CUSTOMER FOCUS SCRUTINY COMMITTEE

Date: Thursday 1 July 2021
Time: 5.30 pm
Venue: Guildhall, High Street, Exeter

Members are invited to attend the above meeting.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Due to current social distancing restrictions brought about by the Corona Virus outbreak, this meeting is only open to members of the public who have registered to ask questions under Standing Order No. 19.

The live stream can be viewed here at the meeting start time via Facebook.

Membership -
Vizard (Chair), Mitchell, M (Deputy Chair), Allcock, Atkinson, Begley, Denning, Mrs Henson, Martin, A, Pearce, Quance, Sparkes, Sparling, Wardle and Warwick

Agenda

1 **Apologies**

2 **Minutes** (Pages 5 - 16)

To approve and sign the minutes of the Customer Focus Scrutiny Committee held on 1 April 2021.

3 **Declarations of Interest**

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

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

It is considered that the Committee would be unlikely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed:-

"RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the particular item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraph(s) of Part I of Schedule 12A of the Act."

5 **Questions from the public under Standing Order 19**

Details of questions should be notified to the Corporate Manager Democratic and Civic Support via the committee.services@exeter.gov.uk email by 10.00am at least three working days prior to the meeting. For this meeting any questions must be submitted by 10.00am on Monday 28 June 2021.

For details about how to speak at Committee, please click the following link - https://exeter.gov.uk/council-and-democracy/councillors-and-meetings/public-speaking-at-meetings/overview/

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

To receive questions from Members of the Council to the relevant Portfolio Holders for this Scrutiny Committee. The Portfolio Holders are:-

Councillor Harvey - Portfolio Holder for City Management
Councillor Ghusain - Portfolio Holder for Communities and Culture
Councillor Williams - Portfolio Holder for Supporting People
Councillor Wright - Portfolio Holder for Council Housing Development and Services

Advance questions from Members relating to the Portfolio Holders should be notified to the Corporate Manager Democratic and Civic Support.

7 **Spotlight Review - Consultation Charter** (Pages 17 - 30)

8 **Presentation on the Role of Scrutiny** (Pages 31 - 34)

The Corporate Manager Democratic and Civic Support will attend to make a presentation. The current terms of reference for this Scrutiny Committee are attached.

Date of Next Meeting

The next scheduled meeting of the Customer Focus Scrutiny Committee will be held on **Thursday 7 October 2021** at 5.30 pm.

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CUSTOMER FOCUS SCRUTINY COMMITTEE
(HELD AS A VIRTUAL MEETING)

1 April 2021

Present:

Councillor Matthew Vizard (Chair)
Councillors Mitchell, M, Foggin, Mrs Henson, Mitchell, K, Oliver, Quance, Sparkes, Wardle and Warwick

Apologies:

Councillor Martin

Also present:

Deputy Chief Executive, Director Net Zero Exeter & City Management, Active & Healthy People Programme Lead, Democratic Services Officer (HB) and Democratic Services Officer (SLS)

In attendance:

Councillor David Harvey	- Portfolio Holder for City Management
Councillor Amal Ghusain	- Portfolio Holder for Communities and Culture
Councillor Ruth Williams	- Portfolio Holder for Supporting People
Councillor Laura Wright	- Portfolio Holder for Council Housing Development and Services

7 **Minutes**

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 11 February 2021 were taken as read, approved as correct, for signing by the Chair at the earliest possible convenience.

8 **Declarations of Interest**

No declarations of interest were made by Members.

9 **Questions from the public under Standing Order 19**

No questions from members of the public were received.

10 **Questions from Members of the Council under Standing Order 20**

In accordance with Standing Order No 20 the following questions, which had been circulated in advance to Members of the Committee, had been submitted by Councillor D. Moore, Councillor Wardle and Councillor M. Mitchell respectively.

Questions from Non Committee Members

Councillor D. Moore - Please can the Portfolio Holder provide an update on the development of a community asset transfer policy and the process that will be followed to do so.

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Councillor Ghusain, the Portfolio Holder for Communities and Culture, gave the following response:-

A draft Community Asset Transfer policy was due to go out to consultation earlier this year. This has been postponed as we did not want to go out to consultation at the same time that the Green Spaces consultation was open as there may be some duplication. We will be taking the feedback from the green spaces consultation with plans to go out to consultation on the Community Asset Transfer in June/July. Reports will go to Executive in October.

Supplementary question and answer.

What will be the process of the consultation and will there be in depth work with community organisations and interested community groups or just an on line consultation?

The policy and questions are being drafted for inclusion via an on line consultation. In depth discussions will be of great value and it is proposed to consult the voluntary and community sector in this way through Exeter Connect.

