

## EXECUTIVE

Date: Tuesday 4 October 2022

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Mark Devin, Democratic Services Team Leader on 01392 265477.

Entry to the Civic Centre can be gained through the rear entrance, located at the back of the Customer Service Centre, Paris Street.

### *Membership -*

Councillors Bialyk (Chair), Wright (Deputy Chair), Denning, Ghusain, Morse, Parkhouse, Pearce, Williams and Wood

## Agenda

### Part I: Items suggested for discussion with the press and public present

#### 1 Apologies

To receive apologies for absence from Committee members.

#### 2 Minutes

To approve and sign the minutes of the meeting held on 6 September 2022.

(Pages 5 -  
16)

#### 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 1985 - Exclusion of Press and Public

It is considered that the Committee would be unlikely to exclude the press and public during consideration of any of the items on the agenda, but if it should wish

to do so, the following resolution should be passed:-

**RECOMMENDED** that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1, Schedule 12A of the Act

**5 Questions from the Public Under Standing order No. 19**

To receive questions relating to items on the Agenda from members of the public and responses thereto.

Details of questions should be notified to the Corporate Manager Democratic and Civic Support by 10.00am at least three working days prior to the meeting. Further information about speaking at a committee can be found here: [Speaking at a Committee](#)

**6 Corporate Plan 2022-26**

To consider the report of the Deputy Chief Executive.

(Pages 17  
- 48)

**7 Catering Provision at Edwards Court**

To consider the report of the Deputy Chief Executive.

(Pages 49  
- 62)

**8 Operation London Bridge - Expenditure**

To consider the report of the Director Corporate Services.

(Pages 63  
- 66)

**9 Amendments to the Scheme of Delegation**

To consider the report of the Director Corporate Services.

(Pages 67  
- 106)

**10 Minor Amendment of Parliamentary Polling Districts and Polling Places for Exeter and East Devon Constituencies**

To consider the report of the Director Corporate Services.

(Pages  
107 - 132)

**11 Overview of General Fund Revenue Budget 2022/23 - Quarter 1**

To consider the report of the Director Finance.

(Pages  
133 - 156)

**12 2022/23 General Fund Capital Monitoring Statement - Quarter 1**

To consider the report of the Director Finance.

(Pages  
157 - 178)

**13 2022/23 HRA Budget Monitoring Report - Quarter 1**

To consider the report of the Director Finance.

(Pages  
179 - 196)

14 **A Public Art Strategy for Exeter**

To consider the report of the Director of Culture, Leisure and Tourism.

(Pages  
197 - 258)

15 **Request for a variation of Hackney Carriage Fares**

To consider the report of the Director Net Zero and City Management.

(Pages  
259 - 278)

**Date of Next Meeting**

The next scheduled meeting of the Executive will be held on **Tuesday 1 November 2022** at 5.30 pm in the Civic Centre.

**A statement of the executive decisions taken at this meeting will be produced and published on the Council website as soon as reasonably practicable.**

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265115 for further information.

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## EXECUTIVE

Tuesday 6 September 2022

Present:

Councillor Bialyk (Chair)

Councillors Wright, Denning, Morse, Parkhouse, Pearce, Williams and Wood

Apologies:

Councillors Ghusain

Councillor K. Mitchell (as an opposition group Leader)

Also present:

Councillor Jobson (as an opposition group Leader)

Councillor D. Moore (as an opposition group Leader)

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Director Net Zero Exeter & City Management, Director of City Development, Director of Culture, Leisure and Tourism, Corporate Manager Democratic and Civic Support, Managing Director, Exeter City Living Ltd, Service Lead - Environmental Health & Community Safety, Programme Manager - Communities, Assistant Service Lead – Local Plan and Democratic Services Team Leader

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### MINUTES

The minutes of the meeting held on 5 July 2022, were taken as read, approved and signed by the Chair as a correct record.

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### DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

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### QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

A member of the public, Mr Cleasby submitted the following question, related to Minute No. 88:-

- The draft consultation document states that members of the Liveable Exeter Place Board “engage communities and stakeholders to address the challenges in achieving the vision”. How do Board members engage those communities not represented by Board members, and will the Council please provide a recent example of them doing so?

The Council Leader in responding, explained that the Liveable Exeter Place Board brought together a variety of leaders and individuals that had a responsibility for their own organisations or were influential people in their own right, such as the local MPs. The leaders of the city’s institutions and individual businesses or charities were rooted in the locality, and were able to inform on discussion and shape issues based on a wealth of information attained from their staff and customers. Those organisations for example had asset management plans, and would be thinking of their long investment plans and how their organisations conducted their business to ensure cross institutional co-operation to further the vision of the city.

Aspects of the city's vision related to outcomes that required co-ordination of the city's infrastructure or organisation of activity aligned with strategic goals such as delivering the most active city in the country or delivering world class education. No one organisation had the ability to achieve the goals, organisations needed to work together over a sustained period of time and work on aligning physical infrastructure with funding and wrap around packages of support involving revenue expenditure and various bids into government departments. Co-ordinating infrastructure and collaboration was assisted by the existence of a place based board.

The Place Board brought together the elected leaders of Devon County Council and Exeter City Council, the elected local MPs for Exeter, and the elected Police & Crime Commissioner, all of whom had their own processes and procedures for continually engaging with their constituents. This was complemented by the presence of the CEO of the Chamber of Commerce, and the CEO of the Business Improvement District. Those organisations spoke for a wide range of companies and had established ways of connecting with businesses. Further, educational institutions through the University of Exeter and Exeter College had a strong working relationship with all the educational organisations in the city.

An example was Professor Lee Elliot Major, who sat on the Place Board, had led the work on social mobility in the south west, levelling up through education. The Chair of the Place Board, Sir Steve Smith was one of the people mentioned in the report in providing oversight, feedback and advice throughout the project. The proposals of the commission directly addressed the requirements in the Levelling Up White Paper and its 2030 mission on education, skills and ultimately on living standards. The commission showed how not all young people in Devon were enjoying the opportunities and benefits of prosperity. The Chair of the Devon Community Foundation worked with the community and wellbeing support infrastructure, which was developed in conjunction with the two local authorities and GPs. Whether through sport, culture, transport, development or health work on the Covid recovery plan, this demonstrated the ability of the Place Board to reach out to stakeholders in an agile fashion to reflect the long term vision of the city and to translate it into short term action. The city should be proud of the work it had done to work in a collaborative fashion and the focus on delivering the vision.

Mr Cleasby on putting a supplementary question, commented on the impressive list of local leaders, and enquired about the position of the High Sheriff of Devon having a seat on the Place Board and about representation for those not aligned with the group.

The Council Leader responded that the previous High Sheriff of Devon (Lady Studholme) was no longer on the board and indeed had not been a member of the Board in that capacity. He also stated that the Place Board members would respond to the consultation on behalf of their various organisations. The consultation would seek to engage with all groups and individuals in the city, to ensure that their views were heard.

82

#### **URGENT ITEM - HOUSEHOLD SUPPORT FUND EXTENSION - GENERAL SCHEME**

The Executive noted the urgent decision for the Household Support Fund extension and that Exeter City Council has been allocated up to £122,838 to support low-income families for commencement by the end of September 2022.

Members were advised that, due to the timescales involved it would not be possible to convene a meeting of the Council in advance of the implementation date. In accordance with the Council's Constitution, the matter was discussed by the Portfolio Holder for Customer Services and Council Housing and the Chair of the Customer Focus Scrutiny Committee who agreed that this was an urgent decision. Full details of the scheme would be made available through the Scrutiny Bulletin.

The Chair welcomed the scheme which provided support to residents and highlighted the support available from the Council.

The Support Scheme statistical data for the various schemes are appended to the minutes.

**RESOLVED** that the urgent decision be noted.

83 **URGENT ITEM - COUNCIL TAX ENERGY REBATE DISCRETIONARY SCHEME POLICY**

The Executive noted the urgent decision for the Council Tax Energy Rebate allocation of £188,700 for Exeter City Council households.

Members were advised that, due to the timescales involved it would not be possible to convene a meeting of the Council in advance of the implementation of the rebate. In accordance with the Council's Constitution, the matter was discussed by the Portfolio Holder for Customer Services and Council Housing and the Chair of the Customer Focus Scrutiny Committee who agreed that this was an urgent decision. Full details of the scheme would be made available through the Scrutiny Bulletin.

The Portfolio Holder for Customer Services and Council Housing expressed her thanks to the team for timely action of the work to ensure funding was available for residents during the cost-of-living crisis.

The Support Scheme statistical data for the various schemes are appended to the minutes.

**RESOLVED** that the urgent decision be noted.

84 **COST OF LIVING AND ENERGY CRISIS**

The Portfolio Holder for Communities & Homelessness Prevention raised the cost of living and energy crisis and highlighted the focus of what the Council could do to support residents in the city. Ahead of the next Executive Committee meeting in October, opposition leaders would be contacted to provide contributions as to ways to support addressing the situation.

The Council was limited in what it could do, but this did not limit the Council's ambition to provide support, security and solace to residents as the crisis likely continued. The Council would also be coordinating with the community voluntary sector who had already commenced meetings and undertaken a work plan to address the situation and explore all available options.

The Chair advised that the Council would be monitoring announcements from the Government and would look to address what the Council could do to help resident's in-line with resources in October 2022.

85 **PROPOSED ADOPTION OF COMMUNITY ASSET TRANSFER POLICY**

The Executive received the report which provided Members with an overview of the proposed purpose, procedure and resource implications of adopting the Community Asset Transfer policy. An eight-week consultation with stakeholders was undertaken in June 2021, as well as two workshops held in July 2021. The feedback from the consultation had fed into the final policy proposal, to help ensure that it was fit for purpose, clear and delivered benefits to the communities of Exeter.

The report provided a definition of Community Asset Transfer (CAT), and details of the rationale behind Exeter City Council creating a transparent and consistent policy for organisations wanting to progress an application.

Particular reference was made to the existing practice for long leases and asset transfers which were already implemented by the Council, with a notable example being the transfer of the Valley Parks to Devon Wildlife Trust. There was clear value in developing partnerships with community groups and organisations as this helped to increase the resources that could be made available to residents in the city

Councillor D. Moore, as an opposition group leader, spoke on this item. She welcomed the policy and responses from the community sector and proposed a technical amendment to the Policy for the Portfolio Holder to consider:-

- Section 8.2 of the policy did not include Community Benefit Societies, which were created alongside the formal legal structures of the Co-operative and Community Benefit Societies Act 2014, and suggested that they also be included in this section.

Councillor D. Moore also commented that she hoped that the building transfers would include environmental improvements and that there would be flexibility from the Council in offering leases ahead of any investment made.

The Chair welcomed the amendment but advised that amendments could only be made by a member of the Executive committee. Given that there were technical details to be addressed, he advised that the Portfolio Holder for Communities & Homelessness Prevention would address the technical detail outside of the meeting and make the amendment as part of the recommendations to Council on 18 October.

Councillor Jobson, as an opposition group leader, spoke on this item. She welcomed the report and highlighted that the Exeter St James Community Association referred to in the report, needed to be changed to the Exeter and St James Community Trust Ltd as they were a corporate body to enable the transfer.

The Chair advised that the Portfolio Holder for Communities & Homelessness Prevention would address the detail outside of the meeting and make the amendment as part of the recommendations to Council on 18 October.

The Director of Culture, Leisure and Tourism in response to the suggestions stated, that there were no issues of including the Community Benefit Societies in the section 8.2, which listed various organisations and wasn't specifically including or excluding organisations. In regards to the title to Exeter and St James Community Trust Ltd, it was important that this was correct.

The Director of Culture, Leisure and Tourism and the Programme Manager - Communities, in responding to a Members' question stated that safeguarding assets was a risk outlined in the report and that if a property was transferred

through a leasehold, it would enable the Council to maintain partnership working and support for the relevant group. Members would address each application during the processing stage to ensure financial resilience and stability with the applicant.

The Portfolio Holder for Communities & Homelessness Prevention in summarising the report highlighted that the policy was a framework for the whole process and each application was addressed on a case-by-case basis. He thanked the officers for the time and effort in bringing the report and policy together to support community groups in the city.

**RECOMMENDED** that Council adopt the Community Asset Transfer Policy.

86 **FOOD LAW AND HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2022 - 2023**

The Executive received the report which sought approval to adopt the Food Law and Health and Safety Service Plan 2022-23, which set out the Council's regulatory function in respect of food safety and health and safety over the forthcoming year. The Food Law Enforcement Plan highlighted how the Council would meet its regulatory obligations in respect of food safety and the Health and Safety Services Plan demonstrated the arrangements for enforcing health and safety.

Members noted that the Environmental Health team had been disrupted during the Pandemic, and had been assisting on the national track and trace system, assessing Covid compliance for businesses and there had been periods where businesses were closed and food inspections could not take place.

Particular reference was made to the focus on the national framework for recovery by the Food Standards Agency, which Exeter was in a very good position. There were 150 more food businesses in operation now, than before the Pandemic, which further highlighted the impact of resources on a small team.

The Service Lead - Environmental Health & Community Safety, in responding to a Members' question explained that any changes to the food hygiene legislation would require a change to the Council's constitution and a report would be presented to the Executive for Council approval accordingly.

**RECOMMENDED** that Council:-

- (1) approve the Food Law and Health and Safety Service Plan 2022/23;  
and
- (2) authorise the Service Lead – Environmental Health and Community Safety to change the plan in the light of national guidance and/or to meet operational needs.

87 **AIR QUALITY ANNUAL STATUS REPORT**

The Executive received the report on the statutory Air Quality Annual Status, which contained monitoring data from 2021 and the summary of the actions taken in that year to improve local air quality. The Council had a statutory duty to monitor and report on air quality and had submitted the report to the Department of Environment, Food and Rural Affairs (DEFRA).

Particular reference was made to the five high points raised in the DEFRA appraisal letter, included with the agenda, which highlighted the high standard and accuracy

of work undertaken. The Service Lead - Environmental Health & Community Safety expressed his thanks to the staff involved in writing the report.

Councillor D. Moore, as an opposition group leader, spoke on this item. She welcomed the report and highlighted the importance of seeing the status of air quality in the city. She enquired on the evidence for the actions for improving air quality and had concerns that air pollution was rising. She further enquired if the Portfolio Holder would be minded to send the report to Devon County Council and ask for their response to the report and comment on what actions they were undertaking to improve the city's air quality.

The Portfolio Holder for Climate Change commented that it was a statutory report produced to a specific standard. The Council's role was to measure and report on air quality, but worked with various partners on measures to improve the air quality, whilst being mindful of the Council's resources. The report presented was for noting but the Council would be engaging with Devon County Council on means to improve air quality measures.

The Service Lead - Environmental Health & Community Safety explained that the report had been shared with the Director of Public Health at Devon County Council, who had commented on the findings. He also highlighted that the Air Quality Action Plan required an update due to the figures for 2020 being discounted and 49 of the 50 locations within the air quality management area were below the legal objective.

Members welcomed the report and expressed thanks to the team for an informative and well-presented report.

**RECOMMENDED** that Council note the statutory annual status report.

88

### **NORTHBROOK WILD ARBORETUM: PROJECT INITIATION AND FUNDING**

The Executive received the report which provided the detail for commencing the development of the wild arboretum project and the funding required. A report had been previously presented to the Executive in October 2021, which highlighted the details of the 2021 consultation and the 96% support for the wild arboretum. The report now set out the next steps required in delivering the green space.

Particular reference was made to the work that had been undertaken with the Devon Wildlife Trust, the Parks and Engineering teams and with Devon County Council for green transport aspects to progress the project. Discussions were also underway with the Environment Agency for additional contributions.

Councillor D. Moore, as an opposition group leader, welcomed the report.

Councillor Jobson, as an opposition group leader, spoke on this item and welcomed the report. She enquired about CIL allocation funding and whether the 85% allocation would be focussed on infrastructure. The Leader confirmed that the 85% allocation was correct.

The Director Net Zero Exeter & City Management in response to a Members' question, explained that the longer term use of the building on site was being discussed with the Devon Wildlife Trust and an option for transferring the property as a lease agreement was still to be decided. The Car Park would likely stay under the Council's control, and maintenance of the green space would be undertaken by the Devon Wildlife Trust.

During the discussion, the following points were made:-

- This was a good example of the positivity for asset transfers, which would ensure the safety and future enhancements for the green space. The report embraced biodiversity and offsetting carbon emissions by encouraging active travel and the planting of trees; and
- The project would also encourage physical activity and promote active travel in the city.

The Chair welcomed the report and welcomed the consultation with the community and the positive response received.

**RESOLVED** that the stages required to develop the Northbrook Wild Arboretum in partnership with Devon Wildlife Trust be approved in principle.

**RECOMMENDED** that Council approve the allocation of £288,583 in total towards the project made up of £222,615 from a mixture of the Community Infrastructure Levy funding or Section 106 if available, and contributions of £65,968 from partners.

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### **EXETER PLAN: OUTLINE DRAFT CONSULTATION**

The Executive received the report on the progress made on the new Exeter Plan (Local Plan) which sought approval for undertaking a public consultation on the 'Outline Draft' plan which set out the city vision, spatial strategy, draft strategic policies and potential development sites for comment.

A previous public consultation had been held in Autumn 2021 and additional work had been undertaken based on the evidence and issues identified to prepare the outline Draft Plan for consultation. Exeter City Council had a statutory responsibility to prepare planning policy for the city, and the new Exeter Local Plan would replace the Core Strategy and the Local Plan First Review documents. Consultation was an important part of the process for preparing the Exeter Plan and fulfilled the statutory requirements and the adopted Statement of Community Involvement

Members were provided a presentation on the draft Exeter Plan, (appended to the minutes), and particular points raised in the presentation included:-

- The Exeter Plan was the new name for the Local Plan, and would become a statutory planning policy for the city, once adopted;
- The Exeter Plan was the first new local plan in 10 years and looked ahead to 2040 and also included the Councils Exeter Vision 2040;
- The consultation and plan would be available in a digital format, both online and on a new digital platform to be more interactive and accessible;
- Consultation and engagement would also be available in hard copy, available at public events with available questions on each section of the document;
- To ensure more residents could make their voices heard, a variety of engagement and events were planned;
- The plan would include the spatial strategy to encompass net zero, health and wellbeing and city centre vitality;
- There would be a focus on development of brownfield sites and good access to green infrastructure;
- Liveable Exeter was an anchor of the plan with the intent to build homes, to reinvigorate existing communities and create sustainable neighbourhoods;
- Details of the evidence, policies, and various development sites were highlighted; and

- The consultation would run between 26 September and 21 November 2022 with another consultation to be held in 2023. A final draft of the document will be published for comment ahead of submission to the Planning Inspectorate for examination.

