owen and Quance.

3

OFFICIAL COMMUNICATIONS

The Lord Mayor congratulated the following:-

- Councillor Alys Martin, nee Quance, on her recent marriage, the wedding having taken place at the Guildhall;
- Councillor Bob Foale on his selection to represent Southern England in Over 60's Walking Football and being one of 20 players selected to attend all England trials in Birmingham for the forthcoming European Championship Finals in July; and
- Exeter, for being awarded "City of Apprenticeships" status, awarded by the City and Guilds Group following a report produced by the Centre for Cities for the city's exceptional recruitment of apprentices. Exeter had the highest rate of apprenticeship starts, almost ten times higher than the poorer performing cities studied and offered over 150 different apprenticeships, The Council itself had 21 apprentices in a wide variety of roles.

4

PUBLIC QUESTIONS

There was one question from Mrs. C Thompson to Councillor Bialyk, Leader.

The Summary and Explanations and The Exeter Conventions (items of the Constitution noted on the website) state a member from each political group shall be allocated a seat on the Executive; therefore does the existing Executive breach the Constitution.

Response

The Leader thanked Mrs Thompson for the question and confirmed that the copy of the constitution and conventions had been amended by Council at its meeting on 15 October 2019, following a review of the governance arrangements of the Council. Unfortunately, the copy of the constitution on-line had not yet been updated to reflect these changes and he had asked that this be done as a matter of urgency.

One of the issues agreed by Council in October, had been the removal of the Convention which previously allocated a seat on the Executive to each opposition group on the Council. This had been agreed with cross party support.

He therefore assured Mrs Thompson that all decisions taken by the Executive continued to be valid.

5

PLANNING COMMITTEE - 6 JANUARY 2020

The minutes of the Planning Committee of 6 January 2020 were presented by the Chair, Councillor Lyons, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 6 January 2020 be received.

6

PLANNING COMMITTEE - 13 JANUARY 2020

The minutes of the Planning Committee of 13 January 2020 were presented by the Chair, Councillor Lyons, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 13 January 2020 be received.

7

PLANNING COMMITTEE - 10 FEBRUARY 2020

The minutes of the Planning Committee of 10 February 2020 were presented by the Chair, Councillor Lyons, and taken as read.

In respect of **Minute No. 18 (Planning Application No. 19/0962/FUL – Land off Pulling Road, Pinhoe, Exeter)** and in response to a query from a Member, the Leader advised that the Council would be reviewing the amount of CIL contributions sought from developers. He added that a review of the CIL process was being undertaken as part of the consultation process in bringing forward the Greater Exeter Strategic Plan and that this process would reflect the City Council's goal of becoming carbon neutral by 2030.

RESOLVED that the minutes of the Planning Committee held on 10 February 2020 be received.

8

LICENSING COMMITTEE - 4 FEBRUARY 2020

In the absence of the Chair and the Deputy Chair of the Committee, the minutes of the Licensing Committee of 4 February 2020 were presented by Councillor Vizard and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 4 February 2020 be received and, where appropriate, adopted.

9

STRATEGIC SCRUTINY COMMITTEE - 16 JANUARY 2020

The minutes of the Strategic Scrutiny Committee of 16 January 2020 were presented by the Chair, Councillor Sills and taken as read.

RESOLVED that the minutes of the Strategic Scrutiny Committee held on 16 January 2020 be received.

10

CUSTOMER FOCUS SCRUTINY COMMITTEE - 6 FEBRUARY 2020

The minutes of the Customer Focus Scrutiny Committee of 6 February 2020 were presented by the Chair, Councillor Vizard and taken as read.

RESOLVED that the minutes of the Customer Focus Scrutiny Committee held on 6 February 2020 be received.

11

AUDIT AND GOVERNANCE COMMITTEE - 28 JANUARY 2020

The minutes of the Audit and Governance Committee of 28 January 2020 were presented by the Chair, Councillor Wardle, and taken as read.

RESOLVED that the minutes of the Audit and Governance Committee held on 28 January 2020 be received and, where appropriate, adopted.