Councillor D. Moore The High Court recently ruled that during the coronavirus crisis councils can legally provide accommodation to people sleeping rough who aren't usually eligible for accommodation because of their immigration status. Will the Portfolio Holder oversee an urgent review of past applications and current provision, working with other local agencies as required to ensure no-one have fallen through the net?

Councillor Williams, the Portfolio Holder for Supporting People, gave the following response:-

Housing Needs is not aware of a recent High Court ruling involving a specific or general case. If Councillor D. Moore could provide a reference/case info we will of course look into it.

The most recent advice including an amendment to normal homelessness legislative practice relating to homeless people with no recourse to public funds (NRPF) came in the form of the attached Ministry of Housing, Communities and Local Government (MHCLG) letter dated 24 June 2020. This notified all local housing authorities of the temporary suspension of derogation relating to European Economic Area (EEA) nationals seeking emergency housing in the UK. It basically stated that EEA NRPF nationals could be temporarily provided with accommodation for a period of up to 12 weeks maximum in any period between 24 June 2020 and 31 December 2020. After that date proposed new immigration rules would be implemented. To my knowledge these have not yet materialised.

As it was, this perceived relaxation in the application of eligibility for the NRPF cohort was actually restricted in practice. It prohibited the use of statutory funding or access to welfare benefits. So it actually only meant that the NRPF cohort were permitted access to temporary housing via private or voluntary sector routes only. The issue for the former was that rent could not be paid through housing benefit and statutory funding such as Rough Sleeping Initiative (RSI) grant money for example could not be used to cover the cost deficit. Therefore, it did not permit a viable access route into temporary housing for the NRPF cohort.

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Regardless of the above, the Housing Needs and local homelessness partners practice during lockdown periods has been to enable offers of temporary accommodation through local commercial providers to individuals with NRPF who have wanted emergency accommodation. This has been under the principle of aligning with law under lockdown and government guidance for risk and harm minimisation (sanctioned practice under Public Health England and MHCLG). The numbers in this cohort in the city are small and not all offers of accommodation have been accepted by the individuals. However subject to further ruling around immigration status this practice is anticipated to continue for the foreseeable short term. At this moment records from outreach and other local homelessness services are not identifying any verified rough sleepers with NRPF status who have not had an offer of temporary accommodation. Our records this week record three persons with NRPF status, two of whom have declined to engage to date and one who has been evicted from two local accommodations both as a result of serious anti-social behaviour.

Anyone suspected to be NRPF and not yet been in contact with the Council or other partner services should be encouraged to contact Housing Advice team on 01392 265726 housing.advice@exeter.gov.uk

Or if rough sleeping : via Outreach on 01392 284287

exeter-outreach@julianhouse.org.uk

Or via Streetlink www.streetlink.org.uk 0300 500 0914

Councillor D. Moore advised that the High Court reference number was:-

Ncube R (on the application of) v Brighton and Hove City Council [2021] EWHC 578 (Admin) Mr Justice Freedman

Questions from Committee Members

Councillor Wardle - Regarding the newly formed Exeter Harbour Board can the Portfolio Holder give details of future plans relating to encouraging use of the Exeter Ship Canal, River Exe and estuary for both boaters and wider leisure purposes?

In this regard it is very gratifying to note the recent cutting back of both trees along the Canal towpaths and weed in the Canal and the contribution this work makes to greater safe use of the canal.

Is it the intention to publish dates of meetings and minutes of the Harbour Board or what are the arrangements for transparency of decision making?

Councillor Harvey, the Portfolio Holder for City Management, praised the work of those Council staff who had continued their work in respect of the Canal and Waterways during the Pandemic and gave the following response:-

We continue to work with representative groups through the Exe Estuary Management Partnership, Port User Group and Canal User Group in our efforts to maintain the waterways as a safe and sustainable public asset. We encourage people to enjoy the water but need to be mindful of striking a balance across those many and diverse groups (e.g. anglers, kayaks, kite surfers, paddle-boarders, yachts and bird watchers) so as to avoid any one recreational activity becoming detrimental

to others. It is true to say that the Ship Canal could attract more visiting vessels which would in turn would offer financial benefits to both the Council and local trade around the basin and quayside areas. We are looking at improving both our facilities and marketing in order to attract additional boats.

The Harbour Board will be part of the Council's overall democratic function with agendas and minutes being published on our website similar to other Committees. The Harbour Board will report directly to the Council's Executive who will need to agree any recommendations that might require significant new expenditure.

Supplementary question and answer.

Is it the intention to restrict navigation on the Exeter Ship Canal, a valuable asset, dating back many centuries and which other Council's would be proud to have within their ownership?

Because of the significant costs involved and pressures on resources there are no proposals to restrict navigation. The Council however is committed to fulfilling its duty to keep the Canal and waterways safe and, following a comprehensive survey of associated assets, is undertaking a programme of repairs and renewals. Similarly, work had already been undertaken to strengthen Topsham Lock to ensure that the Canal is watertight, although there are no funds to return it to an operational lock.