Councillor Jobson, as an opposition group leader, spoke on this item. She thanked the officers for the hard work that been put into the plan, and enquired when a list of dates and venues will be made available to start informing local residents.

Councillor D. Moore, as an opposition group leader, spoke on this item. She welcomed the presentation and the work that had been undertaken. She enquired on the following:-

- would there be a list for community facilities and health services included as part of the evidence base?
- What was the contribution from Exeter University, who made a large contribution to the city and would their new plan contribute or form part of the Exeter Plan for public consultation?
- Could the Liveable Exeter Place Board include co-creative input from community organisations who are not represented on the Place Board and could a community panel be established to contribute to the strategic direction of the city.

Councillor D. Moore welcomed the inclusion of supporting Gypsies and Travellers needs in the Exeter Plan.

The Chair highlighted that the Liveable Exeter Place Board would not be making decisions on the consultation. The Council would be working closely with its delivery partners and would be reaching out to other groups and organisations to include them. All submissions to the consultation would be welcome, whether from an individual or from a group. The consultation would aim to reach out to as many people as possible.

In response to a Members' question, the Chair advised that there were national organisations who represented Gypsies and Travellers, who would be contacted to notify travellers of the consultation, to enable them to participate in the consultation.

During the discussion, a Member welcomed the focus on the brownfield first strategy, which would protect the green city ridgeline. Members should, now reach out to residents to encourage them to take part in the consultation.

The Portfolio Holder for City Development & Planning welcomed the plan and expressed her thanks to the team and those involved, for the work that had been undertaken on the first draft and advised, that everyone in the city was welcome to engage with the consultation. Members were further advised that there had been legislative changes relating to Travellers, but there were organisations who represented them who would be contacted.

**RESOLVED** that

- (1) the Outline Draft Exeter Plan (content included in Appendix A of the report) be approved as the basis for public consultation for eight weeks commencing on 26 September 2022; and
- (2) delegated authority be granted to the Director of City Development, in consultation with the Council Leader and Portfolio Holder for City Development,

to agree minor changes to the Outline Draft Plan content before it is published for consultation.

90      **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

In accordance with Regulation 5, Paragraph 5, Part 2 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 concerning the procedures prior to private meetings, the details of the representations received had been included on the agenda with the statement of response to the representations.

The reason for the exemption for Minute No. 91, was that the report was an informative update report, which contained information relating to the financial or business affairs of the company and it was in the public interest to maintain the confidentiality of the company's financial or business affairs. The recommendation that Minute No. 91 be taken under Part 2 would be maintained.

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraph's 1,2 and 3 of Part 1, Schedule 12A of the Act.

91      **MEMBER TRAINING**

The Executive received the report which provided a quarterly update on the progress of work on the Members' training programme and also included Members' attendance records and feedback on the various training sessions held since May 2022 to present.

Particular reference was made to the new online training platform which would soon be made available to Members. The system would enable Members to undertake an array of training sessions including GDPR and Safeguarding. Attendance and completion of the training would also be included in the training indicators.

Councillor D. Moore, as an opposition group leader, welcomed the quality of the training provided.

During the discussion, the following points were made:-

- The new training package will have mandatory training requirements for all Members to undertake;
- New carbon literacy training would be provided to Members later in the year, which was highly recommended;
- Shadowing and site visit sessions from various teams had been very beneficial and Members were encouraged to attend for their own development.

The Deputy Leader & Portfolio Holder for Arts & Culture and Corporate Services suggested that the report be presented publically for future meetings, with any relevant redactions, to highlight the training and development that elected Members had undertaken.

**RESOLVED** that the Executive note the Members' Training report.

92      **EXETER CITY LIVING SIX MONTH UPDATE - FINANCIAL YEAR 2022/2023**

The Executive received the report on the mid-term update on the Exeter City Living business plan covering the period March 2022 to 31st July 2022. The report was an informative update which provided an overview of the market conditions affecting the company over the last six months, including the challenges it faced in an unprecedented volatile construction sector, along with an update on Company activity. The Report did not propose any changes to the agreed Business Plan for 2022-2023.

The Managing Director, Exeter City Living Ltd made particular reference to:-

- The challenges faced by procurement issues in the South West, which had caused delays to the start of construction on various sites;
- The report provided a financial overview for the year to date, with an explanation for the key variations against the Budget for 2022-2023.,
- The potential for an addition to the Company's development pipeline strategy with the conversion and remodelling of existing stock. This potential strategy was being explored as a means of increasing the housing stock in the City ahead of new build developments commencing and as a means of reducing carbon by remodelling and re-using existing buildings.
- There had been some notable progress including new homes commencing on sites at Hamlin Gardens, demolition works commencing at Clifton Hill and good progress with the Development Work stages for a number of new developments which had the potential to deliver over 600 new homes.
- New staff had been appointed to Exeter City Living and the Company had also been providing consultancy services to Teignbridge District Council to assist them with their own ambitions to build new homes; and
- The board structure for Exeter City Living was being addressed along with its governance arrangements and changes would be presented to the Executive and Council in due course.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired as to whether the Company were in a position to repay its loan interest liabilities and further enquired on whether any new homes modelled from existing buildings would meet national space standards.

The Managing Director, Exeter City Living Ltd explained that the interest rate the Company paid on their loans varied as to when the loan was taken out by the Council for each development, but that the rate that the Council charged the Company was fixed, which was reflected in the Company's budget and cash flow. The Managing Director confirmed that the size of homes created by ECL whether new build or from conversion would conform to the National Space Standards and Exeter City Council's Residential Design Standards.

The Chair thanked the Managing Director, Exeter City Living Ltd for the update and acknowledged the issues faced by the company.

**RESOLVED** that the Executive note the midterm update report.

(The meeting commenced at 5.30 pm and closed at 7.33 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 18 October 2022.**

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## **REPORT TO EXECUTIVE**

Date of Meeting: 4 October 2022

## **REPORT TO COUNCIL**

Date of Meeting: 18 October 2022

Report of: Deputy Chief Executive

Title: Corporate Plan 2022-26

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

#### **1. What is the report about?**

1.1 The report presents the council's draft 2022-26 corporate plan.

#### **2. Recommendations:**

2.1 It is recommended that:

- 1) Executive notes and Council approves the council's 2022-26 draft Corporate Plan;  
and
- 2) Any necessary drafting amendments before publication be delegated to the Chief Executive & Growth Director, in consultation with the Leader of the Council.

#### **3. Reasons for the recommendation:**

3.1 To endorse publication of the plan, to enable members, employees and stakeholders to be informed about the council's key priorities up to 2021.

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

4.1 There are no resource implications. Funding for any projects or initiatives identified in the plan will be considered as they are approved on an individual basis.

#### **5. Section 151 Officer comments:**

5.1 The contents of the Plan are noted. Members are reminded of the financial constraints under which we operate and the Council's current medium term financial plan, which requires reductions of £6.6m over the life of the plan. It is imperative, therefore that any additional resources required to deliver the plan are identified prior to approval and take into account the level of resourcing available to the Council. Wider economic conditions make this a very challenging time for all organisations and the Council is not immune to this. Members are reminded of their responsibilities to ensure that any budgets they agree are fully funded.

## **6. What are the legal aspects?**

Please see Monitoring Officers comments below.

## **7. Monitoring Officer's comments:**

7.1 All councils are required to put in place a plan setting out their key strategic plan which articulates the councils overall aims and ambitions.

## **8. Report details:**

8.1 The aim of the corporate plan is:

- to promote understanding and ownership of the council's, direction and priorities;
- to set out some of the key actions the council will be taking; and
- to enable reporting on progress with priorities.

8.2 A copy of the draft corporate plan is attached at Appendix A.

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

9.1 N/A

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

10.1 The corporate plan is delivered through a range of policies, programmes, projects, supporting strategies and plans, which are all subjected to risk assessments and appropriate mitigation.

## **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 The plan is an overarching strategic document, which contains the following statement:

*As a service provider, community leader and employer we are committed to being an exemplar in promoting equality and tackling social exclusion. We demonstrate this commitment through our corporate equality group, corporate equality plan, our equality objectives and our values and behaviours. We also undertake equality impact assessments of our policies, programmes and plans to ensure we are considering their impact on equality groups.*

11.5 The corporate plan is delivered through a range of policies, programmes, projects, supporting strategies and plans, which are subjected to Equality Impact Assessments to assess and identify potential impact on people with protected characteristics as determined by the Act.

## **12. Carbon Footprint (Environmental) Implications:**

12.1 Net Zero Carbon City is one of the strategic priorities in the plan. The impact of the policies, programmes, projects, supporting strategies and plans that deliver the corporate plan will be individually assessed.

## **13. Are there any other options?**

13.1 None.

**Deputy Chief Executive, Bindu Arjoon**

Author: Bruce Luxton, Corporate Manager, Executive Support

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

Background papers used in compiling this report:-

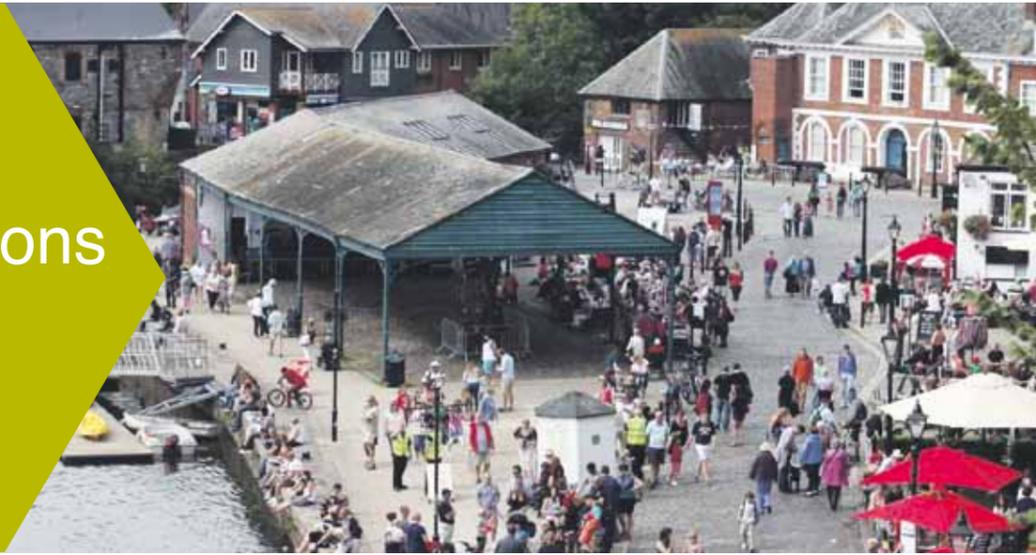
None

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1

Contributing to the aspirations of the Exeter Vision 2040



2

Delivering our strategic priorities



3

Leading a well-run council



# Contents



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Exeter Leisure staff celebrate the opening of St Sidwell's Point Leisure Centre

## Introduction by Cllr Phil Bialyk, Leader of the council

I am pleased to introduce our corporate plan for 2022 to 2026.

This plan has never been more important as we face up to complex and unprecedented challenges. Some of these followed directly in the wake of the Covid-19 pandemic and our exit from the European Union. Others - the climate emergency, the housing emergency, the decline of the High Street and health inequalities – are more embedded.

These are significant challenges affecting the whole nation and requiring interventions and significant investment from central government. Exeter City Council and its partners have an equally important role to play in addressing them and in improving the lives and wellbeing of people who live in, visit and work in Exeter.

Likewise, we mustn't lose sight of the inspiring and ambitious aspirations of the Exeter Vision 2040, and our contribution to the future success of the city. And, of course, we need to run an organisation and deliver essential services that people rely on as part of their everyday lives - providing leisure facilities, emptying the bins, cleaning the streets and cutting the grass - are just a few examples.

With extensive roles and responsibilities, we're always mindful that we need to fulfil them with a dwindling financial envelope. Government funding cuts mean we must reduce our budget by £6.6m by 2026. Inevitably this involves taking some difficult decisions and prioritising what we do. Focusing on the council and achieving savings is critical and will inevitably have an impact on the resources that we can contribute to achieving the outcomes that are owned and shared by all stakeholders in the city. Delivery of this plan will be very much dependent on the rapidly-changing economic climate, the availability and the prioritisation of our resources.

We are still aspirational for our city so innovative and creative working with the private sector and our partners will be critical as we articulate a voice for the city and lobby for new investment. We can't take sole ownership of issues that we don't have sole control of, or responsibility for, but we will play our part, galvanising support and activity from others.

Against this backdrop, we'll be focusing on:

- 1 Contributing to the aspirations of the Exeter Vision 2040
- 2 Delivering our strategic priorities
- 3 Leading a well-run council



Cllr Phil Bialyk celebrating Exeter City Football Club's promotion to League 1 with Matt Jay, ECFC captain

Of course, the scale of our activity means that this document can only be a snapshot and I look forward to reporting on our progress and achievements.

Cllr Phil Bialyk  
Leader

# Our plan on a page

**1** Contributing to the aspirations of the Exeter Vision 2040

**EXETER LIVE BETTER** **Exeter Vision 2040** 

“By the time they are an adult, a child born in Exeter today will live in a city that is inclusive, healthy and sustainable. A city where the opportunities and benefits of prosperity are shared and all citizens are able to participate fully in the city’s economic, social, cultural and civic life.”

- Innovative and analytical city
- Healthy and inclusive
- The most active city in the UK
- Accessible world class education
- Liveable and connected
- A leading sustainable city
- City of culture

**2** Delivering our strategic priorities

- Prosperous local economy
- Healthy and active city
- Housing and building great neighbourhoods and communities
- Net zero carbon city
- Thriving culture and heritage

**3** Leading a well-run council

- A balanced budget
- Good governance
- Value-for-money services
- Customer-focused services
- Supported and developed staff and members
- Well-managed assets

Delivered through The Exeter Plan, other council strategies and services’ business plans

1

## Contributing to the aspirations of the Exeter Vision 2040

We play a leading and significant role in delivering the aspirations of the Exeter Vision and our five strategic priorities align directly with the aspirations of the Exeter Vision.

We embrace our role as a community leader – as a shaper and leader of place that works successfully with stakeholders in the city, across the region and nationally. We are proud of our record in articulating the needs of the city and its communities, galvanising the support of public and private sectors, securing investment and finding innovative solutions to problems and ambitions.

This often involves expanding our remit beyond that of a typical district council and venturing into areas that many district councils would see as the business of others. But we see this as essential for achieving the social, economic and environmental outcomes that the city, its stakeholders and communities aspire to and which are spelt out in the Exeter Vision.

There are numerous examples of how the services provided to Exeter's residents and communities make an important contribution. Council services will be setting out in their own detailed plans of how they will continue to contribute to these aspirations.

# Exeter Vision 2040



In December 2019 the Liveable Exeter Place Board adopted the Exeter Vision 2040. Working together to bring about transformational change and sustainable growth, the Liveable Exeter Place Board is made up of representatives from leading public and private sector organisations from within the City of Exeter and Greater Exeter region.

“By the time they are an adult, a child born in Exeter today will live in a city that is inclusive, healthy and sustainable - a city where the opportunities and benefits of prosperity are shared and all citizens are able to participate fully in the city’s economic, social, cultural and civic life.”

## Innovative and analytical city

Exeter will be a model of strong local democracy. Communities will organise themselves and use their assets and resources to reduce inequalities and create a sense of belonging. The city’s anchor institutions will drive local impact. Active, engaged citizens and communities will be empowered to create, share and use data to respond to shared problems and needs. Exeter will be a young people-friendly city and young people will have a meaningful voice in the decisions that affect them and their communities.

An innovative and analytical culture will support communities, businesses, civil society and public bodies to work together to solve the city’s challenges and achieve its ambitions. The city institutions work collaboratively with a coherence in pursuit of the city’s vision.

## Healthy and inclusive

Exeter will be healthy and happy and local services will support people to live their lives well, in the ways that matter to them. Every resident will have a home that is secure, affordable and healthy in a balanced and connected neighbourhood that supports wellbeing and reduces social isolation.

Access to clean, secure and affordable energy will help to eliminate fuel poverty. Health, care and wellbeing services will be designed and delivered in partnership with the communities who use them.

## The most active city in the UK

Exeter will be the most active and accessible city in England. Transport will not be a barrier to economic or social activities. Sustainable means of travel will be cheaper, quicker and more convenient than private car ownership. Land currently dominated by driving and parking will be freed up for social, economic and environmental uses. Air will be clean and healthy. A high-quality and accessible built environment and green spaces, with great arts and cultural facilities, will encourage healthy, active lifestyles. A comprehensive network of safe routes will ensure that most everyday journeys are made by walking and cycling.

## Accessible world-class education

Exeter will be agile and innovative. Economic growth will be clean, inclusive and resilient. Local supply chains will be stronger. Supporting the city’s businesses and social enterprises and keeping more money within the local economy. All residents will have access to world-class education and training, and meaningful, high-quality employment with fair wages. The life-changing benefits of access to and participation in arts, culture and physical activity will be realised. Employers will be able to recruit, nurture and retain a skilled local workforce as well as attracting the best global talent.

## Liveable and connected

Exeter will be a liveable city, with a thriving city centre, within a network of thriving rural and coastal towns and villages. The impacts of growth will be managed and mitigated. Communities will lead development, helping to create a city. A city where everyone has access to the places and services which enable them to meet their needs and lead fulfilling lives. Urban planning will protect and enhance Exeter’s exceptional natural and historic environment, safeguard its iconic landscape setting, and encourage high-quality contemporary design that complements and enhances the city’s heritage.

## A leading sustainable city

Exeter will be a carbon neutral city by 2030 and recognised as a leading sustainable city and a global leader in addressing the social, economic and environmental challenges of climate change and urbanisation. The Exeter of the future will have grasped the opportunities ahead of us today.

## City of culture

Exeter will be known nationally and internationally as a city of culture. It will innovate and lead in the area of the environment, wellbeing, cultural literacy, creative making and heritage innovation to build a living city where everyone thrives. Under its UNESCO City of Literature status Exeter will become a destination for writers and a city of readers. The city will use the power of literature and words to pursue a set of wellbeing goals to improve life for all.

# Our values and behaviours - how we work

We know that only the exemplary behaviour and positive attitude of our employees will deliver outstanding results for those that visit, work in and live in the city.

We are developing a Values and Behaviours Framework, which represents how we will deliver the planned outcomes of this plan. Our values and behaviours are central to who we are as a council and they help to develop the right working environment to deliver our ambitious goals for the city.

These are our initial thoughts, developed through working with a small group of staff. Over the coming months, we will work with staff more widely and elected members to seek further feedback and to refine the framework.