12

EXECUTIVE - 11 FEBRUARY 2020

The minutes of the Executive of the 11 February 2020 (with the exception of minute numbers 21, 22, 23 and 24 which had been considered at the Extraordinary Council meeting immediately preceding this meeting) were presented by the Leader, Councillor Bialyk and taken as read.

In respect of **Minute No. 20 (Public Spaces Protection Order Renewal)**, and in response to a query from a Member regarding the intended summit to be held on issues around the Order, the Portfolio Holder for Supporting People stated that there were no details yet available for the summit and who would be included. However, charities representing the homeless would be invited to the summit, along with a host of other partners and organisations to tackle the overall issue of anti-social behaviour. She emphasised that the issue of anti-social behaviour was a society wide matter and not associated with any particular cohort of people.

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

In respect of **Minute No. 25 (Annual Pay Policy Statement 2020/21)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried unanimously.

In respect of **Minute No. 26 (Gender Pay Gap Report)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried unanimously.

In respect of **Minute No. 29 (Business Case for the Review of Staff Structure in Housing Tenancy Services)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried unanimously.

RESOLVED that the minutes of the Executive held on 11 February 2020 be received, and where appropriate, adopted.

13 **QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER NO. 8**

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

Question

Can our Devon and Cornwall Police and Crime Panel member please brief Council on the recent decision to cut the number of Police Community Support Officers (PCSO's) in Devon and Cornwall?

The Deputy Leader reported that, at the recent Panel Budget setting meeting, there had been considerable cross-party disquiet regarding the cut in numbers of PCSO's across Devon and Cornwall and the Isles of Scilly. She also stated that the proposal had been put forward by the Police and Crime Commissioner whilst, at the same time, seeking additional funding from Central Government to help provide additional support to the Devon and Cornwall Police during the summer months when the region's population increased because of the influx of tourists.

Despite a majority of those present at the Police and Crime Panel meeting opposing the proposal, it had been carried due to the particular rules governing the operation of Police and Crime Panels.

Councillor Hannaford asked a supplementary question as to whether there would be an opportunity in the future to overturn decisions taken in this manner.

The Deputy Leader stated that this would necessitate a change in the national Governance arrangements of Panels.

Question

Do we have any indication how many we will lose in Exeter and in which areas?

The Deputy Leader reported that she had no indication of the numbers as this was an operational matter for the Chief Constable. She had reported at the Panel meeting the significant effect the reduction in numbers would have in Exeter where the work and commitment of the Support Officers was highly valued.

Councillor Hannaford asked a supplementary question as to whether there would be consultation locally by the Force on the reduced numbers and that, if so, this should take into account crime figures in areas.

The Deputy Leader agreed that a consultation process should be undertaken.

In accordance with Standing Order No. 8, the following question was put by Councillor D. Moore to the Leader.

Of the 17 actions in Exeter's Air Quality Management Plan, how confident is the Leader that this plan complies with the judgement from the 2016 Client Earth legal challenge. The judgement spelled out that air quality action plans should:

- 1. Show exactly how limit values can be met,*
- 2. Take the route that reduces people's exposure as quickly as possible,*

3. Ensure that compliance is not just 'possible', but 'likely'.

The Portfolio Holder for Equalities, Diversity and Communities responded that the Council's Air Quality Action Plan has been appraised by Department for Environment, Food and Rural Affairs following significant local and statutory consultation. The action plan provides a solid basis for developing effective measures to address exceedances, with measures to tackle congestion and accessibility being profiled within the plan.

However, delivery of the plan was dependent on the actions of a range of organisations including the Transport Authority and, ultimately, the individual choices residents and visitors take. This was why the Council was supporting the work of Exeter City Futures in bringing stakeholders together to design a road map for the Council's ambitions for a carbon neutral city by 2030. As shared priorities emerge through this process, the Air Quality Action Plan might require a review.

The Portfolio Holder also welcomed the recent Government proposal to ban the burning of polluting fuels including wood and coal in domestic burners, which would further contribute to cleaner air quality.

Councillor D. Moore asked a supplementary question regarding the seven air quality monitoring points shown on the Council's website and the requirement to update the website information in respect of targets and breaches. She further requested that a review of the Air Quality Action Plan be brought to the relevant Scrutiny Committee.