Councillor M. Mitchell - What additional resources are the Council deploying to counter the massive increase in graffiti across the city following the cut back in the service during the last six months?

Councillor Harvey, the Portfolio Holder for City Management, gave the following response:-

The Graffiti Service re-started on Monday 15 March 2021 with the help of some additional government funding related to the reopening of our highstreets. With that extra funding we are currently running a five day a week service in our City and district centres. From today, 1 April 2021 we will be using more of the same fund, to add to our budget for this financial year and increase the service to seven days a week. We will keep that running for a few weeks to help clear the backlog.

Supplementary questions and answers.

When will the backlog be cleared and, in addition to online reporting by the public, do Council officers also report incidents?

Can the community be involved through the provision, on request, of cleaning materials?

Clearance is dependent on the size and scale of the graffiti as well as the ongoing nature of these incidents. The service has been extended to seven days a week to clear the backlog and, previously, a full active team has kept on top of the problem. Whilst utility cabinets can be easily cleaned, cleaning porous materials such as brickwork can prove time consuming. Staff, including the Parks and Green Spaces Team, regularly flag up areas of graffiti.

Staff are required to wear full protective clothing because of the dangerous nature of the cleaning materials. These chemicals are the associated equipment and are not really suitable for use by community groups. Some lower strength graffiti wipes are

available to use but these can only be used successfully on certain types and so their value is limited.

The Portfolio Holder referred to the valuable involvement of the public in clearing litter from parks etc., materials being made available via Belle Isle Nursery.

The Chair reminded Members that graffiti was one of the issues being considered by the Scrutiny Programme Board for a potential Task and Finish Group and asked for a steer on what particular aspect of the problem should be investigated.

Cllr M. Mitchell - Can the Portfolio Holder report on the current number of applicants on the council housing waiting list and indicate how this number has changed during the last 12 months?

Councillor Williams, the Portfolio Holder for Supporting People, gave the following response:-

Answer

The total number of households on the waiting list for Exeter is 2,772 as at 1 March 2021. This is 296 higher than the figure of 2,476 as at 3 March 2020.
Respective breakdown of waiting lists is provided below. Just over 200 of the additional demand is for 1-bed properties.

Active as at 01.03.2021

	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	7 Bed	**Total**
Band A	3	5	1	1				**10**
Band B	294	157	48	30	19	6	2	**556**
Band C	175	230	256	85	4	2		**752**
Band D	1222	151	40	13	5	1		**1432**
Band E	11	6	1	4				**22**
Total	1705	549	346	133	28	9	2	**2772**

Active as at 01.03.2020

	A	**B**	**C**	**D**	**E**	**Total**
1 Bed	2	238	164	1087	7	**1498**
2 Bed	1	130	198	153	2	**484**
3 Bed	1	66	225	50		**342**
4 Bed		30	79	14		**123**
5 Bed		16	5	2		**23**
6 Bed		2	2			**4**
7 Bed		2				**2**
Total	**4**	**484**	**673**	**1306**	**9**	**2476**

For added information purposes there were 401 lets to households on the waiting list in Exeter in the same 12 month period. The following table sets out the details of those lets.

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No. of bedrooms	Gen needs	Sheltered	Grand Total
1	122	37	159
2	163	3	166
3	64		64
4	12		12
Grand Total	361	40	401

Supplementary questions and answers.

Are there sufficient resources in the system to cope with a possible surge in demand for accommodation through failure to pay private and public sector rentals with associated evictions as a result of the Pandemic?

Are young people mixed with the over 55's in accommodation identified for the latter cohort?

What is the waiting time to move into the various bands of accommodation?

Government funding helped provide additional capacity primarily for rough sleepers and the Council has supplemented this by targeting the use of Section 106 monies to provide additional affordable housing, through its social housing building programme in the medium term and its work with partners to help those who approach the Council for assistance.

There is no policy to mix young people in over 55 designated housing.

Different sources are used to provide accommodation such as the private sector, especially for priority cases, but timescales vary depending on need and the type of accommodation available. Available data will be circulated to Members.

11 **Presentation on Wellbeing Exeter**

The Chair welcomed James Bogue, the Active and Healthy People Programme Lead to the meeting. In a detailed and informative presentation he set out the background to the creation of Wellbeing Exeter Partnership, the initial and expanded funding and involvement of a wide range of partners including national bodies and use of national best practice, the governance structure of the Partnership, the contributions made by key participants, notably 13 delivery partners, 17 GP practices, 26 Community Connectors, 12 Community Builders and 4 Community Physical Activity Organisers, the response to the Covid-19 Pandemic and the current position.