### Equality and diversity

As a service provider, community leader and employer we are committed to being an exemplar in promoting equality and tackling social exclusion. We demonstrate this commitment through our corporate equality group, corporate equality plan, our equality objectives and our values and behaviours. We also undertake equality impact assessments of our policies, programmes and plans to ensure we are considering their impact on equality groups.



- We practice health, safety and wellbeing of self and others
- We strive to deliver continuous improvement
- We are creative and innovative to build a better future for all
- We make a positive contribution towards a sustainable environment
- We act as a role model
- We are always accountable for our own actions
- We consistently show trust and respect
- We always lead by example
- We consistently show flexibility and are open to change
- We are ambitious for the city and the council
- We have a can-do attitude
- We take account of other people's views
- We respond positively to feedback
- We are open and honest
- We are always inclusive and considerate of others

Page 27

2

Delivering our strategic priorities



Our five strategic priorities

These enable us to focus on and invest in issues that are of national concern, are important to the city and its communities and which reflect political priorities.

- A Prosperous local economy
- B Healthy and active city
- C Housing and building great neighbourhoods and communities
- D Net zero carbon city
- E Thriving culture and heritage

For each strategic priority we have set out the challenges we face, the role we play in addressing those challenges and a summary of our headline actions. Service plans and our performance framework set out more detailed actions and measures of success and will be reported regularly.

A

## Prosperous local economy



“ The City of Exeter is the most significant urban asset in the region. It is uniquely placed to attract innovative businesses and high skilled workers. The challenge is not only to unlock this potential but to enable a new path creation that can stimulate growth in neighbouring and peripheral areas.

Exeter has many strengths which indicate the capacity for future development and growth. However, here are a number of key challenges which must be addressed, if the city-region is to maximise its economic potential.”

**Devolution for Exeter and the South West - A ResPublica Report for Exeter City Council (March 2021)**

### Introduction

Exeter has faced economic challenges over the past couple of years, due mainly to the impact of Covid-19.

Around 30,000 (30%) of Exeter's workforce were furloughed. Universal Credit claimants peaked at 4.2% in May and August 2020, the first time this had been more than 4% since May 1997. The numbers dropped to 2.2% in April 2022 and, whilst not yet back to pre-pandemic levels, those claiming often face a range of complex barriers preventing them from entering the labour market.

Job vacancies remain consistently high across the city and wider area, with around 3,000 vacancies within a 5 mile radius of the city. Vacancies far outweigh the number of people searching for work. Employers are reporting recruitment problems and the nature of the labour market drives up demand for skills and salaries.

Our young people have experienced a particularly difficult time, with those aged 16-24 considered to be most impacted by the pandemic. The number of young people claiming Universal Credit in Exeter more than doubled between February and August 2020. Our schools have also worked through challenging times, adapting to home learning, virtual work experience and the cancellation of exams. Supporting them and our young people as we move on from the pandemic will be crucial to developing our future workforce.

Footfall within the city centre dropped dramatically during lockdown periods. It is now recovering, remaining 5% down on 2019 levels, but in a significantly better place than both the South West (18.6%) and UK (22%) averages. It is estimated that 35 weeks of retail sales were lost from March 2021 to September 2021, and there were approximately 45 retail closures within Exeter during 2020/21. Whether pre-pandemic footfall levels will be achieved remains to be seen, particularly in light of new 'hybrid' working arrangements being adopted across a number of businesses.

The biggest economic transformational opportunity for Exeter and the region is to realise the economic impact of having some of the world's leading experts on climate sciences based in Exeter. Supporting the University of Exeter in its plans for a Net Zero Plus Innovation hub, preferably located in the city centre, would support regional businesses and organisations with their climate and environment action plans.

It should attract start-ups and entrepreneurs to the region, providing skills development for green and digital transformation and building the South West into an international leader in climate action, biodiversity and natural capital. Work on the Civic University Agreement will align ambitions for Exeter to be a globally significant location for addressing the challenges of climate change.

A

## Prosperous local economy

### Key challenges

- Retention and recruitment, with some difficult-to-fill vacancies, which is stifling business growth.
- A rise in residents becoming economically inactive, particularly those in the 50+ age groups.
- Matching the learning and skills opportunities for residents with current and future job opportunities.
- Low levels of graduate retention from the University of Exeter.
- Levels of aspiration amongst our young people and limited awareness of opportunities.

- We will launch a Net Zero Plus Innovation Hub for the South West, supporting regional businesses and organisations with their climate and environment action plans. We will attract start-ups and entrepreneurs to the region, providing skills development for green and digital transformation and building the South West into an international leader in climate action, biodiversity and natural capital.

- Capitalise on St Sidwell's Point leisure centre as a catalyst for regeneration.

- Launch and implement the revised Exeter Skills Strategy.

- Publish a new business plan for Exeter Works, including a one-stop shop for business engagement.

- Develop partnerships with the University of Exeter (Civic University Agreement), Exeter Chamber and city organisations, to provide training and to support high-growth potential businesses and start ups.

- Launch Empowering Girls to raise the aspiration levels of young girls in our schools.

- Support our most excluded residents to participate in economic and civic life moving them into learning, work, training or volunteering.

- Raise awareness of internships, mentoring, graduate placements and permanent positions to retain talent.

- Launch a revised City Centre Strategy addressing changes in shopping, working and travel habits.

### How we will address this priority - headline actions



## B

## Healthy and active city



“ While activity levels have stabilised following the height of the pandemic and, in many instances, are starting to show signs of recovery – including a welcome return to team sports since July 2021 - this masks a concerning underlying picture.

Some groups, such as our youngest adults, continue to see activity levels fall at a worrying rate while our physical spaces, such as gyms and leisure centres, are seeing slow recovery in numbers – with those taking part in fitness activities remaining notably below pre-pandemic levels.

There are also widening inequalities, with the least affluent being the most impacted. ”

Active Lives Adult Survey, November 2020-21 Report, Sport England (April 2022)

## Introduction

Exeter is one of the healthiest places in the UK to live, however there are some areas in the city that have high levels of deprivation and some of the poorest health outcomes in England. There is a significant health inequality gap with a wide range of life expectancy between the most affluent and most deprived wards in the city.

Our approach to tackling these stubborn health inequalities includes investing in partnerships to develop skills and economic prosperity for all and taking a lead in supporting communities through an Asset-Based Community Development Approach (ABCD).

This is embodied in the pioneering Wellbeing Exeter network that provides community organisers in every ward in the city, working within their neighbourhoods on the issues that matter to people with the aim of enabling communities to thrive. Individuals and families are supported by community connectors linked to every GP surgery, community healthcare and council services who are able to refer people who would like help and support tackling practical social and lifestyle concerns. The council leads the Wellbeing Exeter programme, pooling funding from a range of partners including Devon County Council, NHS Primary Care Networks and Sport England.

In 2016, Exeter and the neighbouring new town of Cranbrook were selected by Sport England as one of twelve National Local Delivery Pilots. This reflected a brave new approach by Sport England to invest in key places using whole system thinking to encourage those who are less active to become more active in everyday life. This recognises the overwhelming evidence base of the health benefits of leading active lifestyles.

Our theory of change is that if we can encourage the least active to become more active in everyday life we will not only improve health outcomes, but we could also reduce congestion and improve air quality by encouraging more active travel for work, education and leisure.

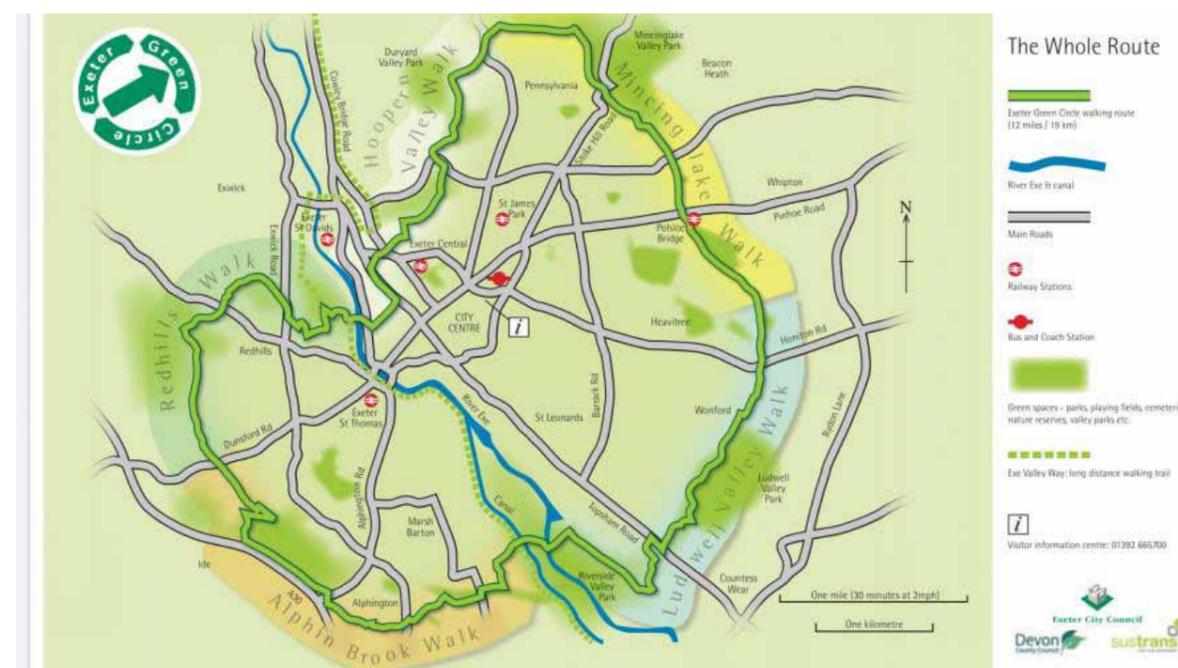
Our work with Sport England has shown that, whilst overall activity levels in Exeter are high compared to local authorities across England, in some areas in the city physical activity for some communities is far lower than the average for Exeter and in comparison with other areas in the country. Our focus in addressing these issues is two-fold: strategically through our aspirational Liveable Exeter vision of future neighbourhoods designed around active living through low-traffic, low-car use neighbourhoods designed to promote walking and cycling in all aspects of daily life. Secondly, through practical, community-based projects under the Live and Move programme. An example of this approach is the Exeter Green Circle where we are opening up valley parks and green spaces with improved infrastructure and signage, whilst simultaneously working with communities to find ways to encourage greater use of these brilliant community assets.

We have some confidence that this place-based approach may be having a positive impact as the National Audit Office (2022) have reported that prior to the pandemic inactivity levels were reducing at a higher rate in the Local Delivery Pilot areas than in comparative areas in England.

However in Exeter and elsewhere, the impact of the pandemic on activity levels, health outcomes and widening inequalities is significant. Our fieldwork has identified that residents in our poorest neighbourhoods are three times more likely to be inactive than the mainstream population. There has been a fall in activity levels and a decrease in general health and wellbeing for those on low incomes and from culturally-diverse communities.

A further factor that has impacted on physical activity levels is the closure of leisure centres and pausing of community sports during the pandemic. Community sports and informal activity organisers are regrouping, delivering activities and finding new ways of engaging with people after long periods of isolation and uncertainty. However, in some localities there has been a lasting impact of Covid on the leisure sector with around 30% of leisure centres and swimming pools unable to re-open following the pandemic closures.

Due to our long-standing investment in council-owned leisure centres and swimming pools, and our decision in 2021 to take back direct management of our leisure estate in response to pandemic challenges, we have reopened existing centres, including a fully refurbished Riverside Swimming Pool and Leisure Centre. In April 2022 we opened St Sidwell's Point, our flagship leisure centre, the UK's first ultra-low energy, Passivhaus leisure centre and swimming pool complex. This facility, and five other leisure centres under our direct management, symbolise our ambition to increase activity levels and improve the health of communities across the city.



## B

## Healthy and active city



### Key challenges

- Responding to the post-pandemic impact on health inequalities and deprivation including a decrease in physical inactivity for those on low incomes or from culturally-diverse communities.
- Increasing socio-economic challenges and their impact on health inequalities and wellbeing with fuel poverty for example, resulting in reduced mental and physical wellbeing, with people in particular groups increasingly feeling isolated and unable to cope.
- Finding a sustainable funding model for Wellbeing Exeter, which we know makes a difference to the health and wellbeing of individuals and communities at a time of increasing pressure on public sector budgets.
- The ongoing risks to public swimming pools, gyms and leisure centres nationwide as a consequence of the Covid pandemic and increasing costs.
- The impact of the increasing cost of living, wage bill and energy on costs, whilst trying to keep costs to Exeter residents low and fulfil our aim of running cost-neutral Exeter Leisure services.

### Wellbeing Exeter

Through Wellbeing Exeter we lead a unique partnership that employs community builders and connectors across the city who work with individuals and communities to identify what matters to them and then plan a forward together.

We will:

### How we will address this priority - headline actions

- Develop a sustainable funding and delivery model for Wellbeing Exeter in partnership with its strategic funders and operational delivery partners.
- Increase referrals so more residents can improve their physical and mental health through conversations with Wellbeing Exeter Community Connector team.
  - Encourage and support Community Builders working with communities keen to address local and city challenges of Net Zero.
- Increase connections for people in communities to access local activities on their doorsteps through working with Wellbeing Community Physical Activity Organiser team.
- In partnership with Exeter Leisure Services, develop a wellbeing programme for those on low incomes or experiencing challenging circumstances to enjoy our leisure facilities.
- Increase the number of residents from our most challenged communities accessing introductory and beginner activity opportunities through community-based and Exeter Leisure programmes.

B

## Healthy and active city



### Live and Move (Sport England Local Delivery Pilot)

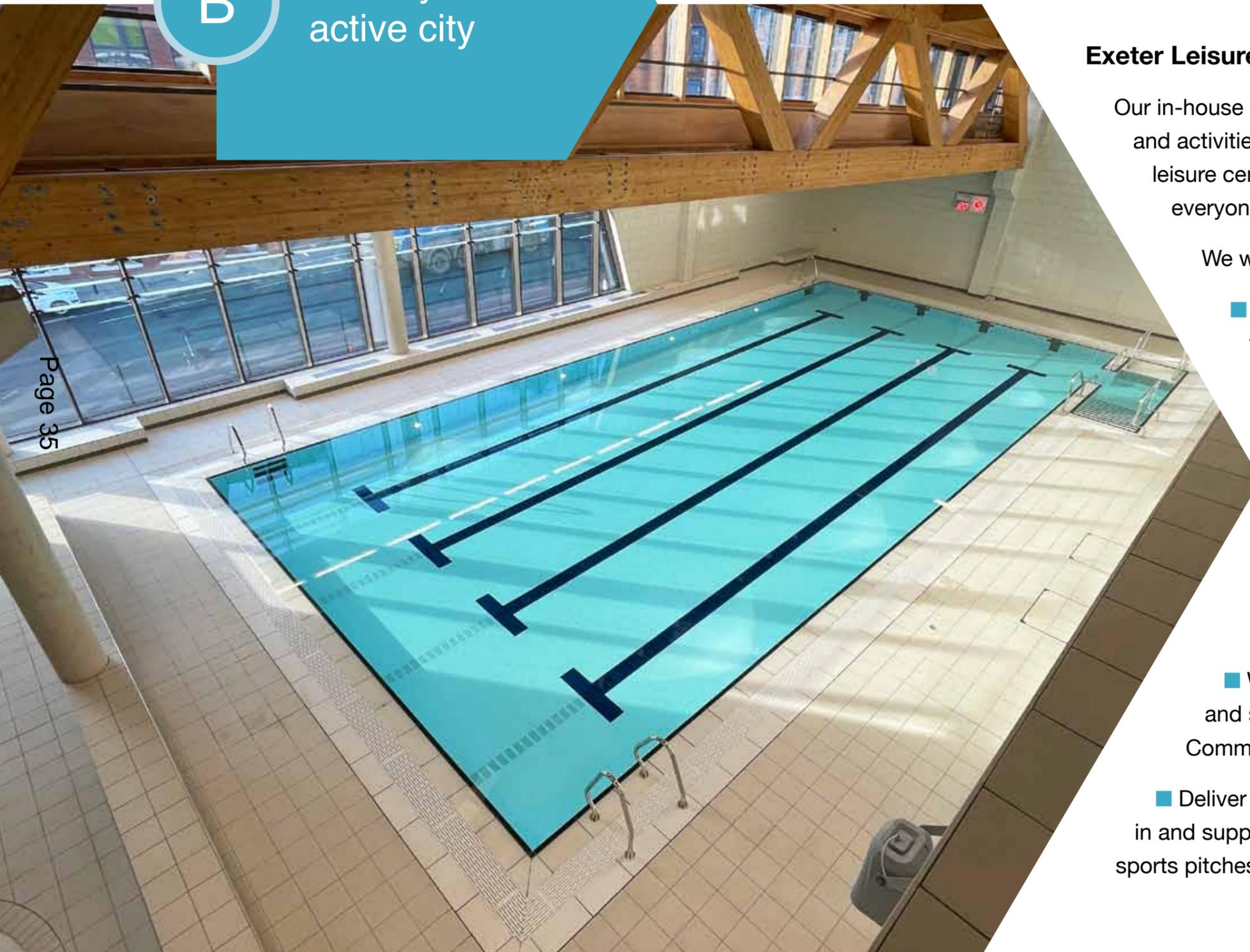
We run a programme funded by Sport England called 'Live and Move', supporting people to walk and cycle more in their everyday lives.

We will:

- Work with Devon County Council to consult on and launch the Local Cycling and Walking Infrastructure Plan to tackle congestion, improve physical and mental health, and support community economies in the city.
- Encourage more residents to access strategic cycle routes across Exeter.
- Launch the Exeter Green Circle with a new digital app and improve a network of short walks connected to the 13 mile circular route.
- Consult on and finalise designs to deliver public realm and highway improvements in Newtown, developing a low-traffic neighbourhood.
- Develop Active Design standards within the council's planning service to embed low-traffic neighbourhoods within Liveable Exeter developments and the future Exeter Local Plan.
- Deliver a new green travel plan for the council with walking and cycling to work as the main mode of transport.
- Deliver a planning application for a new Wonford Community Wellbeing Hub.

B

Healthy and  
active city



Page 35

## Exeter Leisure Services

Our in-house leisure service 'Exeter Leisure' offers leisure facilities and activities at six sites in the city, including our world-class leisure centre, St Sidwell's Point, helping and encouraging everyone to lead active and healthy lifestyles.