The Leader explained, that although the questions raised were not supplementary questions based on the response given, he would ensure responses would be provided.

(The meeting commenced at 8.45 pm and closed at 9.20 pm)

Chair

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AUDIT AND GOVERNANCE COMMITTEE

Wednesday 11 March 2020

Present:-

Councillor Wardle (Chair)

Councillors Atkinson, Foggin, Hannaford, Henson, D, Mrs Henson, Mitchell, M, Pattison, Sheldon and Warwick

Also Present

Chief Finance Officer, Audit Manager (HP) and Democratic Services Officer

7

MINUTES

The minutes of the meeting held on 28 January 2020 were taken as read, approved and signed by the Chair as correct.

8

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interests were made.

9

EXTERNAL AUDIT PLAN 2019/20

Steve Johnson, Audit Manager of Grant Thornton (GT), presented the External Audit Plan for the year ending 31 March 2020, which detailed an overview of the planned scope of the statutory audit and the significant risks that had been identified such as the valuation of land and buildings; valuation of pension fund liability and management override of controls. He also referred to this year's extended audit, which he anticipated would be concluded in the summer and the indicative fees for the financial statements audit of £54,523 on the assumption that the figure could increase following additional audit work. This would be agreed by the Chief Finance Officer and the Audit and Governance Committee.

The Audit Manager (GT) commented on the following:-

- robust contribution made by the Council's finance team and governance of the Council's income which had been set at a medium risk;
- consideration of areas in the accounts which were subject to estimation, judgement and manipulation around journals;
- the Authority's fund net liability which was recognised as an area of great focus for the audit; and
- the potential impact of implementing IFRS16 in relation to the accounting of leases in the accounts.

In response to questions from Members, the Audit Manager (GT) and Chief Finance Officer explained:-

- that despite the assumption that the Pension Fund was robust, Grant Thornton were obliged to carry out an actuarial valuation as external auditors for the City Council, as liability changed from year to year, and rigorous checks on the valuation and liability were needed.
- an external audit by Frances Clark as well as the necessary controls and governance were in place for the Exeter City Living Group. The Group had

been set up as private company and Council had approved the Group's Business Plan. The accounts had been audited to FRS/02 standard and approved by the Group's Board of Directors and presented to their stakeholders. The accounts were available to Members if requested.

- the revalue of the Authority's land and buildings was part of a five yearly rolling programme, and represented a significant estimate by management due to the size of numbers and therefore risk but the value for money assurances were monitored.

The Audit and Governance Committee noted the External Audit Plan for the year ending 31 March 2020.

10

ANNUAL AUDIT LETTER 2019/20

The Audit Manager (GT) presented the Annual External Audit Letter 2019/20. He discussed their work which included highlighting the financial statements, the value for money conclusion and certification of claims and returns. He provided a summary of the Annual Audit Letter which was a statutory requirement and outlined the audit work that had taken place between November and February. Grant Thornton proposed to issue a detailed audit plan for completion by July 2020. It was acknowledged that the timescale for completion of the work would be a challenge, but Grant Thornton would continue to communicate their progress with the Audit and Governance Committee.

Following the presentation and sign off of the accounts in January, the only outstanding work was the issue of the Certification Notice. Work on an objection in respect of the Pinhoe Community Hub, reported at the last meeting would be concluded by colleagues David Bray and Peter Barber as soon as possible. In response to a Member's question, Grant Thornton would have up to eight months to conclude the enquiry.

The Audit and Governance Committee noted the External Audit Letter 2019/20.

11

AUDIT PROGRESS REPORT AND SECTOR UPDATE

The Audit Manager (GT), presented the Audit progress report and sector update, which provided Members with details of the external auditor's work that had been undertaken as at February 2020. Planning work for the 2019/20 financial statements audit had commenced, and a detailed audit plan outlining the approach had been provided as a separate agenda item. The reporting of the value for money conclusion and the statutory deadline for the issue of the 2019/20 opinion was 31 July 2020. The 2019/20 audit deliverables and the planned committee dates for the work to be presented to the Members were provided. The findings of the interim audit work, conclusions and recommendations were explained, with no significant impact to the final statement. The regular programme report and the level of testing as set out in the report in respect of certification of claims and returns had a good outcome, and the Audit Manager (GT) anticipated being able to sign off the audit within the planned timescale.

