

EXECUTIVE

Tuesday 8 February 2022

Present:

Councillor Bialyk (Chair)

Councillors Wright, Ghusain, Harvey, Morse, Sutton, Williams and Wood

Apologies:

Councillors Foale

Also present:

Councillor D. Moore (as an opposition group Leader)

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Director Finance, Service Lead Legal Services, Service Lead - HR Services, Service Lead - Environmental Health & Community Safety, Active & Healthy People Programme Lead, Service Lead for City Development, Democratic Services Team Leader and Democratic Services Officer (HB)

16

MINUTES

The minutes of the meeting held on 8 January 2022, were taken as read, approved and signed by the Chair as a correct record.

17

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

18

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions from members of the public were received.

19

ORGANISATIONAL CHANGE PROGRAMME: ONE EXETER

The Executive received the report which set out how the Council would deliver its organisational change programme, One Exeter, to deliver a fit for purpose organisation which met the savings identified in the Medium Term Financial Plan (MTFP).

The Programme had been developed to ensure value for money services would be delivered to meet the objectives as set out in the Corporate Plan 2018-21 and to meet the requirements of the Medium Term Financial Plan (MTFP) which had identified a need to deliver a combination of budget reduction and income generation to address a £7.65 million budget shortfall by the end of March 2025.

The report detailed proposed changes for 2022/23 in discretionary services taking into account corporate priorities and overall impacts on service delivery and non-discretionary areas. Further development of digitalisation and increased commercial activity would also be significant elements in the change programme.

Particular reference was made to the consultation with staff and union on the proposed work programme and the development of a Communication Plan to ensure all staff and stakeholders, including Members, were kept informed on the progress of the work programme.

The commitment from staff was recognised as being vital and there would be continued engagement with staff focus groups, liaison with the Trade Union and a Staff Sounding Board would be established to gain further input. Members noted that the Programme would be delivered via the Operational Management Board, supported by the One Exeter Programme Steering Group (PSG)

During discussion the following points were made:-

- the changes were necessary in response to the level of Central Government reductions to Local Government necessitating creative solutions, and the work involved was a large undertaking. The scope of the work identified and the intention to engage Council staff and their response was inspiring;
- the Council had introduced flexible working prior to the Covid Pandemic which had put it in a good position to bring forward changes in response to the budget shortfall and to drive more efficient ways of working; and
- staff well-being was a priority in the change programme.

The Leader thanked the Deputy Chief Executive and the PSG for their work on the One Exeter programme.

RECOMMENDED that Council:-

- (1) approve the organisational change programme to deliver a fit for purpose organisation and meet the requirements of the MTFP;
- (2) note that the overall savings targets for each work stream are indicative and where targets are not met, that these will have to be met by compensatory savings in other areas to ensure that the council continues to deliver a balanced budget;
- (3) agree to receive further reports requesting funding at the appropriate time, having noted the budget requirements for delivering the change programme;
- (4) approve the following recommendations from the Discretionary Services Review:-
 - (a) a recurring reduction of £171,180 in back office spend for operational budget cut proposals;
 - (b) the transfer of £95,370 from the Neighbourhood CIL to resource the Communities element of the Active and Healthy People service, subject to compliance with the provisions of the Community Infrastructure Regulations 2011;
 - (c) the business case proposal to remodel the Customer Service Centre, and the permanent deletion of two security and assistance officer posts and one customer service officer post, generating a proposed saving of £86,945, noting that two of the posts are currently vacant; and
 - (d) the business case to reduce the opening hours of the underground passages to reduce the operational cost, generating a proposed saving of £45,000.
- (5) note that in relation to recommendation 4, that employees will be consulted on the impact of any changes to their roles and jobs and where the outcome results in any potential redundancies, the consultation will be genuine and meaningful and consultation will be entered into:

- with a real willingness to listen;
- an honest preparedness to adjust proposals where considered appropriate;
- where there is a sufficient level of detail provided; and
- where there is adequate time made available.

(6) authorise the relevant Director to consider and agree any alternatives that are reasonable, implementable and deliver the same financial savings required by the business case as part of the consultation process.

20

GENERAL FUND / HRA ESTIMATES AND CAPITAL PROGRAMME 2022/23

The Executive received the report on the proposed General Fund revenue estimates for 2022/23 and recommending the Band D level of Council Tax for 2022/23. The report also included the proposed Capital Programme for 2022/23 and future years, and the proposals in respect of the Housing Revenue Account.