We will:

- Ensure a successful first year of operation for St Sidwell's Point, maximising take-up of leisure activities.
- Operate an effective, cost-neutral leisure service.
- Explore commercial opportunities for Exeter Leisure.
- Review the operation of the leisure service, the use of our wet and dry facilities and identify options for improvement and investment.
- Work with Sport England to develop our leisure strategy and secure external investment to deliver the Wonford Community Wellbeing hub.
- Deliver a new playing pitch strategy for the city that invests in and supports residents to access green spaces, grass and artificial sports pitches.

C

## Housing and building great neighbourhoods and communities



“

The housing emergency is millions of people denied a safe home. The housing emergency is thousands of families stuck in temporary accommodation. The housing emergency is people living on the streets.

Shelter (2021) 'Denied the Right to a Safe Home: Exposing the Housing Emergency'

”

“

Neighbourhoods are the building block of a city. The improvement and creation of new urban communities combining new homes with meaningful and high-value jobs and services is at the heart of the Liveable Exeter vision. Neighbourhoods that promote wellbeing and physical activity can be achieved through the implementation of a transformational plan for delivering homes in the city.

Liveable Exeter

”

### Introduction

Exeter has always ranked very highly as a great place to live in comparison with other cities in the UK. It is the quality of the environment, the friendliness of local people and the quality of life that make it so. Its popularity and its attractiveness as a place, drive growth and investment. This fuels demand for more housing, placing greater pressures on an overloaded infrastructure including hospitals, schools and other public services.

### The challenges

- A shortage of social and affordable one and two bedroomed homes, with over 2800 people waiting for social housing (as at 6 June 2022).
- Between 15 and 25 people are sleeping on the streets of Exeter on any given night.
- Over 600 households (individuals and families) are homeless in Exeter, stuck in temporary accommodation - homelessness hostels and shared accommodation plus hotels and bed and breakfasts.
- Renters face insecurity, the threat of unfair eviction and unsustainably high rents in the private sector.
- In 2021, an Exeter home typically cost an average of 9.1 times earnings – up from 7.9 in 2020
- Annual house price inflation is up to 13.4%, with by far the strongest quarterly growth (3.5%) of any region (average house price of £293,968
- Private rents paid by tenants in the South West rose by 3.5% in the 12 months to February 2022

C

## Housing and building great neighbourhoods and communities



**The Exeter Plan (the local plan)** - Will shape the future of Exeter for the next 20 years, setting out how the city continues to evolve and meet the needs of the community. As the main planning policy document, it will set out where development should take place and will be vital in making decisions on planning applications. Further information on progress with the plan is available at [www.exeter.gov.uk](http://www.exeter.gov.uk).

**Liveable Exeter** - Will create new homes for the city guided by Garden City principles, working in close collaboration with local architects and partners. These principles have been built into the Exeter Vision 2040.

Liveable Exeter will encompass eight sites around the city including Water Lane and St David's and will deliver 12,000 new homes in new urban communities on existing brownfield sites.

The programme will address major challenges of infrastructure and renewal, low carbon development as well as drawing together the core threads of the Exeter Vision 2040. You can find out more about the programme, the sites and community engagement plans at [www.liveablexeter.co.uk](http://www.liveablexeter.co.uk).

**Property development** - As the owner of the Exeter City Living property development company, we build, high-quality, energy-efficient, safe and affordable homes across a range of tenures.

We will:

- Create a business case for our own new Residential Property Company to build and acquire rented homes with the security of an ethical landlord and a security of tenancy not seen in the private sector.
- Use funding from the Housing Revenue Account to deliver 500 new council homes over the next 10 years.

**Property owner and landlord** – As the landlord of houses and flats in Exeter, we manage homes that tenants can be proud of and enable them to sustain their tenancies.

We will:

- Update the 30 year business plan for the Housing Revenue Account (HRA), setting out how the council will manage its HRA resources to support the delivery of high-quality council housing in Exeter.
- Review our Tenancy Policy and Strategy.
- Ensure that all housing services comply with regulatory standards and procedures to be introduced by the new Social Housing Regulator in March 2023.
- Bring Edwards Court (Extra Care) into housing management.
- Introduce a Neighbourhood Strategy that enables tenants to be part of their community and provides safe, well-managed estates.
- Publish and implement a new Asset Management Plan, which includes our plans to shift capital investment towards carbon neutrality and to focus on emerging government legislation such as the Future Homes Standard and Building Safety Act.
- Improve the energy efficiency of our own properties reducing carbon emissions and fuel costs by continuing the retrofit programme for our housing stock (4,800 properties).
- Ensure the safety of all tenants and leaseholders via compliant management of gas servicing, electrical testing, asbestos management, legionella testing, fire risk assessments and lift servicing.

**Housing advice and homelessness support** - We play a leading role in ensuring that the most vulnerable citizens receive the best advice and, where possible, an accommodation offer at the earliest opportunity with ongoing bespoke support.

We will:

- Publish and implement a new Homelessness Strategy that supports our ambition to reduce rough sleeper numbers, and end rough sleeping where possible by 2025.
- Increase integrated offers of accommodation and treatment to build better recovery from homelessness as well as homelessness prevention in the first place.
- Continue co-production and partnership work with the voluntary sector to provide accommodation units with tenancy training and support where needed.
- Explore setting up strategic forums for local providers and commissioners to better join up services and deliver improved outcomes around acute homelessness need.
- Invest £4M in new “stepping stone” homes for rough sleepers, plus annual £1.5M investment over next 3 years in new accommodation and support interventions.

How we will address this priority - headline actions

D

## Net zero carbon city



“ Limiting global warming will require major transitions in the energy sector. This will involve a substantial reduction in fossil fuel use, widespread electrification, improved energy efficiency and use of alternative fuels (such as hydrogen).

Cities and other urban areas also offer significant opportunities for emissions reductions. These can be achieved through lower energy consumption (such as by creating compact walkable cities) electrification of transport in combination with low-emission energy sources and enhanced carbon uptake and storage using nature. There are options for established, rapidly growing and new cities.

Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report Climate Change 2022: Mitigation of Climate Change the Working Group III contribution (April 2022)

### Introduction

In 2019, Exeter City Council declared a climate emergency, with the aim of becoming a carbon neutral city by 2030. In response to this bold ambition, Exeter City Futures (ECF), a community interest company led by key organisations in the city including the City Council, launched “Towards a Carbon-Neutral Exeter” a Net Zero Exeter 2030 Plan.

In 2022 Exeter University’s Centre for Energy and the Environment published a baseline greenhouse gas (GHG) inventory for the city, which shows the scale of the changes needed in Exeter to meet Net Zero targets for 2030. The GHG inventory reports emissions and identifies specific metrics for monitoring progress towards carbon neutrality in each of the eight emissions sectors: power, buildings, industry, transport, agriculture, land use, waste and fluorinated (F) gasses across the city.

The challenges faced by the city to achieve its ambitions are daunting but there is huge potential, through greater collaboration and innovation to make significant in-roads into decarbonisation by concentrating our efforts in areas where we can have the most impact.

**It is clear that the council, as an organisation that owns property, vehicles and uses significant amounts of energy and water, has a clear responsibility for reducing its own energy use and carbon emissions and we have a good track record of doing so, for example:**

- St Sidwell’s Point, a new city bus station and new Council owned homes built to Passivhaus standard
- Solar PV estate of 4.7MW installed on Council owned land and property
- Over 220 Council owned homes retrofitted, to improve their energy efficiency and reduce their carbon emissions
- Net Zero team and budget established focusing on reducing council carbon emissions

D

## Net zero carbon city



### Key challenges

- GHG emissions in Exeter are on a downward trajectory with emissions 2008 declining by a third 2019. However, this reduction is due to the reduction in the carbon intensity of the national electricity grid: there has been a 64% reduction in emission from the power sector (with most generation plant located outside Exeter) between 2007 and 2019.
- Emissions from buildings and transport are exceeding targets set for 2020 and the lack of progress in these sectors is particularly concerning, with growth in the city leading to increases in emissions in recent years. The city needs to make significant progress in reducing emission from buildings and transport to deliver net zero.

## How we will address this priority - headline actions

### City leadership for Net zero

We have already established a new Net Zero team to co-ordinate work to reduce our own carbon emissions aiming, as an organisation, to achieve net zero by 2030, however we cannot meet the City challenges of climate change alone.

#### “Towards a Carbon-Neutral Exeter”

Roadmap provides the City with a clear, detailed and compelling roadmap to carbon neutrality.

The GHG inventory provides a robust baseline from which we can plan and monitor actions to achieve Net Zero. Through the Exeter Vision 2040, Liveable Exeter, the Civic University Agreement, Place Board and ECF we have both the strategies and the collaborative delivery vehicles to achieve outstanding solutions for our city.

In recognition of the need for a whole system approach, we have taken the decision to temporarily second our Chief Executive and Director, City Transformation to head up and lead the ECF delivery team. This enables us to provide strategic leadership to organisations in the city and to dedicate resources to delivery of the Net Zero Exeter 2030 Plan.

D

## Net zero carbon city

The ECF approach will be two-fold: a strategic influencing and collaborating role aiming to draw in significant investment from new partners with an interest in city-wide test beds for innovative solutions to decarbonisation. And a supporting delivery programme of practical demonstrations projects showing how whole system approaches could be scaled up to deliver sustainable city-wide benefits.

### The priorities for the ECF delivery plan are to:

- Continue to develop the Exeter Development Fund concept, supported by grant funding from central government, to create a model for funding sustainable carbon neutral communities into the future as part of the Liveable Exeter housing development programme.
- Map organisations' current Net Zero plans against the GHG inventory baseline to assess to what extent current plans will contribute to the sector targets, identify gaps and highlight areas for further collaboration and attention.
- Deliver a Net zero city Dashboard and Monitoring System: once we have assessed current plans across ECF partners: we will need to consider what all our plans add up to in the city context. Are there opportunities to do more together? What are the gaps? Are supply chains for common developments geared up to enable plans?
- Review Exeter Transport Strategy to understand the potential impacts various proposals will have on Net Zero and consider which proposals could be most effective and could be accelerated or enhanced benchmarking against innovations in other cities.
- Convene key stakeholders to consider the role hydrogen and district heating networks could play in the decarbonisation of the city.
- Expand community energy schemes: collaborating with Exeter Community Energy and Wellbeing Exeter design and test hyper local energy efficiency partnerships to understand and overcome the practical barriers to delivering renewable energy and reducing fuel poverty in key areas of the city.
- Use the data and insights gained to identify external funding and investors to assist in solving key infrastructure and de-carbonisation challenges.

D

## Net zero carbon city

### Our role as a council

As a community leader, as an owner of significant land, property and assets and having responsibility for developing and maintaining the public realm we can invest resources in the delivery of Net Zero and encourage and influence others to do the same.

We will:

- Publish a City Council Carbon Reduction Plan.
- Work with our partners to support and implement the Devon Carbon Plan.
- Research and launch a new Electric Vehicle Strategy for the City using council-owned land and assets.
  - Continue to roll-out kerb-side food waste collection across the city.
    - Roll out the electrification of the Council's operational fleet – starting with three new electric refuse collection vehicles.
  - Launch a new campaign in partnership with Great Western Railways to encourage visits to Exeter by train.
- Publish a Royal Albert Memorial Museum decarbonisation plan.
- Switch on the £3.5million Water Lane and Smart Grid and Storage Project, providing a renewable energy supply to the council's Operations Depot at Exton Road.
- Redevelop and relaunch the Green Accord to address carbon emissions in our business and supply chain.
- Develop a Net Zero plan for the leisure service estate, including installing solar panels at Riverside Leisure Centre.

Photo © SLR aerial

E

# Thriving culture and heritage



Exeter’s culture is unique and constantly evolving. It encompasses our shared histories, our personal identities and stories and our city’s heritage from the Iron Age to present day along with our thriving community of creative art practitioners.

We will do everything we can within our scope to celebrate, support and enable our shared culture to thrive.



**Cllr Laura Wright, Deputy Leader and Portfolio Holder for Culture, Corporate & Democratic Services**



## Introduction

For a city of its size, run by a district council, Exeter has a high proportion of National Portfolio Organisations. It has received consistently high levels of revenue investment for cultural facilities and activity from Exeter City Council and Arts Council England. It is home to one of the best regional museums in the country. Exeter has also recently been given Cultural Compact status, which delivers cross-sector engagement and helps unlock opportunities to those working in the cultural sector.

There are challenges ahead, but Exeter is well placed because of its strong roots, core investment and flourishing partnerships. Those working in the Creative Arts, Culture and Heritage have shown perhaps the highest level of innovation and resilience in recent times. We must continue to support those working in culture with matched enthusiasm.

On large scale projects, The University of Exeter’s Civic University Agreement and Creative Arc investment is leading the way. Through this work and a potential uplift in funding for the Liveable Exeter programme, the city is on track to embrace the culture of our community in ways a public body hasn’t done before.

Under its UNESCO City of Literature status Exeter has become known nationally and internationally as a city of stories. We will work with the charity in new ways so the written word will be used to improve life for everyone.



In 2019 the city was awarded UNESCO City of Literature status, recognising 1,000 years of unbroken history around reading.



E

## Thriving culture and heritage



### Key challenges

- Funding
- Arts Council 'Priority Place' designation
- Moving from delivery to enabling and facilitation
- Uncertainty around National Portfolio Organisations
- A flourishing night-time economy
- A need to balance cultural ambition with the national funding picture and local financial challenges
- A need to support Visit Exeter as a vital mechanism for promotion of our events, business and cultural offer.

We will:

- Continue to support the Exeter Heritage Partnership Network to be the voice of Exeter's heritage institutions, working in partnership to lead inclusive, inspirational and thought-provoking heritage activities, which encourage both residents and visitors to engage with the story of Exeter's 20000 year history.

- Apply for the next year of National Portfolio Organisation funding and an uplift for our work with the University of Exeter on the Creative Arc.

- Deliver the Royal Albert Memorial Museum's strategic plan.

- Listen to what is important to our communities and amplify those voices into planning strategy, including Liveable Exeter locations and the City Plan.

- Publish a public art strategy and deliver on the actions.

- Support the Northcott Theatre with their use of The Barnfield Theatre as an additional city centre attraction.

- Create and deliver a new tourism strategy for Visit Exeter members.

- Deliver a new service level agreement for The Custom House and utilise its potential through Exeter Canal and Quay Trust.

- Provide a varied programme of events at The Corn Exchange and improve the building and facilities.

- Fully understand Exeter's night time economy and bring that understanding into any discussions and decisions around culture of the city.

- Use the upcoming skills strategy to listen and facilitate new opportunities for young people starting out in the creative industries.

- Support our National Portfolio Organisations following the new round of funding.

- Work with UNESCO City of Literature to deliver a strong memorandum of understanding, leveraging every possibility of this world class status.

- Facilitate and deliver key events in our open spaces.

- Continue to support the Exeter Heritage Partnership Network to be the voice of Exeter's Heritage institutions, working in partnership to lead inclusive, inspirational and thought-provoking heritage activities which encourage both residents and visitors to engage with the story of Exeter's history.

### How we will address this priority - headline actions



## 3

## Leading a well-run council

We have identified six pillars of a well-run council. We have set out below what we mean by each of these and what we will do to deliver them. All of our services will be setting out their contribution to these six pillars in their own service plans.

- A A balanced budget
- B Good governance
- C Value-for-money services
- D Customer-focused services
- E Supported & developed staff & members
- F Well-managed assets

One Exeter is the council's transformation programme.

It aims to deliver a fit-for-purpose organisation and deliver the budget reductions identified in the Medium Term Financial Plan.

The programme will transform how we work and how we support our staff, customers and stakeholders and it is central to delivery of the six pillars - A well-run council.

 **ONE EXETER**  
ONE COUNCIL • ONE TEAM

<b>A</b> A balanced budget	<b>B</b> Good governance	<b>C</b> Value-for-money services	<b>D</b> Customer-focused services	<b>E</b> Supported and developed staff and members	<b>F</b> Well-managed assets
<p>We will meet the challenges of ongoing reductions in funding from central government and a budget reduction of £6.6m by 2026/27 through reducing costs, generating additional income and prioritising spend whilst maintaining statutory services.</p> <p><b>Budget reductions and income</b></p> <p>We will identify budget reductions and income that enable us to deliver a balanced budget to Council in 2023.</p> <p><b>Generating income</b></p> <p>We will expand our commercial activity and generate more income.</p> <p><b>Discretionary services</b></p> <p>We will review the prioritisation and operation of our discretionary services.</p>	<p>We conduct our business in accordance with our Code of Corporate Governance, which follows the seven core principles of the framework Delivering Good Governance in Local Government (CIPFA).</p> <p><b>Risks</b></p> <p>We will regularly assess and mitigate our risks.</p> <p><b>Emergencies and disruptive incidents</b></p> <p>We will be resilient and capable of responding to emergencies and disruptive incidents.</p> <p><b>Equality and diversity</b></p> <p>We will address this and tackle social exclusion in all of our work.</p> <p><b>Performance management</b></p> <p>We will monitor and review delivery of our priorities and work programmes and use data to inform our decisions and priorities.</p> <p><b>Consultation and engagement</b></p> <p>We will actively communicate and engage with our residents and communities and seek their views on projects and initiatives in line with our Consultation Charter.</p> <p><b>Effective partnerships</b></p> <p>We will work with our partners and stakeholders for mutual benefit to achieve shared ambitions, use innovative delivery models and unlock investment. We will maintain a partnership register to ensure our partnerships meet our partnership protocol.</p>	<p>Our organisational structure and roles optimise delivery of our strategic priorities and services. We deliver and procure value-for-money, customer-facing support services, where value for money means:</p> <ul style="list-style-type: none"> <li>■ spending less (minimising the cost of services)</li> <li>■ spending wisely (prioritising what we spend money on)</li> <li>■ spending well (making the best use of available resources through continuously-improved processes)</li> </ul> <p><b>Organisational structure</b></p> <p>We will review our organisation and set out proposals for a fit-for-purpose organisational structure.</p> <p><b>Procurement</b></p> <p>We will procure goods and services as efficiently and effectively as possible.</p> <p><b>Value-for-money services</b></p> <p>As part of our organisational change programme, One Exeter, we will review our services to ensure they are meeting our value-for-money objectives.</p>	<p>We make it as easy as possible for people to help themselves by providing high-quality information and advice, first time, through digital and self-help services and a single point of contact.</p> <p><b>Service reviews</b></p> <p>We will carry out service reviews to analyse and redesign the operation of our services and their processes to ensure that they meet the customer-focused principles of our One Exeter programme.</p> <p><b>Digital services</b></p> <p>We will work with Strata, our ICT provider, to implement our Digital Strategy and maximise the opportunities for customer-focused service.</p>	<p>We provide training, development and support programmes for our employees and councillors.</p> <p><b>Staff development</b></p> <p>We will develop the capability of our staff to ensure they are highly motivated, well trained, supported with agile working and adopt our values and behaviours.</p> <p><b>Staff wellbeing</b></p> <p>We will put in place an Employee Wellbeing Framework.</p> <p><b>Elected members</b></p> <p>We will enable our elected members to be effective in their roles as politicians and community representatives.</p> <p><b>Health and safety</b></p> <p>We will ensure that health and safety at work is a priority and that all staff are aware of its significance for their roles and responsibilities.</p>	<p>We have investment and maintenance programmes for the assets that underpin our business.</p> <p><b>Built assets</b></p> <p>We will manage our built assets to improve value for money, income potential and to maximise their longevity.</p> <p><b>Information</b></p> <p>We will manage and secure our information and ensure that we are open and transparent.</p> <p><b>ICT</b></p> <p>We will work with Strata, our ICT provider, to ensure effective and efficient management of our ICT assets.</p>



**ONE EXETER**

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**ONE COUNCIL • ONE TEAM**

3

Leading  
a well-run  
council

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## Reviewing and updating this plan

We will review this plan and report on progress on an annual basis. We will also publish regular reports setting out progress delivering the priorities and action, including the supporting actions in our strategies and service plans.