Following a discussion, the Chief Finance Officer responded to a Member's comments on the Redmond Review and conclusions, and agreed a future agenda item for Members to discuss. The City Council had made a submission and it was anticipated that some information might be forthcoming by early summer. The Audit Manager (GT) referred to the Audit Letter accompanying the report and summarised the planned fee, which had been set as £44,573 by the Public Sector Audit Appointments Ltd (PSAA) but there were a number of areas where the scope of the

audit had changed, which had led to additional work and an additional sum of £6,950 was detailed in the report.

The Audit and Governance Committee noted the Progress Report and Sector Update, including the detail of the circulated Fee Letter and a report detailing any implications for the City Council from the Redmond Review would be made to a future meeting of this Committee.

12

ANNUAL INTERNAL AUDIT PLAN 2020/21

The Audit Manager (HP) presented the annual Internal Audit Plan report for 2020/21, which required Member approval. She highlighted the proposed areas of work, which met the terms of reference of the Audit and Governance Committee and the Internal Audit Charter. The report also provided an assurance that appropriate risk analysis had been used whilst formulating the plan, with feedback received from the Strategic Management Board about their priorities and any specific concerns they might have, as well as feedback for the Chair and Deputy Chair of the Audit and Governance Committee. A copy of the detailed plan was attached as an appendix to the report.

The Audit Manager reported the detail of an external assessment, with the external assessor concluding that "Exeter City Council Internal Audit Team generally conformed to the Public Sector Internal Audit Standards, including the *Definition of Internal Auditing*, the *Code of Ethics* and the *Standards*." She advised that the wording "generally conforms" was the top rating possible and meant that the Internal Audit Service had a charter, policies and processes that were judged to be in conformance to the Standards.

The Audit Manager (HP) and the Chief Finance Officer responded to Members' questions -

- the high risk rating of the human resources aspect of the authority was not a reflection of performance.
- Audit worked well with an assessment of the system risk for individual services, consulting Directors to identify any areas of concern, and discuss solutions as part of a holistic approach.
- in terms of people management across the Council, staff turnover, morale and impact on the work was an annual audit consideration.
- the suggestion that climate change should be included in the plan had already been highlighted as an area of future work, and the inclusion of this would be discussed with the Council's Senior Management Board.

RESOLVED that the Audit and Governance Committee approve the annual Internal Audit Plan for 2020/21.

13

INTERNAL AUDIT PROGRESS REPORT- 3RD QUARTER- 1 OCTOBER TO 31 DECEMBER 2019

The Audit Manager (HP) presented the report on the internal audit work carried out during the period 1st October to 31st December 2019, and advised on the overall progress against the Audit Plan. There had been a small impact to deliver the full plan and a number of changes were made and outlined in the report. This included a reduction in the number of audit productive days as staff had attended workshops to support the implementation of the Agile and Flexible Working project. There had been no significant governance issues identified for 2018/19, but measures to improve governance arrangements had been proposed and the implementation of the measures would be monitored. A summary of progress against the Annual Audit

Plan 2019/20 was included at Appendix A, and an action plan of the governance issues identified had been included at Appendix B,

In response to a Member's question, the Audit Manager (HP) and Chief Finance Officer commented on the delays in the delivery of the contract management training plan which would be followed up with the Corporate Procurement Lead.

The Audit and Governance Committee noted the Internal Audit Report for the third quarter of the year 2019/20.

14

CODE OF CORPORATE GOVERNANCE 2020/21

The Chief Finance Officer presented the report which set out an overview of the proposed Code of Corporate Governance 2020/21, which provided the updated principles of Delivering Good Governance in Local Government (CIPFA/Solace 2016). The Code was reviewed annually by the Section 151 Officer and supported by the Executive Support Unit and he was pleased to report there were no significant changes to the Code this year. He responded to Members' comments on the setting up of the Council's procurement team, which had been a notable success. They worked within a very rigorous framework and had been particularly challenged with over 88 different Council projects over a variety of Council areas. He would ensure that the approved version of the Code was included on the Council's web site.