The full presentation has been circulated separately to all Members.

The following details were provided on the current position and to inform Members of a forthcoming review of Wellbeing Exeter:-

- the Exeter Community Wellbeing hotline and partnership remain open as part of business as usual;
- shielding formally ended on 31 March 2021 with planning underway to step up in the event of local outbreaks. Currently systems and data sharing agreements run until March 2022;

- Westbank Community Health and Care had withdrawn from the Partnership and their involvement ended on 31 March 2021;
- due to uncertainty regarding funding from the Devon County Council/Clinical Commissioning Group after March 2021, Age UK Exeter and Estuary League of Friends would no longer be part of the Partnership;
- the programme was being reviewed and redesigned with funders, stakeholders and delivery partners to ensure that within available resource, it could continue supporting individuals and communities to improve their health and wellbeing in the post-Covid landscape, focusing on those who have been most impacted by the pandemic;
- an interim March – June operational plan was in place to manage the exit of the three providers and ensure the continued delivery of the programme. The revised model would be rolled out from July onwards; and
- for the future a strong collaborative partnership was proposed involving nine delivery partners with a range of specialisms and reach across the city continues, including working with young people and families, community building and supporting individuals and communities to be more physically active.

The following questions on Wellbeing Exeter had been received prior to the meeting and these, together with the responses of the Portfolio Holder for Communities and Culture – Councillor Ghusain, are set out below.

Questions from Non Committee Members

Councillor D. Moore Please can the Portfolio Holder explain why the funding for Community Connectors was cut at short notice, and what relationship with GP's as part of the Exeter Wellbeing model is expected in future?

Councillor D. Moore thanked the Active and Healthy People Programme Lead for his presentation.

Answer

Delivery Contracts were terminated with three months' notice for Community Connectors as a result of uncertainty around future long term funding, the withdrawal of a key delivery partner (Westbank) and the impact of COVID. These factors led towards a decision made by the Wellbeing Exeter Steering Group to review the programme and develop a three year strategy with funding secured from key partners.

The relationship with GP's and the overarching four Primary Care Networks will continue with GP's being able to refer any patient requiring support to Community Connectors. There is a current contract with Primary Care Networks to deliver children, young people and family focussed referrals through the national Link Worker programme until 2022/23.

Supplementary question and answer.

Will the voluntary sector as well as participants and beneficiaries be involved in the review to help determine the future development of the programme?

The review is to be managed by the Devon Community Foundation on behalf of the partners, the two main strands of consultation being via Exeter Connect involving the voluntary and community sectors and with the Community Builders to obtain their valuable insights achieved during the months of the Pandemic.

It is the intention to fully engage with both community organisations and individuals through a broad range of conversations in the coming weeks to obtain views and insights to feed into the review. It is possible that, from the evidence gained, resources may be positioned in different areas.

Questions from Committee Members

Councillor M. Mitchell – What is the governance structure of Wellbeing Exeter? As a partnership body what are its lines of accountability? As a semi -public body are the meetings of any Executive body open to the public and are the minutes of the organisation publicly available?

Answer

Wellbeing Exeter is governed by a steering group consisting of senior officers from strategic funding partners, chaired by the Director at the City Council Terms of Reference can be circulated). The accountability lies with senior officers from the key funding partners represented on the steering group. The steering group is not currently open to the public and meeting minutes are shared to steering group members. A governance review is being conducted as part of the wider programme review to be delivered from 1 July 2021.

Supplementary question and answer.

Given the £1.3 million investment in the programme, can assurances be given that the programme going forward will be open and transparent?

Answer

A vital element of the review process will be determining the methodology for Member engagement in the Wellbeing Exeter programme and both the City Council and County Council Portfolio Holders will be fully involved in bringing forward the revised governance structure. One suggestion is for two Member briefing sessions annually.

Which body or bodies are responsible for the financial auditing of Wellbeing Exeter?

Answer

Exeter City Council is the accountable body for funding which is pooled from strategic partners. Devon Community Foundation and programme managers of Wellbeing Exeter, manage and report on the programme budget; a financial report including all income and expenditure is submitted quarterly and reviewed by the steering group. The financial auditing is undertaken by the Exeter City Council auditing team.

How is Wellbeing Exeter audited in regard to it operational targets and are those set by its funders?

Answer

Wellbeing Exeter is performance managed by steering group members (strategic funding partners) who receive a monthly dashboard of activities and quarterly reports.

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An annual report is prepared by Devon Community Foundation and submitted to steering group members.

Supplementary questions and answers.

What is the review timescale, are the reports publicly available and can an annual report be made to the City Council?

Answers

It is the intention to complete the review by July.

The reporting mechanisms include monthly dashboard data, quarterly reports to the steering group and an annual report produced by the Devon Community Foundation. Both elements of the dashboard data and an annual report have been included on the Wellbeing Exeter website where a wealth of information is available.