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## **REPORT TO EXECUTIVE**

Date of Meeting: 4 October 2022

## **REPORT TO COUNCIL**

Date of Meeting: 18 October 2022

Report of: Deputy Chief Executive

Title: Catering Provision at Edwards Court

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

### **1. What is the report about?**

1.1 Officers' propose that the catering provision at Edwards Court is provided in-house and the staffing establishment is increased to provide this.

### **2. Recommendations:**

2.1 That Executive recommends that Council agree:-

- (1) To provide the catering at Edwards Court in-house; and
- (2) That Exeter City Council (ECC) recruits a Head Chef, Assistant Chef and 2 x Catering Assistants at an estimated grade of F, D and B respectively and that they are added to the staffing establishment in Tenancy Services where all non-care elements of the scheme are managed. All of these posts will be contracted for 25 hours a week.

### **3. Reasons for the recommendation:**

3.1 In January and February 2022 respectively, the operating model agreed by Executive and Council for Edwards Court was that all non-care services would be managed or overseen by Exeter City Council (ECC).

3.2 Following the unsuccessful tendering exercise for the catering service at Edwards Court, where no bids were received, a decision needs to be made on how catering is provided to the residents to allow for one two-course hot meal at lunch time for the tenants as per their contractual provision.

3.3 Whilst interim arrangements have been put in place for the first tenants as occupation of the building begins, this will not be sustainable once the property is fully occupied.

3.4 Risks still remain over issues such as recruitment, inflation and costs of living increases. With, however no catering firms bidding for the contract, in-house provision is considered the only viable option. Appendix 1 sets out the business case for this proposal.

#### **4. What are the resource implications including non financial resources**

4.1 This report is asking for four additional posts as set out in 2.2 As stated in 3.3 there are additional resource implications for ECC, however, these costs will be covered within the rents and service charges and will therefore be cost-neutral

4.2 The staffing costs (including on-costs of 30%) based on the assumed grades totals £73,026.61 per annum. In addition to this there is an estimated costs of £61,152 for food supplies. These costs will in part be covered by a service charge of £20.05 per week. For those in receipt of housing benefit this amount is the maximum that can be claimed for a meal. The remainder of the costs will be included as part of the rent charge. On current projections Edwards Court should return a surplus to the Housing Revenue Account (HRA) capital contribution of over £8 million over a 30-year business plan.

4.3 There will also be some additional costs for catering uniforms, additional catering equipment and staff induction and training. It is anticipated that these costs will covered within the £350,000 already agreed by Executive and Full Council as upfront funding to prepare the scheme for occupation (communal furnishings for example).

4.4 The Head Chef will be managed by the Extra Care Property Services Manager (ECPSM). Given that this will alter the latter's job description and responsibilities, we need to have the post re-evaluated which may have a financial implication.

4.5 There may be cost efficiencies made by working jointly with Leisure Services in the procurement of food and sharing a casual staff pool for cover. Whilst there are differences in the catering offers made by Leisure Services compared to those at Edwards Court , as these services evolve work will be carried out to bring the services working together in areas such as the recruitment and management of the teams.

#### **5. Section 151 Officer comments:**

5.1 The additional costs will be factored into the HRA's budget if approved. Given the efforts of the team to identify solutions, it appears that this is a necessary step at this stage. Members should be comforted by the fact that even with the costs, the property is still projected to deliver a surplus over the life of the 30 year business plan.

#### **6. What are the legal aspects?**

None identified

#### **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

#### **8. Report details:**

8.1 Edwards Court is a property owned by ECC and managed within the Housing Service. The care is commissioned by Devon County Council and all other functions including catering are the responsibility of ECC. The scheme has been funded using Right to Buy proceeds (£4,189,500), S106 monies (£7,303,741) and the Housing Revenue Account funds (£2,706,759).

8.2 Edwards Court is a 53 flat (1 and 2 bed) scheme built by Exeter City Council (ECC) as an extra care facility which is now had the communal areas furnished and had some minor remodelling work completed to ensure it is effectively managed. From the 5th September 2022 tenants are moving in to the property in a staged way.

8.3 Appendix One sets out the business case for catering services at Edwards Court being carried out in-house and adding a Head Chef, Assistant Chef and 2 x Catering Assistants at an estimated grade of F, D and B respectively to the staffing establishment. These posts will be contracted to 25 hours a week and including on costs will cost £73,026.61 (including 30% on-costs).

8.4 There are catering facilities and a café area on the fourth floor of Edwards Court and part of the offer to tenants is a two course hot meal every day of the year. This not only provides the assurance of tenants receiving at least one nutritious meal a day it also reduces the risk of social isolation with residents meeting up at the café.

8.5 Originally, ECC carried out a tender process in order to contract out the catering which had no bids or submissions despite some initial interest. When asked for feedback the catering firms cited that the timing was wrong, they were already running at full capacity or that the current economic climate had deterred them from doing so.

8.6 The catering at Edwards Court has always been identified as an area of risk and in the current economic climate of rising costs and challenges around recruitment is a particular challenge to ECC. However, given there are no catering firms interested in this contract we would anticipate we can run the catering service in house. It is hoped we can do this effectively allowing more control on the levels of service and potentially lower costs than buying the service in.

8.7 One option explored was the potential to link the catering service to those provided by ECC's Leisure Services given that they provide some catering services at venues such as the Isca centre and St Sidwell's Point. After some early discussions it was agreed that these were a different food offering and that whilst it could have potentially provided some income to the general fund with shared efficiencies it was not worth exploring further at this point. Both Services agreed to revisit in the future once both had established their respective services and understood the activities more thoroughly.

8.8 There are a number of contracts between DCC, ECC and Radis Care Group. Within these contracts there are a number of references to ECC providing communal facilities which includes a café/ restaurant as part of the scheme. In addition to this the specification documentation for the care contract between DCC and Radis, which was agreed by ECC, makes specific reference to ECC making best endeavours to provide a catering service to deliver a good quality, 2 course hot meal 365 days a year.

There are benefits alongside the specification obligation which includes that the café area is also a social setting that tenants can meet in that will reduce social isolation for a vulnerable client group and is anticipated to promote a community atmosphere amongst the tenants. Initial feedback from those tenants being allocated to properties has been positive about the lunch time meals being part of the tenancy.

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

9.1 Exeter City Council's Corporate Plan has the following priorities:

- Delivering net zero Exeter 2030
- Promoting active and healthy lifestyles
- Building great neighbourhoods
- Providing value-for-money services
- Leading a well-run council

The successful delivery of this extra care scheme built to passivhaus standard at a social rent can contribute to all of these priorities.

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

10.1 The main risk is that we will be unable to recruit staff in what is a challenging employment jobs market. We hope to reduce this by working with Leisure Services on joint recruitment programmes and offering sociable hours with good terms and conditions.

10.2 There remains a risk that the costs of food produce will rise dramatically. This risk has been reduced by working with Leisure Services in the potential joint procurement of a supply contract which with a larger contract will allow for reduced costs for both services.

10.3 The risk of not meeting a standard of food experience for the tenants that will lead to complaints and potentially a reduction in the demand for the service. This can be overcome through a disciplined recruitment method, staff training and performance management. In addition to a responsive feedback system with the tenants to ensure that there is a customer centric approach to the delivery and development of the café.

## **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?**

13.1 One option would be to retender the catering contract, however, given the responses from catering contractors who initially expressed an interest as to why they had not submitted a bid this seems unlikely to be successful.

**Deputy Chief Executive, Bindu Arjoon**

Author: Lawrence Blake, Assistant Director of Housing

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

Background papers used in compiling this report:-

None

Contact for enquires:  
Democratic Services (Committees)  
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## **Appendix One:**

### **Business Case for the introduction of in-house catering service at Edwards Court Extra Care Scheme including adding 1 x Head Chef (Extra Care), 1 X Assistant Chef (Extra Care) and 2 Catering Assistants (Extra Care) to the establishment**

#### **Introduction**

This business case sets out the proposal for adding 1 x Head Chef (Extra Care), 1 x Assistant Chef (Extra Care) and 2 Catering Assistants (Extra Care) to the Tenancy Services establishment. This will allow the Council to provide an in-house catering facility at Edwards Court. The costs of these posts and providing the 2 course hot meal 365 days of the year will be paid for from the tenants rent and service charge.

#### **Summary**

Edwards Court is a 53 flat Extra Care Scheme built by Exeter City Council (ECC). The rents are set a social rent level and the building has been constructed to passiv haus standards. The care element has been procured by Devon County Council (DCC) and ECC is responsible for the delivery of all non-care services which includes catering.

There are catering facilities and a café area on the fourth floor of Edwards Court and part of the offer to tenants is a two course hot meal every day of the year. This not only provides the assurance of tenants receiving at least one nutritious meal a day it also reduces the risk of social isolation with residents meeting up at the café.

Originally, ECC carried out a tender process in order to contract out the catering for which there were no bids or submissions despite some initial interest. When asked for feedback the catering firms cited that the timing was wrong, they were already running at full capacity or that the current economic climate had deterred them from doing so.

The catering at Edwards Court has always been identified as an area of risk and in the current economic climate of rising costs and challenges around recruitment is a particular challenge to ECC. However, given there are no catering firms interested in this contract we would anticipate we can run the catering service in house. It is hoped we can do this effectively allowing more control on the levels of service and potentially reduce the costs on the private sector whilst still providing staff with good terms and conditions.

#### **Details of the Business Case**

In January and February 2022 the operating model agreed by Executive and Council for Edwards Court was that all non-care services would be managed or overseen by ECC. The provision of care is the responsibility of DCC and in consultation with ECC have awarded the care contract to Radis Community Care who will be jointly located at Edwards Court. The majority of the functions outside of care relate to housing management so responsibility for this part of the service sits within Tenancy Services.

As well as having now recruited an Extra Care Property Services Manager ECC contributes towards the costs for the Care Manager, employed by Radis, in order to ensure there are no gaps in the services the residents of Edwards Court receive in relation to all non-care elements of the service.

Unfortunately the procurement exercise for the catering service by ECC resulted in no tenders being received. Ongoing discussions with consultants and internally have concluded with members being asked that we run the catering services internally. Whilst there are risks and additional obligations in this approach, in the current economic and employment climate we are left with no other viable option. It is possible that if the catering service is run effectively it might reduce costs, give us better control over levels of service and provide better terms and conditions for any potential employees.

One option explored was the potential to link the catering service to those provided by ECC's Leisure Services given that they provide some catering services at venues such as the Isca centre and St Sidwell's Point. After some early discussions it was agreed that these were a different food offering and that whilst it could have potentially provided some income to the general fund with shared efficiencies it was not worth exploring further at this point. Both Services agreed to revisit in the future once both had established their respective services and understood the activities more thoroughly.

In order to run the catering service we will require at least 2 members of staff on site each day preparing and serving a 2 course meal. Meals will be served between 12pm and 1pm with preparation and clearing up duties before and after these times. There may be some additional evening events where tenants request food for a social activity (birthday party or bingo night) but this would be treated separately and is outside of the scope of this business case.

Tenants will start moving into Edwards Court from the week commencing the 5<sup>th</sup> September. Given that each tenant goes through an allocations panel where nominations are agreed by ECC, DCC and Radis followed by a verification home visit it is anticipated that we will have 2 to 3 tenants moving in a week until such time as we reach full capacity.

The setting up of the catering service if agreed will not be completed until early 2023 as following Executive and Council approval we will need to complete a recruitment process in what is a challenging market and carry out an induction of new staff. As an interim arrangement the Extra Care Property Services Manager is working with the catering team at Millbrook retirement village on a covering arrangement as a stop gap. Whilst they will not be able to provide this beyond the short term it does allow ECC time to set up the catering arrangements and will foster strong links with the residents and services of Millbrook village.

### **Costs**

In order to allow for annual leave and two consecutive non-working days it is anticipated we will need a minimum of 4 members of staff all working 25 hours a week between 10am and 3pm. This will be made up of a Head Chef, Assistant Chef and 2 Catering Officers. It is possible going forward that we would look to provide opportunities for apprentices and work experience in particular working with the Isca School which is located next door to Edwards Court. It may also be necessary to use a pool of casual staff to cover during periods of annual leave and sickness absence. It may be possible to share the casual pool used by Leisure Services in their catering provision.

Whilst these posts have yet to be job evaluated working on the basis that the Head Chef will be a grade F (£24,920), Assistant Chef will be a grade D (£20,444) and the Catering Assistant will be grade B (£18,887) the staffing costs will be set out in table below.

Post	Salary based on 25 hours	Including on costs (based on of 30% (this includes pension etc))
Head Chef	£16,837.84	£21,889.19
Assistant Chef	£13,813.51	£17,957.56
Catering Assistant	£12,761.49	£16,589.93
Catering Assistant	£12,761.49	£16,589.93
<b>Total</b>	<b>£56,174.33</b>	<b>£73,026.61</b>

*The salary costs for catering at Edwards Court*

In addition to staff costs there will be the costs of food which has been based on the scheme running at 90% occupancy levels which is line with all other cash flow assumptions. Based on our consultant's expertise, experience from food services provided by Leisure Services costs of £3.50 per meal is a reasonable assumption in line with similar schemes. This which equates to £24.50 per week and £1274.00 per year for each tenant. Based on 48 tenants requiring a lunch at any one time this will require an assumed expenditure on food of £61,152.00 per annum.

Therefore the total ongoing running costs are estimated as follows:

Staff	£73,026.61
Food	£61,152.00
<b>Total</b>	<b>£134,178.61</b>

This equates to costs of £53.75 per week. Of this £20.05 will be charged as a service charge with the remainder being funded from the tenants rent. Whilst not charging the full amount via a service charge does reduce the amount of estimated surplus on the scheme over a 30 year forecasting plan it still is anticipated to return a surplus of over £8 million over this period. This is approximately £1 million less than originally estimated surplus but has been amended following inflationary pressures on items such as the costs of food supplies. The benefit of keeping the costs of the meal within benefit levels as a service charge is that those tenants on a low income would eligible to claim housing benefit up to £20.05 per week for food and thus make the scheme more financially viable and attractive for them to accept an offer of accommodation. It is anticipated this will in turn reduce applicants refusing offers of accommodation on the basis of costs thus generating more rent with reduced voids.

### **Conclusion and Recommendation**

The Scheme requires a two course hot meal for all tenants every day of the year. This market is challenging at present and ECC did not receive any bids during a tender exercise for catering at Edwards Court.

Whilst we will be experiencing the same challenges as other catering firms the only real alternative is to provide an in-house service. We anticipate that our terms and conditions will make us a more attractive offer of employment including more sociable hours (fit with school times for example).

This is a new area of work for ECC but if successful could offer tenants a better level of service at the most effective costs mitigating against the risks of an economic climate that is likely to see costs of services increasing at significant %.

It is recommended that ECC agrees to the setting up of an in-house catering service at Edwards Court.

**August 2022**

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## Equality Impact Assessment: Catering Provision at Edwards Court

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:
Executive	Catering Provision at Edwards Court	That Executive recommend that Council agree; <ul style="list-style-type: none"> <li>• To providing the catering at Edwards Court in-house.</li> </ul>	Vulnerable adults with an extra care need

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
		<ul style="list-style-type: none"> <li>That Exeter City Council (ECC) recruit a Head Chef, Assistant Chef and 2 x Catering Assistants at an estimated grade of F, D and B respectively and that they are added to the staffing establishment in tenancy Services in order to manage all non-care elements of the scheme. All of these posts will be contracted to 25 hours a week.</li> </ul>	

**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

<b>Protected characteristic/ area of interest</b>	<b>Positive or Negative Impact</b>	<b>High, Medium or Low Impact</b>	<b>Reason</b>
<b>Race and ethnicity</b> (including Gypsies and Travellers; migrant workers; asylum seekers).	<b>Neutral</b>	<b>Low</b>	<b>The scheme will provide a wide range of food types and will cater for any ethnic or cultural requirements</b>
<b>Disability:</b> 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.	<b>Neutral</b>	<b>Low</b>	<b>Assistance will be provided by the carers as appropriate to residents with disabilities</b>
<b>Sex/Gender</b>	<b>Neutral</b>	<b>Low</b>	<b>There will be no impact</b>
<b>Gender reassignment</b>	<b>Neutral</b>	<b>Low</b>	<b>There will be no impact</b>
<b>Religion and belief</b> (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	<b>Neutral</b>	<b>Low</b>	<b>Any dietary considerations based on beliefs or religion will be taken into account</b>
<b>Sexual orientation</b> (including heterosexual, lesbian, gay, bisexual).	<b>Neutral</b>	<b>Low</b>	<b>There will be no impact</b>
<b>Age</b> (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).	<b>High</b>	<b>High</b>	<b>This extra care scheme is restricted to over 55s on an affordable rent and any delays in providing catering will impact on this age group exclusively</b>
<b>Pregnancy and maternity</b> including new and breast feeding mothers	<b>Neutral</b>	<b>Low</b>	<b>There will be no impact</b>
<b>Marriage and civil partnership status</b>	<b>Neutral</b>	<b>Low</b>	<b>There will be no impact</b>

**Actions identified that will mitigate any negative impacts and/or promote inclusion**

**Officer: Lawrence Blake**

**Date: 6.09.22**

## **REPORT TO EXECUTIVE**

Date of Meeting: 4 October 2022

## **CUSTOMER FOCUS SCRUTINY COMMITTEE**

Date of Meeting: 6 October 2022

Report of: Director Corporate Services

Title: Operation London Bridge - Expenditure

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

### **1. What is the report about?**

This reports sets out the details of an urgent decision taken by the Chief Executive and Growth Director, in consultation with the Director of Finance, the Leader of the Council and Chair of the Customer Focus Scrutiny Committee, relating to the expenditure on the Council's response to Operation London Bridge. The Constitution requires officers to present this to the next available meeting of the Executive for noting.