RECOMMENDED that the Audit and Governance Committee support and Council approve the Code of Corporate Governance for 2020/21.

15

REVIEW AND UPDATE OF WHISTLEBLOWING POLICY

The Audit Manager (HP) presented a report which proposed a revision of the Council's Whistleblowing Policy which needed to be reviewed to ensure that it remained up to date and fit for purpose. The updated Whistleblowing Policy was attached as an appendix dated 2020/21.

The Audit Manager and Chief Finance Officer responded to comments:-

- the policy demonstrated that employees were able to seek support from the policy, and there was an appreciation of the sensitivity around any cases and, although the public concern at work guidance had previously been sent to managers she would circulate again.
- the Whistleblowing Policy had been used, and the Council believed in the policy as a protection of staff, with any concerns noted at an early stage.
- the role of the Audit and Governance Committee was to review the policy rather than that of monitoring.
- the template for the policy was a framework offered by Public Concern at Work, which was part of a charitable body which offered free, confidential advice.

Members discussed the protection offered by the policy and inclusion of Elected Members who, in the policy, were seen as an employee. The Audit Manager suggested that the designation of Members was seen as being in the spirit of the policy. She also sought to reassure Members that any particular concerns would be discussed with the Council's Strategic Management Board.

RECOMMENDED that Council be requested to approve the revised Whistle Blowing Policy dated 2020/21, which was attached to the circulated report, and the Constitution amended accordingly.

CORPORATE RISK REGISTER

The Chief Finance Officer presented the Council's risk management process and the updated Corporate Risk Register, which identified 12 corporate risks which were regularly reviewed. The Audit and Governance Committee was responsible for monitoring and reviewing the Council's risks. The Risk Register included the status of new and current risks during the last quarter, which included an identified risk in relation to leadership capacity. Exeter City Council was an ambitious Council which carried out a wide range of services and offered over and above that of other similar Councils. Climate change had also been emerging as a significant challenge for all.

One new inclusion was that of the emerging Coronavirus 19 pandemic and urgent work was being undertaken, including meetings on a daily basis by the Council's Strategic Management Board and Service Leads. They have been discussing the best guidance from Public Health England and effect on services and staff which would be varied by the wide range of Council services. Officers had been updating the Council's Business Continuity Plan to ensure best delivery of services against what may occur in the next few weeks and months. Every effort would be made to keep services running as normal.

In response to questions from Members, the Chief Finance Officer responded that:-

- there was an acknowledgement that in the local economy there were significant risks and he referred to the example of the recent economic disruption with the closure of FlyBe and the impact on the 2,000 former employees;
- as outlined in the Budget, a policy decision was awaited in terms of the Government's reimbursement of business rates and reimbursed Section 31 payments.

The Audit and Governance Committee reviewed and noted the updated Corporate Risk Register and the Risk Management Policy.

(The meeting commenced at 5.30 pm and closed at 6.50 pm)

Chair

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EXECUTIVE

Tuesday 10 March 2020

Present:

Councillor Bialyk (Chair)
Councillors Sutton, Foale, Ghusain, Harvey, Morse, Williams, Wright and Wood

Also present:

Chief Executive & Growth Director, Chief Finance Officer, Waterways, Parking and Enforcement Service Manager, Skills & Business Manager and Democratic Services Officer (MD)

30

MINUTES

The minutes of the meeting held on 11 February 2020, were taken as read, approved and signed by the Chair as a correct record.

31

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

32

QUESTIONS FROM MEMBERS OF THE PUBLIC

No public questions were received.

33

SKILLS STRATEGY FOR EXETER

The Executive received the report on the skills strategy for Exeter, which had been developed following approval by the Executive in November 2018, supporting the delivery of the key objectives for the Council's Corporate Plan and Vision for Exeter. Members were referred to the report which outlined the priorities and noted that the strategy was evidence based to address the priorities and highlight where more work was required. It was important to ensure that people had the right skills for more highly qualified jobs and that the apprenticeships for young people provided the opportunity to attain important skills for the workplace.