Particular reference was made to the following:-

- the final Local Government Settlement of £54 billion nationally had been laid before Parliament on 7 February 2022, with Exeter City Council receiving an increase in the Business Rate multiplier compensation amounting to £83,000 when compared to the Provisional Settlement. The Council had also received a new service grant of £285,000 together with a further £4,000 as well as a further lower tier grant of £185,000;
- the Local Government Finance Settlement for 2022-23 had been agreed for one year, following the delay in Business Rates Retention Scheme;
- the Referendum Principles for the Council Tax set by the Government would allow the Council to increase the tax by £5 or by up to 2%, whichever was the higher, and a £5 increase was being proposed which would provide an extra £163,733;
- the HRA Medium Term Financial Plan would show a substantial lower contribution to the Capital Programme as the majority of the work would be funded from other reserves;
- the General Fund Capital Programme was largely as previously agreed with an additional figure for IT equipment; and
- final figures would be reported to the Extraordinary Council on 22 February 2022 when the Devon County Council, the Police and Crime Commissioner for Devon and Cornwall and the Devon and Somerset Fire Authority precepts would be known.

RECOMMENDED that Council:-

- (1) approve the overall spending proposals in respect of both its revenue and capital budgets;
- (2) approve the Council Tax for each Band be recommended to the Council as set out in section 8.19.3 of the report, subject to Devon County Council, the Office of the Devon and Cornwall Police and Crime Commissioner Devon and Cornwall and the Devon and Somerset Fire Authority confirming their Band D levels respectively; and
- (3) approve the revised council tax levels submitted to Council on 22 February 2022, when the actual Council Tax amounts for Devon County Council, Devon and Cornwall Police and Crime Commissioner and the Devon and Somerset Fire Authority are set.

21

CAPITAL STRATEGY 2022-23

The Executive received the report which sought approval of the Capital Strategy 2022-23. The report provided Members with details of the long-term policy objectives and resulting capital strategy requirements, governance procedures and risks for the capital programme. Members noted that there were no significant changes from the previous year.

Councillor D. Moore, as an opposition leader, spoke on the item, referring to the Council's commitment to the development of and consultation of a community asset transfer policy, which had not been referred to in the report. She enquired in particular to the stewardship of assets section for the transfer of assets for less than market value for providing social or environmental benefits and whether there was still a commitment to the development of a community asset transfer policy?

A response would be provided outside the meeting.

Members welcomed the report which highlighted the Council's commitment to delivering the key priorities for Net Zero and active and healthy lifestyles.

RECOMMENDED that Council approve the Capital Strategy as set out in Appendix 1 of the report presented at the meeting.

22

**THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES
(INCORPORATING THE ANNUAL STATEMENT OF MINIMUM REVENUE
PROVISION)**

The Executive received the report on the proposed 2022/23 prudential indicators for capital finance for adoption by the Council and to set the annual statement of Minimum Revenue Provision (MRP), which would be incorporated within the Budget Book for approval at the full Council meeting as per the statutory requirement.

Particular reference was made to the range of indicators to manage the Capital Programme and borrowing, which the Council must adhere to:-

- the Capital Financing requirement demonstrated the amount which the Council had an underlying need to borrow, regardless of whether that amount has actually been borrowed;
- a consultation had been held on the minimum revenue provision, which had proposed a number of changes including to capital loans, but there was no proposed change to the minimum revenue provision strategy at this stage;
- the Operational Boundary set the maximum amount of borrowing that the Council intended to undertake for capital purposes over the period covered by the indicators; and
- the authorised limit was the maximum level, which the Section 151 officer was allowed to borrow to cover the Operational Boundary and day to day cash flow needs. The Council was not allowed to exceed this amount of borrowing without first authorising an increase to the limit.

RECOMMENDED that Council adopt:-

- (1) the Prudential Indicators set out in Appendix A-C of the report presented to the meeting; and
- (2) the Annual Statement of Minimum Revenue Provision for the Council.

23

TREASURY MANAGEMENT STRATEGY REPORT 2022/23

The Executive received the report seeking the adoption of the Treasury Management Strategy Report and the incorporated Annual Investment Strategy 2022/23, as required under section 15(1) (a) of the Local Government Act 2003.