### **2. Recommendations:**

That the Executive note the urgent decision.

### **3. Reasons for the recommendation:**

3.1 To comply with the Constitution, any decision which has been taken as a matter of urgency and which includes the incurring of expenditure, needs to be reported to the next available meeting of the Executive.

3.2 At the time of writing the report, expenditure of £31,000 had been incurred in the Council's response to Operation London Bridge.

3.3 The Chair of the Customer Focus Scrutiny Committee in agreeing to the urgency of the matter, has requested that a breakdown of the costs be presented to that Committee. This report will also therefore be considered at the Scrutiny Committee meeting on 6<sup>th</sup> October 2022.

### **4. What are the resource implications including non financial resources**

A breakdown of the costs incurred is set out below. These costings do not include staff time.

## **5. Section 151 Officer comments:**

5.1 The costs set out in the report will be funded from the General Fund Balance. This will have only a small impact on the level of reserves available to protect the Council.

## **6. What are the legal aspects?**

There are no identified legal issues.

## **7. Monitoring Officer's comments:**

This report meets the constitutional requirements that urgent decisions need to be reported to the Executive at the earliest opportunity.

## **8. Report details:**

8.1 As is the case with many other matters, plans have long been in place for the passing of the Monarch – these have been known as London Bridge.

8.2 Whilst not a mandatory requirement as to exactly what needs to be done to mark this occasion, there are many details within the Plan that all authorities need to follow – for example timetables for proclamations, flag raising/lowering etc.

8.3 Exeter's version of the London Bridge protocol has been developed over a number of years principally by the Lord Mayor's Support Officer as it is primarily seen as a civic responsibility. This has been developed in conjunction with many partner organisations across the City. These include:-

- The Lord Lieutenant of Devon's Office;
- The Dean of Exeter and Chapter of Exeter Cathedral;
- Exeter City Football Club;
- Exeter Chiefs Rugby Club;
- The University of Exeter; and
- The Police

8.4 However, and as can be expected, many other parts of the City Council are also included in these preparations to deal with their particular areas of responsibility. These include:-

- Communications;
- Arts and Events;
- Parks and Open Spaces; and
- Environmental Health & Community Safety.

8.5 When the announcement that Her Majesty the Queen had died was made late on 8<sup>th</sup> September 2022, these plans were immediately implemented in accordance with the timetable given, and preparations were made for:-

- The opening of Books of Condolence at The Guildhall, RAMM (as well as other locations across the City) as well as on-line from 8am the following day, and throughout the 10 days of the mourning period. It is noted that in the region of 4,000 signed the condolence book at the Guildhall, with a further 700 signing the book at the RAMM;

- Appropriate messages being posted on-line by the Lord Mayor and Leader of the Council on the evening of the announcement;
- The immediate lowering of union flags on all Council establishments, as well as the timetabling of other flag requirements at appropriate times in the mourning period;
- The announcement of the agreed location and arrangements for the laying of floral and other tributes by civic dignitaries, as well as the public;
- The local proclamation of the new Monarch on Sunday 11<sup>th</sup> September (attended by an estimated 2-3,000 people); and
- The public viewing of the state funeral on Monday 19<sup>th</sup> September – this was following national guidance aimed at keeping crowds away from London as much as possible (see paragraph 8.10 below).

8.6 Whilst plans for all of these (and many other elements) had been drawn up, and approval had been given as to the level of response the City should undertake, no budgetary provision had been made to cover the associated costs.

8.7 In accordance with the constitution, the Chief Executive and Growth Director, in conjunction with the Director of Finance, the Leader of the Council and Chair of the relevant Scrutiny Committee (in this case, Cllr Vizard as Chair of Customer Focus Scrutiny Committee) agreed for all necessary and reasonable costs to be incurred to meet the local requirements.

8.8 At the time of writing the report, these costs amount to some £31,000 which can be broken down into:-

Large screen hire for showing of the state funeral	£18,755
Security (for Cathedral Green during the mourning period, and Northernhay Gardens for the state funeral)	£3,520
Marquee for invited guests at Northernhay Gardens	£1,880
Temporary toilet provision at Northernhay Gardens	£1,725
Public address system at the proclamation	£1,565
First aid cover (for proclamation and state funeral)	£570
Other ancillary costs	£3,000

8.9 As stated in section 4 above, these costs do not take account of staff costs associated with City Council staff who implemented the protocol, or worked at any of the events.

8.10 As can be seen in 8.8 above, the vast majority of these costs were associated with the showing of the state funeral via a large screen in Northernhay Gardens. It is understood that Exeter was one of only a few authorities who undertook this commitment, particularly in the South West and it was pleasing to note that the public appreciated this with just over 1,000 people choosing to watch it together. Additional screenings were made available at St James' Park (estimated 150 viewing), Sandy Park (estimated 300 viewing) and the University of Exeter (estimated 450 viewing).

8.11 Due to this, the City became of local and national media interest, boosting the City's reputation and standing in the local community.

8.12 The level of public engagement shown for all of these events, recognises the hard work that many within the Council, as well as its partners in the City, put in to support Exeter's long tradition of delivering high standards of events.

8.13 It has also raised the issue about what will be expected of the City for King Charles III's coronation, once His Majesty has decided what he wants, as well as when it will take place, as a date has yet to be announced for that. It is suggested that appropriate budgetary provision be made at the earliest opportunity, so that plans can be tailored accordingly.

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

It ensures that the Council is a well-run Council.

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

There are no risks associated with the proposals.

## **11. Equality Act 2010 (The Act)**

In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act.

## **12. Carbon Footprint (Environmental) Implications:**

No direct carbon/environmental impacts arising from the recommendations.

## **13. Are there any other options?**

None

**Director Corporate Services, Baan Al-Khafaji**

Author: John Street, Corporate Manager, Democratic & Civic Support

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

Background papers used in compiling this report:-

None

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

## **REPORT TO EXECUTIVE**

Date of Meeting: 4 October 2022

## **REPORT TO COUNCIL**

Date of Meeting: 18 October 2022

Report of: Director Corporate Services

Title: Amendments to the Scheme of Delegation

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

#### **1. What is the report about?**

This reports sets out proposals to amend the Scheme of Delegation to Officers to match operational arrangements.

#### **2. Recommendations:**

That the Council approve the changes to the Scheme of Delegation to Officers as set out in the Appendix to this report.

#### **3. Reasons for the recommendation:**

3.1 To ensure that that Scheme of Delegation to Officers is up to date and matches the operational arrangements of the Council, thereby ensuring that day to day operational decisions can be taken. Particular attention has also been taken to ensure that Deputies have been appointed in all cases where authority has been delegated to officers, thereby ensuring that matters can continue to be dealt with, even in the absence of the named officer(s).

#### **4. What are the resource implications including non financial resources**

None.

#### **5. Section 151 Officer comments:**

5.1 There are no financial implications for Council to consider.

#### **6. What are the legal aspects?**

It is important to ensure that appropriate authority for officers to undertake the operational requirements of the Council, is appropriately approved by full Council and forms part of the Council's constitution.

## **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer

John Street – Deputy Monitoring Officer

## **8. Report details:**

8.1 The Scheme of Delegation to Officers is the working document which sets out what decisions and powers officers have on a day to day basis. It therefore needs to be kept up to date to match operational requirements and arrangements.

8.2 The latest annual revision mainly concentrates on:-

- The amendment of the Service Lead City Development function to include listing and compensation reviews in respect of assets of community value;
- The amendment of the Corporate Manager Executive Support to decide whether to list an asset nominated as an asset of community value;
- The inclusion of additional responsibilities for the Assistant Director of Housing (Tenancy Services) for the authority to opt to surrender Right to Buy (RTB) to Department of Communities & Local Government or pass receipts over to a housing association,
- The amendment of the title of Royal Albert Memorial Museum;
- The inclusion of the additional function of determining appropriate stewardship and development of the museum collection with relevant professional standards and policy;
- The amendment to responsibilities of the City Surveyor, notably the exceedance cost for property matters and amendments to the deputy's for each function; and
- The responsibilities of the Engineering, Waterways and Parking Service Manager being deleted and re-allocated to the following service leads as follows:-
  - Car Parking – Service Lead - Net Zero, Commercialisation, Skills, Business and City Centre;
  - Engineering – Service Manager Public and Green Spaces;
  - Waterways – Harbour Master Exeter Port Authority; and
  - Exercising the Council's powers under Section's 6-8 of the Exeter City Act 1987 to the City Surveyor.

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

It ensures that the Council is working as efficiently as possible.

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

There are no risks associated with the proposals.

## **11. Equality Act 2010 (The Act)**

In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act.

**12. Carbon Footprint (Environmental) Implications:**

No direct carbon/environmental impacts arising from the recommendations.

**13. Are there any other options?**

None

**Director Corporate Services, Baan Al-Khafaji**

Author: John Street, Corporate Manager, Democratic & Civic Support

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

Background papers used in compiling this report:-

None

Contact for enquires:  
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# Delegation to Officers & Deputies

## GENERAL

1. The Chief Executive & Growth Director, the Deputy Chief Executive, Directors, Corporate Managers (JNC Officers) and all officers with delegated authority must ensure that relevant Executive members are consulted on all matters of a controversial or sensitive nature. Where appropriate, these matters must be referred to the Executive for a decision/guidance.
2. If a delegated decision requires prior consultation with a specific portfolio holder and that person is not available, if the decision cannot wait, the consultation shall be with the Leader or other portfolio holder.
3. Where any decision proposed under delegated powers is likely to involve a departure from Council policy or any instruction of the Council, Committee or Executive, the officer must refer the matter to the Executive for a decision/guidance after consultation with the Director (Finance) where a budgetary issue is involved.
4. Where any decision proposed under delegated powers is likely to involve the approved annual estimate being exceeded, or is outside the approved capital programme, the officer with delegated authority must refer the matter to the Executive for a decision/guidance.
5. Where reference is made in the scheme of delegation to an exercise of a function under specific legislation, this shall be deemed to include any statutory extension, amendment, modification and re-enactment and any Statutory Instrument, rule, order, or bylaw made thereunder, provided that the nature of the function delegated remains the same.
6. All decisions delegated from the Executive and made under delegated authority shall be recorded by each officer with delegated authority in order that the Scrutiny Committees can properly examine any decision reached.
7. The Directors and Corporate Managers are responsible for the day to day management of operational issues. This Scheme of Delegation is intended to supplement the powers, duties and obligations set out in each officer's job description. Without prejudice to the above, the following powers have been specifically delegated to the following officers: -

## Chief Executive & Growth Director

1. In consultation with the Leader of the Council, (or in his/her absence the relevant Portfolio Holder), and the Chair of the relevant Scrutiny Committee, to authorise any emergency action required, on any matter which shall include incurring of expenditure, including those falling within the jurisdiction of a Committee, subject to a report then being submitted to the Executive (or relevant Committee).

(Amended October 2022)

2. In cases of emergency and in consultation with the Leader of the Council, the power to prohibit public processions under section 13 of the Public Order Act 1986.
3. In consultation with the Leader of the Council, to grant or withhold consent to the Police making the Authorisation pursuant to sections 30 and 31 of the Anti-Social Behaviour Act 2003.
4. To ensure compliance with the Council's Health and Safety Policy throughout the common parts of the Civic Centre.
5. Subject to approved budget and in consultation with the Leader of the Council, Executive member with relevant portfolio to agree redundancies in accordance with the Council's adopted policy and procedure. To prepare a quarterly summary of any such redundancies for information to the Executive, Strategic Scrutiny Committee and Audit and Governance Committee.
6. To exercise all/any delegated functions already reserved to specific officers as set out in the scheme of delegation.
7. In consultation with the Director (Finance) and the Leader of the Council to allocate resources of up to £1.5 million, funded by an earmarked reserve to support transformation and other projects that will support the Council in delivering £2.75 million in savings (2 years from Council 13 June 2018).
8. To agree any necessary amendments to the management agreement to Exeter City Group Ltd in consultation with the Leader of the Council, the Director ( Finance) and the Executive Member with the Relevant Portfolio) and in addition the Chair or Deputy Chair of Strategic Scrutiny Committee.
9. Exeter City Group Ltd - To act in the role of Shareholder Representative and to undertake the activities and decisions as identified in the Shareholder Representatives Delegated Powers Document (*refer to the report Exeter City Group Ltd Business Case, Council, 24 July 2018*) including the ability to financially commit up to £499,999 funding for use by Exeter City Living Ltd for matters not in the Year 1 Business Case (August 2018 end March 2019).

## **DIRECTORS**

1. The Deputy Chief Executive and Directors may exercise any delegated function in the absence of an Officer to whom that authority has been specifically delegated, within the service areas which they manage.

## **Deputy Chief Executive, Directors and Corporate Managers**

1. To be responsible for the effective and efficient day-to-day management of the services for which he/she is responsible in accordance with the Council's agreed priorities and strategic objectives. This shall include authority to sign agreements/contracts in order to fulfil the powers, functions and duties of the service for which the officer is responsible. This power shall only be exercisable where expenditure is included in the approved annual budget or capital programme.

(Amended October 2022)

2. To ensure that all policies adopted by the Council, which shall include those relating to its workforce are implemented.
3. In agreement with the Director (Corporate Services), authority to institute legal proceedings under any statute, by law or agreement (which shall include authority to appeal any decision made by a County or Magistrates Court) in the areas for which the Deputy Chief Executive, Director /Corporate Manager is responsible.
4. Where appropriate, to defend any proceedings brought against the Council (which shall include the power to defend any appeal lodged against any decision or determination made under delegated authority).
5. To authorise the Director (Corporate Services) to undertake covert surveillance in accordance with the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000.
6. To be responsible for ensuring that the Council's Health and Safety Policy is implemented within their own service area and for all buildings and sites for which they are responsible.
7. Where appropriate to discharge any function/s delegated to an officer within their service area in accordance with this Scheme of Delegation.
8. The removal of goods will require authority from the Deputy Chief Executive, a Director, Director (Finance), and Chief Executive & Growth Director.
9. To take all necessary action for the economic, efficient and effective day to day management, administration and supervision of his/her service subject to compliance with the Council's policies on the management, employment and remuneration of staff (or in their absence the agreement of the Chief Executive & Growth Director) including but without prejudice to the generality of the foregoing:
  - (a) Authorising the filling of posts within the approved budget (i.e. within the Council's establishment) and in accordance with the Council's employment policies.
    - *Deputies – Director (Corporate Services)*
    - *Legal Services*
    - *Service Lead, Legal Services*
    - *Human Resources*
    - *Service Lead Human Resources*
  - (b) The taking of any necessary disciplinary action in accordance with the Council's established policy and procedures (this function may also be exercised by other Officers as set out in the relevant employment policy)

*All tier three officers (of Grade N or above)*

10. The Deputy Chief Executive, Directors in consultation with their Portfolio Holders can vary fees and charges throughout the year to take account of market conditions, with the exception of car parking charges and statutory

(Amended October 2022)

charges set by the Government. Commercially sensitive fees are no longer published

## Director Corporate Services

1. In consultation with the Leader of the Council, to amend the Managing Organisational Change and Redundancy Policy and Procedure where necessary.

## CITY DEVELOPMENT

### Service Lead City Development

The following functions are delegated to Service Lead - City development subject to consultation or agreement as set out below:

<b>Function</b>	<b>Consultation or Agreement</b>	<b>With Postholders/Group</b>
<u>Applications</u> Applications (including TPO confirmations) that Members of the Planning Committee or Ward Members have requested to be brought to the Delegation Briefing.	Consultation	Delegation Briefing
City Council applications not subject to any objections.	Consultation	Delegation Briefing
Applications that have been subject to representations from a statutory consultee that express views contrary to the officer recommendation.	Consultation	Delegation Briefing
Applications that have been subject to objections from a Neighbourhood Forum, where that Neighbourhood has an adopted Neighbourhood Plan, that Officers are minded to approve under delegated powers	Consultation	Delegation Briefing
Applications that have been subject to objections based on material planning considerations, where the objection relates to impact on	Consultation	Delegation Briefing

(Amended October 2022)



		Chair of the Exeter Grants Panel or of any group that replaces it.
<u>Brownfield land register</u> Publication	Consultation	Executive Member with Relevant Portfolio
<u>Custom and self-build register</u> Publication	Consultation	Executive Member with Relevant Portfolio
<u>Advice notes regarding new planning policy or legislation</u> Publication	Consultation	Executive Member with Relevant Portfolio
<u>Five year land supply statements</u> Publication	Consultation	Executive Member with Relevant Portfolio
<u>Authority and annual monitoring reports</u> Publication	Consultation	Executive Member with Relevant Portfolio
<u>Planning policy evidence</u> Publication	Consultation	Executive Member with Relevant Portfolio
<u>Assets of Community Value</u> <b>Review decisions to list assets of community value and compensation reviews</b>	<b>Consultation</b>	Executive Member with Relevant Portfolio
<u>Affordable Housing</u> Approve the use of Commuted sums, as required, to acquire new affordable housing	Consultation	Executive Member with Relevant Portfolio and Finance and Estates Officers

*Deputies – the relevant officer post holder Assistant Service Leads - City Development and/or Assistant Service Lead (Building Control), Assistant Service Lead (Local Plans) and in relation to Annual Infrastructure Funding Statement Principal Project Manager (Strategic Infrastructure Planning)*

1. Entering Land

*The entering of land for the purposes of carrying out any function in relation to any Town and Country Planning legislation, The Building Act and subordinate legislation arising therefrom and in accordance with the Council's scheme of delegation*

*Deputies - all those holding Managerial posts, all Planning Project Officers of whatever level of seniority and all Building Control Officers of whatever level of seniority*

2. Determining applications

(Amended October 2022)

*Undertaking all actions in determining applications of whatever nature in relation to any Town and Country Planning legislation, The Building Act, Planning (Listed Buildings and Conservation Areas) Act and subordinate legislation arising therefrom and in accordance with the Council's scheme of delegation*

*Deputies -all those holding Managerial posts, all Planning Project Officers of whatever level of seniority and all Building Control Officers of whatever level of seniority*

## **CUSTOMER ACCESS**

### **Service Lead Revenues, Benefits & Customer Access**

1. To operate and administer the scheme of housing benefit on behalf of the Council, and residual council tax benefit, including taking all decisions or actions required under the provisions of statute and statutory instrument regulating the scheme and the collection and recovery of Housing Benefits Overpayments.