Particular reference was made to Exeter being awarded the City of Apprenticeships status by City and Guilds, based on the Centre for Cities Report and the recognition of the partnership working that contributed to the success of Exeter. Other key priorities included the filling of the harder to fill jobs and the focus on the key employments sectors, as listed in the report.

During the discussion, the following points were raised:-

- Exeter College and the recent Exeter jobs fair were helping Flybe Apprentice's, to find alternative employment following the recent redundancies at Exeter Airport;
- Capturing the information for different types of learners was a challenge, but distance learning opportunities would be addressed;
- Members were proud of the investment in skills and opportunities for all residents and future generations;

- Self-employment figures had risen in Exeter, and work was being done to understand the type of work being undertaken by self-employed people;
- Members would be interested in seeing an increase in the student graduate retention rate for Exeter;
- The City Apprenticeships status had been awarded to Exeter by City and Guilds, which highlighted Exeter as one of six cities that had bucked the trend in apprenticeship starts following the introduction of the levy, which reflected the recognition of partnership working across the city to support residents achieve employment; and
- Specific thanks were given to the Skills & Business Manager for the work undertaken and the importance of the strategy.

RECOMMENDED that Council approve:-

- the Skills Strategy for Exeter; and
- the associated action plan to enable the Skills & Business Manager to proceed with the outlined work programme.

34

PORT MARINE SAFETY CODE - PATHWAY TO COMPLIANCE

The Executive received the report on the Port Marine Safety Code, which detailed the required changes that would help ensure Exeter City Council met the Marine Safety Code compliance standard.

Members were referred to the report which outlined the governance arrangements and legal framework required to obtain the compliance with the Port Marine Safety Code. Exeter City Council was responsible for looking after the waterways between the Mill on the Exe and Exmouth and the formation of a constituted Port Authority Harbour Board was a necessary step toward compliance.

Particular reference was made to the appointment of the Harbour Master in 2019, who had undertaken various engagement work with partners and users on the Exe Estuary and Canal. This had helped encourage East Devon District Council and Exmouth Town Council to contribute funds for a harbour patrol vessel. Once in place, one of the early challenges for the Harbour Board would be to explore the legal options to provide enforcement powers to help manage safety within the Port. During the discussion, it was noted that £1,800 would be earmarked from within existing Waterways budgets to meet any running expenses of the Harbour Board.

RECOMMENDED that Council approve:-

- (1) the amendment of the constitution to setup a politically balanced Harbour Board (Council Committee) comprising of six elected Members and six externally appointed members;
- (2) the Terms of Reference for the Harbour Board as follows:
 - (a) To maintain strategic oversight and direction of all aspects of the Harbour operation, including marine safety;
 - (b) To be responsible for the development of policies, plans, systems and procedure for safe navigation;
 - (c) To ensure that all assessments and reviews are undertaken as required to maintain and improve marine safety;
 - (d) to ensure that the harbour authority sees and adopts appropriate powers for the effective enforcement of their regulations, and for the setting of dues at a level which adequately funds the discharge of all their duties;

- (e) To appoint a Designated Person to provide independent assurance directly to the Duty Holder that the Marine Safety management system is working effectively; and
 - (f) To investigate the potential for applying for a Harbour Revision Order to empower the Council to take enforcement action on issues such as dangerous use of jet skis through Special Directions and to oversee a review of the Bye-Laws covering the Estuary; and
- (3) the expenditure of £25,000 on a Harbour Patrol vessel following the contributions from East Devon District Council (£15,000) and Exmouth Town Council (£10,000).

35

PARKING TARIFFS 2020

The Executive received the report which sought to increase the car parking tariffs from May 2020 and to make minor amendments to improve the regulation of Council car parks, whilst supporting the Council's goal of a carbon neutral Exeter by 2030. Members were referred to the report which highlighted the changes to the tariffs, which provided both an important income to the Council and was a means to reduce congestion in the city, without causing a detrimental impact on the city centre.

Particular reference was made to the inclusion of offering resident's with electric vehicles, free annual car parking permits to support the Council's carbon neutral goal and that the minimum stay duration had been changed to two hours to encourage users to stay longer. Specific mention was made to the overall increase to tariffs of 10p for all rates, compared to the previous year's tariffs. Members noted that the recommendations listed in the report were designed to deter the use of cars and encourage the use of public transport.