Particular reference was made to there being no significant changes since the previous year. There were limits set to the value of investments that could be held by any one institution such as banks, building societies or other Local Authorities and that money could also be invested with the Government. It was noted that there would be a future borrowing requirement in respect of the Exeter City Living development at the Clifton Hill site, which has already been approved by Council.

RECOMMENDED that Council adopt the new Treasury Management Strategy and delegations contained therein.

24

WONFORD HEALTH AND WELLBEING CENTRE FEASIBILITY PROPOSAL

The Executive received the report, which sought funding and approval to progress to the next Workstage of the Wonford Health and Wellbeing Hub redevelopment programme, including further detailed feasibility towards full planning consent for the development of the existing Wonford Community and Sports Centre facilities.

Particular reference was made to Wonford being a future nominated site for regeneration and development within the wider transformational Liveable Exeter housing plan and that health and wellbeing was at the centre of Wonford, through a community led vision and investment to redevelop a health and wellbeing hub.

An in depth local community engagement process had been undertaken with investment from Sport England as part of the 'Live and Move' Local Delivery Pilot programme, and the Council was now seeking to progress the programme to a formal in depth feasibility and to submit a planning application. Engagement with the local community over a two year period had shown that some 70% of the ward had not used the centre. The public consultation had also highlighted the following:-

- the development of a hub would bring the community together and improve the health and wellbeing of local residents;
- the facility would be opened outwards to the whole community, to replace the current intimidating building outlook and would be connected to the Wonford Playing Fields, the Ludwell Valley Park and the wider city Green Circle cycle and walking route;
- there would be improvements to the sustainable transport options to the site; and
- the development towards a local hub for leisure and wellbeing activities would be led by the local community.

Councillor D. Moore, as an opposition leader, spoke on the item, welcoming the project and the community engagement undertaken and enquired on community involvement and governance arrangements for this new facility. She further enquired on whether the Portfolio Holder would be considering the carbon impact for the demolition and construction?

A response would be provided outside the meeting.

During discussion the following points were made:-

- the initiative would encourage people to become healthier and more active, particularly by making the centre more welcoming and accessible to the local community, acting as a destination point for residents;
- consultation work had been undertaken on several levels with an emphasis on providing residents with a voice on the design of the new facility around their community needs. The engagement had resulted in many useful suggestions such as a café, climbing wall and a shared space; and
- the new hub would result in greater ownership by the local community and help improve health and well-being in area which had suffered from deprivation and inequality.

RECOMMENDED that Council approve:-

- (1) the provision of £750,000 funding to progress to the next Workstage of the Wonford Health & Wellbeing Hub; and
- (2) the invitation of local residents' involvement in the co-design of the proposed redevelopment.

25

EXETER LOCAL PLAN: ISSUES CONSULTATION SUMMARY REPORT

The Executive received the report which summarised the Local Plan 'Issues' consultation and the responses received, which was included as an Appendix to the report. As the Local Planning Authority for Exeter, the City Council had a statutory duty to prepare planning policy for the city and an initial, 'Issues' public consultation had been held between September and November 2021. The consultation enabled the public, stakeholders and the wider community with an early opportunity to influence the scope of the new Local Plan for Exeter.

Particular reference as made to:-

- of the 215 responses received from the consultation, the majority had been submitted online, with 161 from individuals and 54 from organisations; and
- the responses would help inform the next stage of developing the Local Plan for consultation in Autumn of 2022.

During discussion the following points were made:-

- public feedback had reflected many of the Council priorities including addressing the climate emergency, health and wellbeing, delivering much needed homes for the city and economy and jobs;
- significant reference had been made to developing brown field sites and protecting green spaces, which were important goals for the Council;
- a wide range of engagement mechanisms had been used, including a public consultation at the Exeter Central Library.

RESOLVED that the content of the 'New Local Plan Issues Consultation Summary Report' (Appendix A) be noted as a document which will be used to inform the preparation of the emerging new Local Plan.

26

ANNUAL PAY POLICY STATEMENT 2022/23

The Executive received the report on the Council's Annual Pay Policy Statement 2022/23 which required approval by Full Council each financial year in line with legislation.

It was highlighted that the pay differential between the highest and lowest paid was 6.28 and that the Council, having adopted the Real Living Wage in January 2014,

would see a Living Wage of £9.90 per hour from 1 April 2022. It was predicted that the minimum wage may increase to £10.70 per hour by 2024/25. It was also noted that negotiations were continuing on the pay award and that any necessary changes would be made to the budget in line with the nationally agreed award.