*Deputy –Benefits & Welfare Lead*

2. To determine applications for assistance from the Discretionary Housing Payment Fund and Exceptional Hardship Fund

*Deputy –Benefits & Welfare Lead*

3. To exercise the Council's powers in respect of the administration, collection and recovery of monies owed to the Council in respect of Business Rates and Council Tax; and the Business Improvement District levy on behalf of the Exeter BID Company.

*Deputy – Revenues Lead*

4. To authorise appropriate officers to appear in the Magistrates Court on behalf of the Council in respect of the recovery of Business Rates and Council Tax; and the Business Improvement District levy on behalf of the Exeter BID Company.

*Deputy - Revenues Lead*

5. To operate and administer the local scheme for Council Tax Support for working age claimants on behalf of the Council, including taking all decisions or actions required under the Council's local policy and to make administrative amendments to the Council's Section 13A policy under LGFA 1992.

*Deputy –Benefits & Welfare Lead*

6. To operate and administer the scheme for Council Tax Support for pension age claimants on behalf of the Council, including taking all decisions or actions required under the provisions of statute and statutory instrument regulating the scheme.

*Deputy –Benefits & Welfare Lead*

(Amended October 2022)

7. To award, revise or revoke any discretionary relief applications for Business Rates.

*Deputy – Revenues Lead*

8. To authorise the service, in relation to rent arrears, of Notice of Intention to Seek Possession (secure tenancies) and Notice to Quit (non-secure tenancies); and Notice of Proceedings for Possession of an Introductory Tenancy (introductory tenancies).

*Deputy – Revenues Lead*

9. Initiation and conduct of legal proceedings for possession in respect of cases where rent arrears are outstanding. This shall include the power to authorise officers to appear in the County Court to represent the Council in respect of rent arrears.

*Deputy – Revenues Lead*

10. To accept payment of arrears of rent by instalments.

*Deputy – Revenues Lead*

11. Authority to apply for a warrant for Possession of Property in relation to rent arrears.

*Deputy – Revenues Lead*

12. Power to apply to County Court in respect of Housing Benefit Overpayment Recovery.

*Deputy – Revenues Lead*

13. To appoint enforcement agents for the recovery of any outstanding debts.

*Deputy – Revenues Lead*

14. In consultation with Service Lead, Legal Services, authority to institute legal proceedings where fraudulent activity is suspected in relation to Council Tax Support, Council Tax and Business Rates.

*Deputies – Benefits & Welfare Lead and Revenues Lead*

15. Power to impose penalties under LGFA 1992 for the failure to supply requested information in relation to Council Tax liability, discount and exemption and Council Tax Support

*Deputies – Benefits & Welfare Lead and Revenues Lead*

16. In consultation with the Executive Member with the Relevant Portfolio and Chief Executive & Growth Director, authority to apply for Charging Orders, Bankruptcy or Committal to Prison.

(Amended October 2022)

*Deputy - Revenues Lead*

## **Service Lead Housing Needs & Homelessness**

1. In accordance with the Council's approved conditions, policies and allocation scheme to: -
  - (a) Accept/refuse applications for housing. This authority shall include the power, in consultation with Executive Member with the Relevant Portfolio, to review any decision affecting an applicant's right or eligibility for housing assistance and entry onto the Council's Statutory Housing Register.
  - (b) Where appropriate and in consultation with Executive Member with Relevant Portfolio to accept applications outside those conditions and policies.

*Deputy – Housing Solutions Lead*

2. (a) To undertake all the statutory duties imposed by the Housing Act 1996 utilising temporary accommodation, bed and breakfast accommodation, private sector accommodation and making nominations to registered providers as required.
- (b) In consultation with the Director (Corporate Services) and the Director (Finance), to enter into or determine leasing agreements with private landlords to provide accommodation to homeless households as required to meet the Council's statutory requirements.

*Deputy – Housing Access Team Lead*

3. To arrange for and re-charge as necessary for the removal and storage of personal possessions.

*Deputy – Housing Solutions Lead*

4. In consultation with the Service Lead, Legal Services, to take legal action to obtain possession of any dwelling occupied by a person accommodated in accordance with the Housing Act 1996 who has refused a reasonable offer of suitable permanent accommodation or who has been declared intentionally homeless.

*Deputy – Temporary Accommodation Lead*

5. In consultation with the Executive Member with Relevant Portfolio to make any necessary amendment to the housing scheme.

*Deputy – Housing Solutions Lead*

(Amended October 2022)

6. In consultation with Human Resources, the allocation of accommodation in respect of service tenancies which shall include the power to refuse allocation of accommodation to personnel whose employment has been terminated.

*Deputy – Housing Solutions Lead*

7. To arrange rent deposit guarantees in accordance with the Council's policy in consultation with the Deputy Chief Finance Officer

*Deputy – Housing Access Team Lead*

8. To deal with and determine homelessness reviews in accordance with the Housing Act 1996.

*Deputy – Housing Solutions Lead*

## **ENVIRONMENT**

### **Service Lead – Environmental Health and Community Safety**

1. To carry out functions, duties and responsibilities of the Council in respect of the following matters:

- drainage
  - pest control
  - air and noise pollution
  - properties that are overcrowded, unfit for human habitation or in disrepair
  - abandoned vehicles/waste/refuse
  - control of dogs
  - skin piercing
- (this power shall include authority to take remedial action where necessary).

*Deputies - Environmental Health and Community Safety Managers*

2. To appoint Inspectors and authorise officers to carry out any function, power or duty within their remit.

*Deputy – Environmental Health and Community Safety Managers*

3. Without prejudice to the generality of the above, where appropriate in consultation with the Service Lead, Legal Services, to deal with the provisions of and enforce compliance with the following Acts and associated legislation. This shall include the initiation, defence and settlement of legal proceedings, issuing of formal cautions and fixed penalty fines, service of Notices and Orders, the issue, refusal and revocation of licences, certificates and registrations, carrying out of works in default and payment and recovery of costs:

### **Public Health**

(Amended October 2022)

3.1 Food Safety Act 1990 and any Orders or Regulations or other instruments: (i) made thereunder, or (ii) relating thereto, or (iii) having effect by virtue of the European Communities Act 1972 and relating to food safety including:

- Regulation numbers 178/2002, 852-854/2004, 882/2004 and 2073/2005 which relate to food and feed
- Food and Environmental Protection Act 1985
- Food Safety and Hygiene (England) Regulations 2013
- Food Information Regulations 2014
- Official Feed and Food Controls (England) Regulations 2009

3.2 Health & Safety at Work etc. Act 1974 and any supporting regulations.

3.3 Health Act 2006 and associated regulations including:

- Smoke-free (Premises and Enforcement) Regulations 2007
- Smoke-free (Exemptions and Vehicles) Regulations 2007
- Smoke-free (Penalties and Discounted Amounts) Regulations 2007
- Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007
- Smoke-free (Signs) Regulations 2012

3.4 Public Health Acts 1936 and 1961, Public Health (Control of Disease) Act 1984, Health Protection (Local Authority Powers) Regulations 2010 and Health Protection (Part 2A Orders) Regulations 2010.

3.5 Water Industry Act 1991 and relevant regulations in relation to:

- (a) functions with regard to the wholesomeness and sufficiency of public and private drinking water supplies
- (b) entry into premises for the purpose of analysis of samples of water within Exeter City Council's district
- (c) receiving and determining applications for authorisation for relaxation of Part III of the private water supplies regulations and the revocation or modification of such authorisations

3.6 Sunday Trading Act 1994

### **Private Sector Housing**

3.7 Law of Property Act 1925 (Enforced sale provisions).

3.8 Caravan Sites and Control of Development Act 1960.

3.9 Housing Acts 1985, 1988, 1989, 1996, the Home Energy Conservation Act 1996 and the Housing Grants, Construction and Regeneration Act 1996 – to deal with all matters, powers, functions and duties set out therein.

3.10 Protection from Eviction Act 1977, the Housing Defects Act 1984, the Local Government Housing Act 1989 – to investigate and take appropriate action under these enactments.

(Amended October 2022)

3.11 Housing Act 2004 – to investigate and take appropriate action under these enactments including: -

- Section 131 Carry out works – interim or final management order
- Section 235 Production of documents
- Section 239 General powers of entry to inspect and survey
- Schedule 7 Paragraph 25 Carry out works – empty dwellings
- Schedule 3 Paragraph 3(4) Carry out works – Improvement notice

3.12 Mobile Homes Act 2013.

3.13 Enterprise and Regulatory Reform Act 2013

- Specifically: The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 (made under sections 83 and 84 of the Act)

3.14 Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

3.15 Smoke and Carbon Monoxide Alarm (England) Regulations 2015

3.16 The Housing and Planning Act 2016

3.17 National Assistance Act 1948 and 1951

3.18 Tenant Fees Act 2019

3.19 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

3.20 The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014

## **Licensing**

3.21 Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

3.22 Animal Welfare Act 2006

3.23 Animal Boarding Establishments Act 1963

3.24 Breeding of Dogs Act 1973 and 1991

3.25 Riding Establishments Act 1964 and 1970

3.26 Cinemas Act 1985

3.27 Dangerous Dogs Act 1991

(Amended October 2022)

- 3.28 Dangerous Wild Animals Act 1976 (as amended)
- 3.29 Guard Dogs Act 1975
- 3.30 Theatres Act 1968
- 3.31 Zoo Licensing Act 1981
- 3.32 Gambling Act 2005
- 3.33 Licensing Act 2003. In particular to determine:
- applications for Personal Licences, where no police objection is made;
  - applications for Premises Licences/ Club Premises Certificates, where no relevant representations have been made;
  - applications for provisional statements, where no relevant representations have been made;
  - applications to vary Premises Licences/ Club Premises Certificates, where no relevant representations have been made;
  - applications to vary designated Premises Supervisor, where no police objection has been made;
  - requests to be removed as designated Premises Supervisor;
  - applications for transfer of Premises Licences where no police objection has been made;
  - applications for interim authorities where no police objection has been made;
  - decisions on whether a complaint is irrelevant, frivolous, vexatious etc.
  - to determine applications under the Licensing Act 2003 Minor Variations to Premises Licence Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009.
  - the giving of a counter notice for Late Temporary Event Notices
  - whether to make representations as a Responsible Authority
  - the issue of a notice of suspension of licence for non-payment of the Annual Fee
- 3.34 Scrap Metal Dealers Act 2013.
- 3.35 Road Traffic Act 1991 (Access to Criminal Records).
- 3.36 Local Government (Miscellaneous Provisions) Act 1976, Transport Acts 1980 and 1985 and the Town Police Clauses Act 1847 – to grant hackney carriage and Private Hire operator, vehicle and driver licences in accordance with the Council’s agreed policy.
- 3.37 Local Government (Miscellaneous Provisions) Act 1982 (in accordance with the Council’s agreed policies).
- 3.38 Vehicle Crimes Act 2001 and the Motor Salvage Operators Regulations 2002.

(Amended October 2022)

3.39 To deal with all matters, powers, duties and functions, which shall include the issuing of Licences and permits in respect of lotteries, house to house and street collections in accordance with the House to House Collections Act 1939, the Police Factories (Miscellaneous Provisions) Act 1916 (Street Collections) and Schedule 17 of the Gambling Act 2005.

### **Environmental Protection**

3.25 Clean Air Act 1993

3.26 Clean Neighbourhoods and Environment Act 2005

3.27 Control of Pollution Act 1974

3.28 Environment Act 1995

3.29 Pollution Prevention and Control Act 1999 and associated regulations

3.30 Refuse Disposal Amenity Act 1978

3.31 Building Act 1984 – all matters, powers, duties and functions of the Council under the provisions of the following sections:

- Sections 59, 60, 64-66(drainage)
- Sections 70 (food storage), 72 (means of escape from fire), 76 (defective premises), 84 (drainage of yards)

3.32 Environmental Protection Act 1990

3.33 Litter Act 1983

3.34 Noise Act 1996

3.35 Noise and Statutory Nuisance Act 1993

3.36 Prevention of Damage by Pests Act 1949

3.37 The Environmental Protection (Stray Dogs) Regulations 1992 which shall include, in cases of exceptional hardship, the power to waive payment of the recoverable fees and expenses levied in respect of dogs seized and detained as strays.

3.38 Exeter City Council Act 1987 - the powers, duties and functions of the Council under Part 4 and Sections 21, 22, 23, 24 and 29

3.39 Local Government (Miscellaneous Provisions) Act 1976

*Deputies - Environmental Health and Community Safety Managers*

4. Enforcement of local bylaws.

*Deputies - Environmental Health and Community Safety Managers*

(Amended October 2022)

5. Granting financial assistance in accordance with the Council's policy for the repair/improvement of properties. This shall include the power in consultation with the Executive Member with relevant portfolio and Director (Finance) to waive repayment and depart from the Council's agreed policy where such a departure is minor in nature.

*Deputies – Environmental Health and Community Safety Managers*

6. To deal with the provisions of and enforce compliance with Sections 40 - 42 of the Anti-Social Behaviour Act 2003.

*Deputies – Environmental Health and Community Safety Managers*

7. To deal with and enforce compliance with the provisions of Sections 43 to 45 and 47 of the Anti-Social Behaviour Act 2003, with the exception of sub-section 44(f), which deals with offences contrary to the Town and Country Planning Act 1990 which will be dealt with by the Service Lead, City Development.

*Deputies – Environmental Health and Community Safety Managers*

8. To deal with the provisions of and enforce compliance with sections 55 and 56 of the Anti-Social Behaviour Act 2003, where appropriate in consultation with the Service Lead, Legal Services.

*Deputies - Principal Environmental Health Officer (Business Regulation and Strategy) and/or Principal Environmental Health Officer (Nuisance and ASB)*

9. To deal with all matters, powers, duties and functions, which shall include the issuing of Licences and permits in respect of lotteries, house to house and street collections in accordance with the House to House Collections Act 1939, the Police Factories (Miscellaneous Provisions) Act 1916 (Street Collections) and Schedule 17 of the Gambling Act 2005.

*Deputies – Environmental Health and Community Safety Managers*

10. Be authorised under Section 53 of the Anti-Social Behaviour Crime and Policing Act 2014 (the Act) for issuing Community Protection Notices (CPN) and related Fixed Penalty Notices of a £100 penalty fee in respect of breaches of a CPN.

*Deputies – Environmental Health and Community Safety Managers*

11. To implement Public Spaces Protection Orders (PSPO) under Part 4 Chapter 2 of the Anti-Social Behaviour Crime and Policing Act 2014 following agreement in each case at the multi-agency Anti-Social Behaviour Action Team and related Fixed Penalty Notices of a £100 penalty fee in respect of breaches of a PSPO.

*Deputy - Chief Executive and Growth Director or Director*

(Amended October 2022)

12. To issue a Closure Notice of no longer than 24 hours following appropriate consultation under Part 2, Chapter 3 of the Anti-Social Behaviour Crime and Policing Act 2014.

*Deputy – Chief Executive and Growth Director or Director*

13. To change the statutory service plan in the light of centrally issued guidance and/or to meet operational needs.

*Deputies – Environmental Health and Community Safety Managers*

## **Cleansing and Fleet Manager**

1. Without prejudice to the generality of the above, where appropriate in consultation with the Service Lead, Legal Services, the Cleansing and Fleet Manager is authorised to deal with the provisions of and enforce compliance with the following Acts and associated legislation. This shall include the initiation, defence and settlement of legal proceedings, issuing of formal cautions and fixed penalty fines, service of Notices, carrying out of works in default and payment and recovery of costs:

- 1.1 Environmental Protection Act 1990 including authorisation of works and recharges pursuant to Section 45 and authorisation and service of notices pursuant to Section 46;

1.2 Litter Act 1983;

1.3 Refuse (Disposal) Amenity Act 1978;

1.4 Clean Neighborhoods and Environment Act 2005

*Deputy – Waste Collections Manager and MRF Manager*

## **FINANCE**

### **Director Finance**

1. In consultation with the Relevant Director, the Leader of the Council and Executive Member with the Relevant Portfolio, to award funds against the Commercialisation Capital Budget of £10 million.

*Deputy – NA*

2. In consultation with the Leader of the Council and the Director (Corporate Services) authorise the application of the Councils Local Government Pension Scheme Employer Discretions.

*Deputy – Deputy Chief Finance Officer (Deputy Section 151 Officer)*

(Amended October 2022)

## **Deputy Chief Finance Officer (Deputy Section 151 Officer)**

1. To determine interest rates and their applicable dates in respect of new and existing mortgages.

*Deputy – Finance Manager - Corporate*

2. In consultation with the Service Lead, Legal Services to initiate court proceedings for the recovery of arrears in respect of mortgages.

*Deputy – Finance Manager - Corporate*

3. To be responsible:

- a. For all day to day decisions on short term borrowing, investment and financing in accordance with the CIPFA Code of Practice “Treasury Management in the Public Services”.
- b. In consultation with the Executive Member with Relevant Portfolio for decisions on long term borrowing in accordance with the Prudential Code for Capital Finance in Local Authorities and the CIPFA Code of Practice “Treasury Management in the Public Services”.

*Deputy – Finance Manager - Corporate*

4. To deal with all insurance claims against the Council. This power shall include where necessary authority to settle all such claims.

*Deputy – Finance Manager - Corporate*

5. To approve all housing advances for purchase or improvement.

*Deputy – Finance Manager – Corporate*

6. To be responsible for undertaking the role of Money Laundering Reporting Officer.

*Finance Manager – General Fund Services*

7. The execution and administration of treasury management decisions, in accordance with the Council’s policy statement and treasury management practises and, if a CIPFA member, with CIPFA’s Standard of Professional Practice on Treasury Management.

*Deputy – Finance Manager – Corporate*

8. In consultation with the Executive Member with relevant Portfolio Authority to approve financial assistance in the form of relief from Business Rates in respect of Charities/Good Causes and cases of hardship.

*Deputy – Finance Manager – General Fund Services*

(Amended October 2022)

9. In consultation with the Executive Member with relevant portfolio, to deal with applications for discretionary rate relief to sports clubs not in receipt of mandatory relief, as registered charities.

*Deputy – Finance Manager – General Fund Services*

10. In consultation with the Executive Member with relevant portfolio, to determine in accordance with the Council's agreed policy, applications for discretionary rate relief under Sections 47 and 49 of the Local Government and Finance Act 1988.

*Deputy – Finance Manager – General Fund Services*

11. In consultation with the Leader to review the Discretionary Relief Scheme and, if necessary, increase the maximum threshold to ensure Government funding is fully directed to businesses in Exeter.