Transparency will be important and an annual report will be made to the City Council.

Is auditing by the City Council appropriate?

Answer

The City Council is only one of a number of partners, all of whom, through the Steering Group, maintain robust oversight of the programme. The accounts of the Devon Community Foundation, who manage the programme, are audited and the Foundation provides quarterly reports seen by the City Council as one of the partners. The City Council itself audits the programme's accounts and the Council's audit function is a long standing and respected function.

During the pandemic a vast number of individuals and groups came forward to assist those in need. Many were grant assisted. To what extent has this network being formalised or integrated into the work of Wellbeing Exeter?

Answer

We were very fortunate that so many local community response groups stepped forward to support people within their communities over the past 12 months. Regular contact was kept with the groups through our Exeter Community Wellbeing partner Exeter Connect. Many of these groups have now folded as the requests for support have lessened. We have sent a recent communication to the groups to ask if they intend to continue in any form. Exeter Connect will continue to keep contact with residents and groups who wish to continue to play an active role and offer development and capacity building as requested.

Supplementary question and answer.

What was the extent of the geographical coverage of the voluntary support?

There was excellent city-wide coverage, particularly by a wide range of bodies already operating across Exeter such as the Exeter Foodbank and the Exeter City Community Trust etc.

Every area benefitted from grass roots support to differing degrees. This support ranged from existing local community support groups and community associations

with more informal groups springing up such as neighbourhood, street and WhatsApp groups. It was clear that all groups providing greatly valued help and it was the intention to examine the potential of harnessing this voluntary support and incorporating it into future programmes.

The Portfolio Holder for Supporting People commended the work of the Community Builders and Community Connectors and other informal groups such as a group in Pennsylvania distributing medicines city wide. As a volunteer at the Beacon Centre she had also participated in the pairing up process of individuals with local volunteers and support groups.

The Chair thanked the Active and Healthy People Programme Lead for his presentation and the contribution of Members to the debate. He also asked that his thanks and those of the Committee be conveyed to the Community Connectors and Community Builders and all other community groups who had done so much during the Pandemic.

The Chair invited suggestions from Members on how the outcomes of the review should be progressed, welcoming a specific role for this Scrutiny Committee.

The Programme Lead stated that twice yearly briefings to all Members would be particularly valuable which was supported and the Chair invited Members to feed into the review process, in advance if possible, with comments and ideas to be sent on line to both himself and the Programme Lead.

Members welcomed this approach and noted that the results of the review would be reported to this Scrutiny Committee.

12 **Spotlight Review - Consultation Charter**

The Chair reported that the Spotlight Review had met on 16 March 2021, the group comprising Councillors Atkinson, Buswell, Leadbetter, D. Moore and Wardle with Councillor Atkinson appointed Chair. Councillor Atkinson had referred Members to the Guide to Community Engagement report - New Conversations - produced by the LGA.

The Review Group had considered the LGA document in detail and agreed that it would be appropriate to amend the draft Charter to incorporate elements from the LGA document. As the Spotlight Review group had asked to “sign off” a revised draft, it was being amended for further consideration by the group together with a draft framework for consultation plans for report to the next meeting of this Scrutiny Committee and then to Executive and Council.

The Chair invited Members to advise off line should they have any comments on consultation processes.

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The Chair thanked Members for their contribution to the Committee during what had been a very interesting and challenging 12 months.

The meeting commenced at 5.30 pm and closed at 7.18 pm

Chair

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REPORT TO CUSTOMER FOCUS SCRUTINY COMMITTEE AND EXECUTIVE

Dates of Meetings: 1 July 2021 and 8 July 2021

REPORT TO COUNCIL

Date of Meeting: 21 July 2021

Report of: Chief Executive & Growth Director

Title: Consultation Charter

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

The report seeks agreement to adopt a Consultation Charter, which sets out the Council's commitment to best practice in consultation.

2. Recommendations:

That Executive recommends approval of, and Council approves, the Consultation Charter.

3. Reasons for the recommendation:

To formalise the council's commitment to consultation and to ensure consistent arrangements.

To ensure that communities in Exeter and interested parties have an opportunity to inform proposals for council policies/decisions and changes to those policies/decisions.

4. What are the resource implications including non-financial resources?

The charter in itself will not have implications for resources. Previous and existing consultations have largely followed the arrangements in the Charter and budgets for each consultation are approved on an individual basis.

5. Section 151 Officer comments:

There are no specific financial implications for Council to consider arising from this report.

6. What are the legal aspects?

There is no legal obligation to have a charter but the council is obliged to consult in certain circumstances and having a charter in place will ensure a consistent approach to consultation.