The Leader confirmed the Council's commitment to honour any national agreement to the annual pay award.

RECOMMENDED that Council:-

- (1) adopt the Policy, Report and Appendices and publish in accordance with legislation; and
- (2) grant delegated authority to the Director Corporate Services to make necessary amendments to the pay policy statement following any changes in legislation or subsequent increases in pay.

27

GENDER PAY GAP REPORT

The Executive received the report on the Gender Pay Gap which was a statutory requirement of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, for the local authorities employing 250 or more employees.

Particular reference was made to the average pay for females across the Council was higher than that of males contrary to the national trend and that there were three times more males in the lower quartile of earnings than females.

RECOMMENDED that Council:-

- (1) note the Findings and Observations as follows:
 - the average rate of pay for females is higher than males across the Council;
 - the difference has increased slightly since last year from 4.59% to 5.00%; and
 - there are over 3 times more males in the lower quartile of earnings than females
- (2) approves the publication of the Gender Pay Gap Report and its findings on the Exeter City Council website and on the centrally held database on gov.uk.

28

REVIEW OF THE COUNCIL'S CONTAMINATED LAND STRATEGY

The Executive received the report which sought the adoption of a revised Contaminated Land Strategy for the period 2022 to 2027. Following a consultation, there had been no comments or recommendations were received from the public or any of the statutory consultees during the consultation period.

RECOMMENDED that Council adopt the revised Contaminated Land Strategy.

29

PROPOSED VARIATION OF THE PUBLIC SPACES PROTECTION ORDER

The Executive received the report on the variation of Prohibition E of the Public Spaces Protection Order 2017 ("PSPO") which was due to expire on the 20 June 2022 and to seal a new order for the maximum of three years.

A consultation had run between October 2021 and December 2021, with the representations received being in favour of the variation to the PSPO to increase

the time for dispersal to up to 24 hours for either a direction to leave made to an individual and or a dispersal order for two or more persons.

Members welcomed the report, which was considered to be a sensible approach with a strong agreement to amend Prohibition E. Members expressed their thanks to the Community Policing Team and staff for the work that had been undertaken.

RECOMMENDED that Council approve:-

- (1) the variation of Prohibition E of the current order following a public consultation so that any individual whether or not in a group who is causing harassment, alarm and distress may be required to leave the area of the PSPO for a maximum of 24 hours as stated in Appendix A of the report;
- (2) no change to the remaining prohibitions of the Public Spaces Protection Order and the existing boundaries as shown in Appendix B of the report;
- (3) the extension of the PSPO for a further three years, commencing on 20 June 2022; and
- (4) the continuation of the current policy of funding received by the Council from fixed penalty notices issued for a breach of any PSPO to be ring-fenced for initiatives to address anti-social behaviour and that the funding continue to be administered through the Exeter Community Safety Partnership.

30

**AUTHORISATION OF LEGAL SERVICES OFFICERS TO ATTEND THE
MAGISTRATES' AND COUNTY COURTS AND CHANGES TO THE SCHEME OF
DELEGATION FOR LEGAL SERVICES.**

The Executive received the report which sought the authorisation for legal officers to represent the Council before the County Court and Magistrates' and the County Court. The report further sought Council approval to amend the Constitution to state that future decisions concerning authorisation of legal officers to appear before the courts, to be delegated to the Service Lead Legal Services.

RESOLVED that in accordance with Section's 222 and 223 of the Local Government Act 1972 and Section 60 of the County Courts Act 1984, the following officer be authorised to represent Exeter City Council at the County and Magistrates' Courts:-

- Danny Damarell – Housing and Litigation Team Lead

RECOMMENDED that Council approve the amendment to the Council's Scheme of Delegation to give delegated authority to the Service Lead, Legal Services, to authorise legal officers to represent Exeter City Council in the Magistrates' and County Court in accordance with sections 222 and 223 of the Local Government Act 1972 and section 60 of the County Courts Act 1984.

31

EXETER CITY LIVING BUSINESS PLAN 2022-23

RESOLVED that the item be deferred.

32

**A BUSINESS CASE FOR THE CREATION OF A RESIDENTIAL PROPERTY
COMPANY**

RESOLVED that the item be deferred.

(The meeting commenced at 5.30 pm and closed at 6.25 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 22 February 2022.