During the discussion, the following points were raised:-

- The parking tariff changes would support the Council's key objectives for lowering the carbon footprint and to continue to encourage residents and visitors to use other means of transport to travel into the city;
- The removal of the one hour parking fee would support the carbon neutral strategy by lowering the number of drivers who repeatedly parked multiple times throughout the day at the same location;
- There was a difficult balance between generating income for the Council and lowering the carbon footprint by reducing the number of cars;
- The number of electric vehicle charging points is being extended and would be free to use for owners of electric vehicles; and
- Each year, 3,800 tons of carbon was emitted which the Council was working to reduce.

RESOLVED that the following be approved:-

- (1) the Car Parking Places Order 2014 be amended as follows:-
 - (a) to make car park residential permits free for electric vehicles;
 - (b) to raise the minimum tariff in all car parks from 1 hour to 2 hours;
 - (c) to increase tariffs for stays between 2 hours and 7 hours in Premium, Zone 1 and Zone 2 car parks by 10p;
 - (d) to increase tariffs for all-day stays in Premium car parks by £3.00;

- (e) to increase tariffs in Zone 3 car parks by 50p (for 2 hour stays), £1.00 (for 3 hour stays), £1.50 (for 4 hour and all day stays) and by £5.00 for coaches (all day)
- (2) a requirement for all vehicles parking within Exeter City Council car parks to have a valid vehicle tax and MOT certificate; and
- (3) the inclusion of the access road into Haven Road 2 and 3 car parks within the Parking Places Order.

36

LORD MAYORALTY

The Leader proposed, and the Deputy Leader and Portfolio Holder for Portfolio Holder for Climate and Culture seconded, that Councillor Sheldon be nominated as Lord Mayor Elect for the 2020/21 Municipal Council year, and that Councillor Sills be nominated as the Deputy Lord Mayor Elect for the 2020/21 Municipal Year.

RECOMMENDED to Council that Councillor Sheldon be nominated as Lord Mayor Elect for the 2020/21 Municipal Year and that Councillor Sills be nominated as the Deputy Lord Mayor Elect for the 2020/21 Municipal Year.

(The meeting commenced at 5.30 pm and closed at 6.10 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 on 21 April 2020.

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, 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.

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SEATING IN THE GUILDHALL

Agenda Annex

		Deputy Lord Mayor Councillor Mrs Henson (C)	Chief Executive & Growth Director	Lord Mayor Councillor Holland (C)	Corporate Manager Democratic/Civic Support	City Solicitor	
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Democratic Services Officer				Director	Chief Finance Officer	Director
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Councillors	Councillors	Councillors		Councillors	Councillors
Warwick (L)	Foggin (L)	Bialyk (L)	TABLE	Leadbetter (C)	Mitchell, K.J. (LD)*
Oliver (L)	Hannaford (L)	Sutton (L)		Newby (C)	Mitchell, M.N.(LD)*
Vizard (L)	Sheldon(L)	Pearson (L)			
Atkinson (L)	Owen (L)	Morse (L)		Henson, D. (C)	Moore, D.F. (G)*
Pattison (L)	Packham (L)	Foale (L)			
Branston (L)	Sills (L)	Wright (L)		Sparkes, R. (C)	Moore, J.M. (I)*
Lyons (L)	Lamb (L)				

Cllr Quance, I (L)	Cllr Martin, A.A. (L)	Cllr Begley (L)	Cllr Buswell (L)	Cllr Harvey	Cllr Wood (L)	Cllr Ghusain (L)	Cllr Williams (L)	Cllr Wardle (L)
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L: Labour: 29
C: Conservative: 6
LD: Liberal Democrat: 2*
G: Green 1*
I: Independent 1*
 * Known as the
Progressive Group

Portfolio Holders

Bialyk: Leader,
 Sutton: Deputy Leader and Climate & Culture
 Morse: Supporting People
 Wright: Council Housing Development and Services
 Harvey: Environment and City Management
 Foale: City Development and Planning
 Pearson : Leisure and Physical Activity
 Ghusain : Equalities, Diversity and Communities
 Wood : Support Services and Procurement