7. Monitoring Officer's comments

A consistent, transparent approach to consultation is commendable and the Monitoring Officer would commend this approach to consultation.

8. Report details

Members will recall that, at its meeting on 9th February 2021, Executive resolved to recommend Council's adoption of the draft Consultation Charter subject to consideration by the Scrutiny Programme Board (SPB) at its meeting on 18 February 2021. The SPB subsequently resolved to convene a Spotlight Review Group to consider the Charter in more detail.

The Spotlight Review Group met on 16 March 2021. The group comprised councillors Atkinson, Buswell, Leadbetter, D. Moore and Wardle with Councillor Atkinson appointed Chair. Councillor Atkinson had referred Members to the Guide to Community Engagement report - New Conversations - produced by the Local Government Association. The Review Group had considered the LGA document in detail and agreed that it would be appropriate to amend the draft Charter to incorporate elements from the LGA document. In addition, it was agreed that consultation plans should be prepared for all council consultations to build in the detail contained in the LGA Guidance.

To recap, the Council carries out numerous consultations every year, both formal and informal. In order to ensure that common and consistent principles are applied in all cases, the Consultation Charter has been developed in accordance with best practice guidance from the Local Government Association and other local authorities, including Bristol and Hounslow. Importantly, the Charter has been informed by The Consultation Institute and its 7 principles of best practice: visibility, accessibility, transparency, disclosure, fair interpretation, publication and integrity (overarching).

In addition, the publication of a Consultation Charter was an action in the Corporate Equality Plan. It supports Equality Impact Assessments by clarifying what specific or general consultation we will do to assess specific impacts.

The Charter contains principles that explain how and when we will undertake consultation and what consultees can expect. Copies of the revised Charter, incorporating the revisions made by the Spotlight Review Group, and a template for consultation plan, as agreed by the group, are included at Annex A.

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

The Charter underpins the priorities for a well-run council and value-for-money services.

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

There are no risks associated with adopting the charter. Adoption will ensure that the council meets best practice consultation standards.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

No direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

There are no alternatives.

Chief Executive & Growth Director, Karime Hassan

Author: Bruce Luxton

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

Background papers used in compiling this report:-

New Conversations: LGA guide to engagement | Local Government Association

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275

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Consultation Charter

Introduction

Exeter City Council recognises that to deliver effective services and to make decisions that meet the needs of its residents, business and visitors it must consult on the formation and development of its services and policies.

Consultation is just one element of community engagement and feedback and includes activities such as:

- complaints and suggestion schemes
- interviews, polls, surveys and questionnaires
- user and focus groups
- public meetings and residents' panels

This charter sets out our commitment to meeting best practice in consultation and complying with statutory requirements. The Charter covers all consultations, but recognises that some consultations e.g. boundary changes or the Local Plan, are governed by statutory arrangements or dedicated frameworks, which may include specific requirements.

Scope

1. We will consult residents and other stakeholders whenever a decision will directly affect them and when they might have a reasonable expectation that they should be involved. Consultation subjects may extend beyond the remit of the council's responsibilities and any consultation can be proposed through the scrutiny process. Examples of consultations are:

- Proposals to redevelop areas of the city e.g. South Street
- Proposals for new facilities e.g. a leisure centre, or skate park
- Proposals for new equipment e.g. play equipment or park furniture
- Proposals for how we deal with our assets e.g. tree strategy
- Proposals to change our services e.g. closure of toilets, opening hours, service levels
- Proposals to change a policy e.g. taxi licensing

2. All consultations will follow the four 'Gunning Principles', which dictate that consultation:

i. must happen before the decision is made
ii. must give sufficient context and information
iii. should provide enough time for people to think things over
iv. should demonstrate real deliberation and thought over the results

Visibility

3. All our consultations will be published on the Council's website so that residents and stakeholders can easily see what is up for decision and how to participate. A schedule of proposed consultations will be published annually on the council's website on 1st April and updated throughout the year.

4. Major consultations (e.g. city-wide or affecting a large number of people) will be publicised by press release and we will use our publications and social media to promote them.

5. The views of those people, communities or areas most affected by a proposal, and those we would expect to contribute, will be sought. However all members of the public and other stakeholders are welcome to respond to a consultation whether or not they have been specifically invited to do so.

Accessibility

6. Surveys and questions and supporting information will be written in an objective, accessible to enable intelligent consideration and responses.

7. We will provide a named contact for each consultation so that residents and stakeholders know who they can speak to about proposals.

8. Taking into account the nature of the decision, a diverse range of respondents and their advocates, including the views of groups frequently excluded or overlooked, will be sought. The views of non-users, especially when service changes are being consulted on, will also be sought.

9. Consultation plans will consider how people with impaired sight or hearing or people whose first language is not English are able to participate fully.

10. Where groups of people with characteristics protected by the Equality Act 2010 may be particularly affected, the consultation plan will identify who they are and how they will be involved, and an Equality Impact Assessment will be included in the final report.

11. We will allow enough time for consultees to consider and respond to the consultation and the information we have provided. Wide scale public consultations, e.g. citywide or large parts of it, should run for a period of not less than six weeks.

Transparency and disclosure

12. Consultation plans will be produced for all consultations. They will include what we are consulting about, and why, who we are consulting, how we will consult them, the timetable for the consultation, who will make the final decision and how we will provide feedback. Consultation plans will follow guidance in 'New Conversations – the Local Government Guide to Engagement'[1]

13. Whenever practical, the Council will involve key stakeholders or their representatives in shaping what we will consult on or how we will consult.

14. Where the Council has a preferred option, we will clearly state this in the consultation documents and explain how and why that preference was chosen. Where specific options have been rejected, we will explain why we do not consider them practical. Where options are offered, they should be realistic and deliverable.

15. Any complaints about the consultation will be published so that decision-makers can assess the effectiveness of the consultation before making their decision.

16. Consultations will be at a time when proposals are at a formative stage to allow the results to influence policy or proposal development.

[1] New Conversations: LGA guide to engagement | Local Government Association

Fair interpretation

17. We will carefully consider all responses to each consultation, analyse responses promptly and objectively and ensure that the product of consultation is conscientiously taken into account when finalising a decision.

18. We will review and evaluate the effectiveness of each consultation to ensure learning is fed into future consultations.

Publication

19. We will publish results detailing the responses received, and explaining how we have taken these into account in arriving at a decision.

Exeter City Council

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Draft

Consultation Plan

To be completed for all consultations in line with the council's Consultation Charter
For sign off by service lead and Corporate Manager (Executive Support)

1. Title of consultation	
2. Responsible officers	
Director	
Service lead	
Consultation lead officer	
3. Purpose of the consultation	
Explain why the council is consulting on this issue. Where the council has a preferred option, state this and explain how and why that preference was chosen. Where specific options have been rejected, explain why we do not consider them practical. Where options are offered, they should be realistic and deliverable.	
4. Timing, duration and key milestones	
Set out when will the consultation take place and for how long (6-8 weeks minimum) *Set out other key milestones e.g. date of report to committee, data analysis schedule and date of publication of results and feedback*	
5. Equality Impact Assessment	
Confirm that a EQIA has been completed and date	
6. Consultees and how they will be consulted (survey, public meeting, exhibition, focus group)	
Consultee	Method
Those most affected by the proposal (state who)	
Exeter residents	
General public	
Members (ECC and DCC)	
Partners and other statutory stakeholders	
Other stakeholders	
7. Public Sector Equality Duty	
Set out any special provisions that are required to ensure that people with protected characteristics are able to partake in the consultation.	
Characteristic	Special provision
Age	

Disability(includes mobility, sensory, learning and mental health)	
Race/ethnicity(includes Gypsies and Travellers),	
Sex and gender	
Gender identity	
Religion and belief	
Sexual orientation	
Pregnant women, new and breastfeeding mothers,	
Marriage and civil partnership	

8. Supporting information

What background information will be provided for consultees and in what format?

9. Publicity

How will consultees be made aware of the consultation and the results?

10. Accessibility

How will you ensure that consultation material meets accessibility and readability standards? (See intranet)

11. Demographics

What demographic data, if any, will be collected on consultees?

12. GDPR

If personal data is being collected, confirm that this has been agreed with the Data Protection Officer and that an appropriate privacy statement is included in any surveys.

13. Resource implications

Set out which internal resources will support this consultation or provide details of external resource requirements and means of funding.

14. Carbon Footprint (Environmental) Implications:

How are carbon/environmental impacts arising from the consultation being addressed?

15. Approval

Service Lead		*Corporate Manager (Executive Support)*	
Name		Name	
Signature		Signature	
Date		Date	

Exeter City Council

Equality Impact Assessment: Consultation Charter

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	**Report Title**	**Decisions being recommended:**	**People with protected characteristics potentially impacted by the decisions to be made:**

REPORT TO CUSTOMER FOCUS AND EXECUTIVE Date of Meetings: 1 and 6 July 2021 **REPORT TO COUNCIL** Date of Meeting: 21 July 2021	Consultation Charter	That Executive recommends approval of, and Council approves, the Consultation Charter.	All. Because the charter states the need for diverse communities to be consulted and information to be made accessible

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact.** This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.
Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence
Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Positive		NB The only negative might be where we have conflicting views from different groups of protected characteristics but these would need to be

			dealt with on a case by case basis and the EQIA that is carried out for that particular project would address these issues.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Positive		
Sex/Gender	Positive		
Gender reassignment	Positive		
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Positive		
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Positive		
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Positive		
Pregnancy and maternity including new and breast feeding mothers	Positive		
Marriage and civil partnership status	Positive		
Actions identified that will mitigate any negative impacts and/or promote inclusion			

Officer: Bruce Luxton Date: 22 June 2021

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Terms of Reference for Scrutiny Committees

Membership

The membership of all committees is determined by the Council at its Annual Meeting. The membership may be varied during the year only with the consent of the Council.

Scrutiny Functions & Procedures

Scrutiny Functions

1. The aims of the Scrutiny process are to:-
   - add value to Council business and decision-making;
   - hold the Executive to account;
   - monitor the budget and performance of services;
   - assist the Council in the development of policy and review the effectiveness of the implementation of Council policy;
   - review relevant central government policy development and legislation to assess the impact on the City and make recommendations to Executive.

Scrutiny Programme Board ("SPB")

2. The purpose of the Scrutiny Programme Board is to manage scrutiny in a way that ensures the functions of overview and scrutiny are fairly balanced across all aspects of the Council's work, with a view to improving services, reducing inequalities and improving outcomes for the people of Exeter. The Scrutiny Programme Board will meet on a bi-annual basis.

Role of the Scrutiny Programme Board

- To set priorities for the annual scrutiny work programme;
- To ensure that work is allocated fairly across the two scrutiny committees and reflects all aspects of the Council's work by providing oversight and direction to the committees' work programmes;
- To ensure corporate and cross cutting business is dealt with by the relevant committees;
- To review performance against the relevant corporate priorities and inform work programmes as appropriate;
- To receive for information, and oversee implementation of, recommendations made by each of the two Scrutiny Committees;
- To plan and oversee implementation of the process for annual Budget Scrutiny;
- To produce an annual scrutiny report to Council (in conjunction with the scrutiny committees);
- To review national best practice and guidance in relation to scrutiny and recommend any changes to the way scrutiny is undertaken as a result.

Membership

The Scrutiny Programme Board will consist of one member nominated by the Leader (who shall not be a member of the Executive) together with the Chairs and Deputy Chairs of each of the two scrutiny committees.

Chair - the Chair of the Board will be from the group in administration.
Deputy Chair - the Deputy-Chair will be from the main opposition group.

Role of the Scrutiny Committees

The relevant scrutiny committee will:

- hear call-ins, Councillor's call for action and petitions;
- approve the creation of time limited working groups for issues within its remit;
- monitor performance against the relevant corporate priorities;
- receive finance and performance reports;
- agree recommendations to Executive, Council and partner organisations;
- agree appointments of co-opted representatives;
- monitor the forward plan;
- review new and developing legislation to assess its impact on the city;
- consider and introduce schemes to involve the public in developing policy;
- work with national, regional and local organisations to promote the interest of local people.

Strategic Scrutiny Committee

Responsibility for

- Relevant policies in the Exeter Plan
- Corporate Health & Safety
- Response to Central Government's Policy Making
- Climate change and sustainability
- Council wide/strategic matters
- Hear call-ins relevant to the role of the committee

Partnership links

- Growth Board
- Joint Committee for Heart of the South West
- Heart of the South West Local Enterprise Partnership

Membership - There are fourteen members of the Committee including the Chair and Vice Chair. None shall be members of the Executive Committee.

Chair - The Chair will be nominated and elected at full council and will be a member of the Scrutiny Management Board.

Deputy Chair - The Deputy Chair will be nominated and elected at full council

Urgent Decisions - The Chair with relevant responsibilities will be consulted on urgent decisions to be made.

Customer Focus Scrutiny Committee

Responsibility for:-

- Corporate Performance Monitoring
- Financial Performance Monitoring
- Annual Budget Setting Process

- Service specific/operational matters
- Hear call-ins relevant to the role of the committee

Partnership links

- Health and Wellbeing Board
- Exeter Community Safety Partnership
- Strata

Membership -There are fourteen members of the Committee including the Chair and Vice Chair.

Chair - The Chair will be nominated and agreed by full council and will be a member of the Scrutiny Programme Board.

Deputy Chair - The Deputy Chair will be nominated and agreed by full council

Urgent Decisions - The Chair with relevant responsibilities will be consulted in relation to Urgent decisions to be made within the Scrutiny Committee's terms of reference.

Excluded matters

The following matters cannot be considered by a Scrutiny Committee:

- any matter relating to a planning decision;
- any matter relating to a licensing decision;
- any matter relating to the business of the Audit & Governance Committee;
- any matter relating to an individual or body if s/he/they have, by law, a right to a review or right of appeal;
- any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a Committee meeting .

The Monitoring Officer in consultation with the Chair (or Deputy Chair in the chair's absence) of the relevant Committee will determine whether a matter is an excluded matter.

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