*Deputy – Finance Manager – General Fund Services*

12. In accordance with the Housing Act 1980 and the Council's agreed policy to accept/refuse applications for mortgages, including further advances to administer and monitor payments of mortgage instalments and where necessary issue possession proceedings for mortgage arrears in consultation with the Service Lead, Legal Services.

*Deputy – Finance Manager – Corporate*

## **Service Lead – Commercial & Procurement**

1. To approve the creation or modification of approved contractor standing lists.

*Deputy – Procurement Lead*

2. In conjunction with the Relevant Portfolio Holder, to sign off any amendments to the Procurement and Contract Procedures and supporting notes and to report back to Members.

*Deputy – Procurement Lead*

## **HOUSING**

### **Assistant Director of Housing (Assets)**

1. Adaptation of Council Properties for disabled persons.
2. In agreement with the Leader of the Council and the Executive Member with Relevant Portfolio (or their substitutes nominated by the Leader) and the City Surveyor following receipt of professional property management advice, the identification for disposal at market value or less than best value of small areas of land no longer required for the housing unit's purposes, in accordance with the agreed scheme.

(Amended October 2022)

3.
  - (a) To administer the scheme for Housing Capital Grant.
  - (b) In consultation with the Director (Finance), to authorise payment of the Housing Capital Grant in accordance with 3 (a) above.
  - (c) To negotiate and enter into Nomination Agreements in accordance with 3 (a) and (b) above.
  - (d) Where this does not prejudice the Authority's capital receipt, to seek maximum nomination rights on disposal of land to registered social landlords.
4. In consultation with the Service Lead, Legal Services, to enter into releases of covenants affecting former Council rented or shared ownership dwellings.
5. To deal with and approve applications for grant in accordance with Section 24 and 25 of the Local Government Act 1988.
6. In consultation with the Service Lead, Legal Services, and/or Team Leader, Housing & Litigation to: -
  - (a) institute injunction proceedings in respect of anti-social behaviour pursuant to current Relevant legislation;
  - (b) institute proceedings in the County Court to obtain Demotion Orders pursuant to current relevant legislation;
  - (c) institute proceedings in the County Court to obtain possession orders pursuant to current relevant legislation; and
  - (d) In consultation with the Executive Member with Relevant Portfolio and the Director (Finance), to make minor amendments to the Contract Regulations to reflect changes in legislation.
7. In consultation with the Executive Member with Relevant Portfolio and Finance and Estates officers, to acquire **and dispose of** suitable premises under the Housing Asset Management Plan framework using receipts generated by the disposal of assets.
8. In consultation with the Executive Member with Relevant Portfolio, to undertake an Enforced Sale, an Empty Dwelling Management Order or a Compulsory Purchase Order to bring an empty property back to use.

*Assistant Director of Housing (Assets);  
Deputies – Planned Repairs Lead, Response Repairs Lead, Safety, Health,  
Environment and Quality Lead, Asset Management Lead*

9. In consultation with the Executive Member with Relevant Portfolio approve the use of consultants to assist the Housing Development Team in undertaking viability appraisals and the appraisal of new forms of affordable housing delivery within approved budgets.

(Amended October 2022)

*Deputy – Asset Management Lead*

## **Assistant Director of Housing (Tenancy Services)**

1. Grant, administer and, where necessary, terminate any flexible tenancy.

*Deputy – Tenancy Services Team Lead and Senior Housing Officers*

2. To terminate any tenancy or licence where necessary, by relying on the absolute grounds for possession introduced by the Anti-Social Behaviour Crime and Policing Act 2014 (the ASBCP Act 2014).

*Deputy – Tenancy Services Team Lead and Senior Housing Officers*

3. In consultation with the Executive Member with relevant Portfolio in conjunction with the Director (Finance) and the Director (Corporate Services), approve a repayment plan with a landlord where a property is handed back early from a private rental agreement with an individual landlord where outstanding funds are owed to the Council. This will be subject to a legal charge being created and registered in the Council's favour against the property.

*Deputy – Tenancy Services Team Lead*

4. Authority to opt to surrender Right to Buy (RTB) to Department of Communities & Local Government or pass receipts over to a housing association, subject to prior consultation with the Director (Finance) and the Executive Member with Relevant Portfolio. **This includes:**

- **To Admit or Deny the Right to Buy**
- **Section 125 Offer Notice**
- **Section 17a Notice – For failure to respond to the Section 125 Offer Notice**
- **Section 12 (a) and 12(b) – For failure to progress the application once Legal services are involved.**

*Deputy – Tenancy Services Team Lead, Senior Housing and Lettings and Home Ownership Officer*

## **ENVIRONMENT AND CITY MANAGEMENT**

### **Service Manager Public and Green Spaces**

1. To agree requests for the adoption of land and facilities provided by a developer for the Parks and Open Spaces service pursuant to a planning obligation.

(Amended October 2022)

2. In consultation with other Officers as appropriate, the letting of parks and open spaces for special events where this does not have a negative financial impact on the Council.
3. In consultation with the Director (Finance) and Service Manager, the power to vary the fees and charges in respect of the Council's recreational and sports facilities (this shall exclude any facilities which may have been outsourced by the Council).

*Deputy - Commercial Operations Manager*

4. Exercising the obligations place on the Council under the 1980 Environment Act regarding the cleaning of public places.

*Deputy – Public and Greenspaces Operations Manager*

5. In consultation with the Executive Member with relevant Portfolio to decide on bids for the use of the Bowling Green Marshes Fund, in accordance with the agreed criteria and having sought the views of ward members.
6. To deal with burials in accordance with the National Assistance Acts 1948-1951 and the Public Health (Control of Diseases) Act 1984.

*Deputy – Commercial Support Manager*

7. Where appropriate, to serve Notices to quit terminating allotment tenancies.

*Deputy – Commercial Support Manager*

8. In consultation with the Service Lead, Legal Services, and the Executive Member with the Relevant Portfolio , authority to make amendments to the Allotment Gardens Rules and Conditions.

*Deputy – Commercial Support Manager*

9. Authority to enter into management agreements with duly elected Allotment Associations, as prescribed (Council 15 October 2014) in consultation with Executive Member with Relevant Portfolio.

*Deputy – Commercial Support Manager*

10. Responsibility to interpret the Allotment Garden Rules and Conditions (agreed Council 15 October 2014) in the case of a dispute.

*Deputy – Commercial Support Manager*

11. To exercise the Council's powers under Section 25 of the Exeter City Act 1987.

*Deputy – Engineering and Assets Manager*

12. To reassign any residue from any future capital funding for the waterway in order to effect immediate and or significant repairs elsewhere in the Canal or

(Amended October 2022)

Quay, in consultation with the Executive Member with relevant Portfolio and the Director (Finance).

*Deputy – Engineering and Assets Manager*

### **Harbour Master**

1. All matters relating to the day-to-day management of the River Exe and Canal.

*Deputy – Canal Manager*

2. In consultation with the Service Lead, Legal Services, the regulation and enforcement of Harbour by-laws.

*Deputy – Canal Manager*

3. The day-to-day management, lettings and allocation of harbour mooring and to issue consents to use landings, slipways, pontoons and berthing subject to such charges and policies approved by the Council.

*Deputy – Canal Manager*

4. To exercise the powers and functions of the Council under Section 26 of Exeter City Act 1987.

*Deputy – Canal Manager*

### **Service Lead Net Zero and Business**

1. In consultation with the Service Lead, Legal Services, to agree/refuse requests for road closures.

*Deputy – Parking and Enforcement Operations Manager*

2. To discharge the powers conferred on the City Council by the following sections of the Exeter City Council Act: -

- Section 19 – Restriction of vehicles in certain residential streets; and
- Section 30 – Prohibiting of parking of vehicles on footways, verges and central reservations.

*Deputy – Parking and Enforcement Operations Manager*

3. In consultation with the Leader of the Council and Executive Member with Relevant Portfolio to consider objections to Exeter City Council Parking Places Orders and amendments thereto.

*Deputy – Parking and Enforcement Operations Manager*

(Amended October 2022)

4. Be authorised under Section 53 of the Anti-Social Behaviour Crime and Policing Act 2014 (the Act) for issuing Community Protection Notices (CPN) and related Fixed Penalty Notices of a £100 penalty fee in respect of breaches of a CPN.

*Deputy – Parking and Enforcement Operations Manager*

5. To implement Public Spaces Protection Orders (PSPO) under Part 4 Chapter 2 of the Anti-Social Behaviour Crime and Policing Act 2014 following agreement in each case at the multi-agency Anti-Social Behaviour Action Team and related Fixed Penalty Notices of a £100 penalty fee in respect of breaches of a PSPO.

*Deputy – Parking and Enforcement Operations Manager*

6. To exercise the powers and functions of the Council under Section 30 of Exeter City Act 1987.

*Deputy – Parking and Enforcement Operations Manager*

### **~~Engineering, Waterways and Parking Service Manager~~**

- ~~1. To exercise the Council's powers under Section 6-8, 25 and 30 of the Exeter City Act 1987.~~

~~*Deputy – Parking and Enforcement Operations Manager*~~

- ~~2. In consultation with the Service Lead, Legal Services, to agree/refuse requests for road closures.~~

~~*Deputy – Parking and Enforcement Operations Manager*~~

- ~~3. To discharge the powers conferred on the City Council by the following sections of the Exeter City Council Act:-~~

- ~~● Section 19 – Restriction of vehicles in certain residential streets; and~~
- ~~● Section 30 – Prohibiting of parking of vehicles on footways, verges and central reservations.~~

~~*Deputy – Parking and Enforcement Operations Manager*~~

- ~~4. In consultation with the Leader of the Council and Executive Member with Relevant Portfolio to consider objections to Exeter City Council Parking Places Orders and amendments thereto.~~

~~*Deputy – Parking and Enforcement Operations Manager*~~

- ~~5. Be authorised under Section 53 of the Anti-Social Behaviour Crime and Policing Act 2014 (the Act) for issuing Community Protection Notices (CPN) and related Fixed Penalty Notices of a £100 penalty fee in respect of breaches of a CPN.~~

(Amended October 2022)

~~Deputy – Parking and Enforcement Operations Manager~~

- ~~6. To implement Public Spaces Protection Orders (PSPO) under Part 4 Chapter 2 of the Anti-Social Behaviour Crime and Policing Act 2014 following agreement in each case at the multi-agency Anti-Social Behaviour Action Team and related Fixed Penalty Notices of a £100 penalty fee in respect of breaches of a PSPO.~~

~~Deputy – Parking and Enforcement Operations Manager~~

- ~~7. All matters relating to the day-to-day management of the River Exe and Canal.~~

~~Deputy – Harbour Master~~

- ~~8. The day-to-day management, lettings and allocation of harbour mooring and to issue consents to use landings, slipways, pontoons and berthing subject to such charges and policies approved by the Council.~~

~~Deputy – Harbour Master~~

- ~~9. In consultation with the Service Lead, Legal Services, the regulation and enforcement of Harbour by laws.~~

~~Deputy – Harbour Master~~

- ~~10. To reassign any residue from any future capital funding for the waterway in order to effect immediate and or significant repairs elsewhere in the Canal or Quay, in consultation with the Executive Member with relevant Portfolio and the Director (Finance).~~

~~Deputy – Engineering and Assets Manager~~

- ~~11. To exercise the powers and functions of the Council under Section 26 of Exeter City Act 1987.~~

~~Deputy – Engineering and Assets Manager~~

### **Devon County Council Officers; Parking Processing Officer, Parking Processing Team Leader, Parking Services Appeal Team Leader**

1. Authority to cancel Penalty Charge Notices

### **Director (Corporate Services) and Monitoring Officer**

1. To discharge the functions of the Monitoring Officer as set out in Articles 11 and 14 of Part 2 of the Constitution.

*Deputies – Service Lead, Legal Services and Corporate Manager, Democratic & Civic Support*

2. In consultation with the Council's appointed independent person, to deal with any complaint received, alleging a breach of the Members Code of Conduct in

(Amended October 2022)

accordance with the complaint's procedure, including the authority to decide whether an allegation merits investigation.

*Deputies – Service Lead, Legal Services and Corporate Manager, Democratic & Civic Support*

3. To determine requests from Members for dispensations to take part in the debate and/or vote in a meeting where he/she has an interest to declare, and where there is conflict, for another Member of the Audit and Governance Committee to be consulted.

*Deputies: - Service Lead, Legal Services and Corporate Manager, Democratic & Civic Support.*

### **Service Lead, Legal Services**

1. To act as the Council's Chief Legal Advisor responsible for the initiation, defence, settlement and conduct of any legal proceedings which may affect the interests of the Council or the inhabitants of the City.

*Deputies: - Team Leader – ECL, Contracts, Procurement & Licensing; Team Leader – Housing & Litigation; Team Leader – Property, Planning & Non-contentious.*

2.
  - (a) The service of any notice required to terminate any contract, agreement or lease entered into by the Council including notices to vary any terms of such contract, agreement or lease.
  - (b) Where power to institute proceedings in the Magistrates Court is given by statute to the Council, the Service Lead, Legal Services shall institute and progress those proceedings (including progressing them in the higher courts if appropriate).
  - (c) In consultation with a Director concerned, authority to issue formal cautions where he/she considers this appropriate.

*Deputies: - Team Leader – ECL, Contracts, Procurement & Licensing; Team Leader – Housing & Litigation; Team Leader – Property, Planning & Non-contentious.*

3. To authorise officers under Section 7 of the Exeter City Act 1987 in respect of the maintenance of the city walls.

*Deputy: Team Leader – Property, Planning & Non-Contentious*

4. In consultation with the Chief Finance Officer and City Surveyor following receipt of professional property management advice, authority to agree the release of any covenants imposed on former council houses where such release is in the interests of the Council.

*Deputy: Team Leader – Housing & Litigation*

(Amended October 2022)

5. To apply to the Justices to authorise entry into land or premises by persons named by the Service Lead - City Development under the Town & County Planning Act 1990 (as amended).

*Deputy: Team Leader – Property, Planning & Non-Contentious*

6. In conjunction with the relevant Director, to approve orders under Section 21 of the Town Police Clauses Act 1847, for the temporary closure of streets, subject to consultation with Police and the County Council.

*Deputies – Deputies: - Team Leader – ECL, Contracts, Procurement & Licensing; Team Leader – Housing & Litigation; Team Leader – Property, Planning & Non-contentious.*

7. To attest the Common Seal of the Council and sign other legal documents.

*Deputies: - Team Leader – ECL, Contracts, Procurement & Licensing; Team Leader – Housing & Litigation; Team Leader – Property, Planning & Non-contentious. Chief Executive & Growth Director*

8. To provide and sign statements of truth in accordance with the Civil Procedure Rules.

*Deputies: - Team Leader – ECL, Contracts, Procurement & Licensing; Team Leader – Housing & Litigation; Team Leader – Property, Planning & Non-contentious.*

9. To institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Service Lead, Legal Services considers that such action is necessary to protect the council's interest.

*Deputies: - Team Leader – ECL, Contracts, Procurement & Licensing; Team Leader – Housing & Litigation; Team Leader – Property, Planning & Non-contentious.*

10. To approve minor administrative/typographical corrections to the Constitution in consultation with the Leader of the Council.

*Deputy – Corporate Manager Democratic & Civic Support*

11. Exeter City Group Ltd – In consultation with the City Surveyor to sell at open market value, any Council owned land identified in the Exeter City Group Ltd Year 1 Business Case.

*Deputy – Team Leader – ECL, Contracts, Procurement & Licensing*

12. 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.

*Deputy – Team Leader – ECL, Contracts, Procurement & Licensing*

(Amended October 2022)

## **Service Lead, Human Resources**

1. The authority to amend HR policies and procedures where a statutory change or an organisational change (i.e. change in job title/role) has occurred making the amendments necessary.

*Deputy – HR Business Partner – SF*

2. In consultation with the Portfolio Holder with responsibility for equality and diversity to make amendments to the equality and diversity policy.

*Deputy – HR Business Partner – SF*

## **Corporate Manager Democratic & Civic Support**

1.
  - (a) Designated as the “proper officer” for the purpose of the following sections of the Local Government Act 1972: -
    - (i) Section 100B (2) - determination of the agenda items and reports which are likely to be dealt with in part 2
    - (ii) Section 100B (7) (C) - supply of papers to the press
    - (iii) Section 100C (2) - summaries of the proceedings held in part 2
    - (iv) Section 100F (2) - determination of documents not available for inspection by members
  - (b) Designated as the “proper officer” in respect of The Executive Arrangements (Decisions, Documents and Meetings) (England) Regulations 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

*Deputy – Service Lead, Legal Services*

2. In consultation with the leaders of the Political Groups, to implement minor variations of numbers and appointments of Members of Committees/Sub-Committees, in order to comply with the proportionality requirements of the Local Government and Housing Act 1989.

*Deputies – Democratic Service Officers*

3. To exercise the powers set out in Section 31 of the Exeter City Act 1987 in respect of the restriction on the use of armorial bearings.

*Deputy – Lord Mayor’s Support Officer*

4. To authorise the use of the Guildhall for private functions.

*Deputy – Lord Mayor’s Support Officer*

(Amended October 2022)

5. To carry out the duties of the Electoral Registration Officer and/or arrange for the discharge of the Returning Officer's duties.

*Deputy - Electoral Services Manager*

### **Corporate Manager Executive Support Unit**

1. **In respect of the Localism Act 2011, in consultation with the Executive Member with Relevant Portfolio to decide whether to list an asset nominated as an asset of community value.**

*Deputy - None*

### **City Surveyor**

In respect of every single decision/transaction in relation to property matters, the City Surveyor or the officer appointed for the purpose shall exercise the authority delegated to him/her in accordance with the following:

1. In undertaking property matters decisions/transactions the following authority and decision processes will apply:
  - (a) Where the cost or equivalent value to the Council does not exceed **£75,000 per annum, or £750,000** in capital value - The City Surveyor or the officer appointed for the purpose.
  - (b) Where the cost or equivalent value to the Council is **between £75,000 and £250,000 per annum**, or between **£750,000 and £2,500,000** in capital value, City Surveyor or the officer appointed for the purpose in consultation with the Director (Finance)).
  - (c) Where the cost or equivalent value to the Council is between **£250,000 and £500,000** per annum, or between **£2,500,00 and £5,000,000** in capital value - City Surveyor or the officer appointed for the purpose in consultation with the Executive Member with relevant portfolio and the Director (Finance).

Provided always that any decision/transaction which may involve expenditure **over £500,000** in value shall be reported to the Executive for a decision.

For the avoidance of doubt, no delegated authority shall be exercised unless in accordance with 1 (a) to (c) above.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

2. Authority to enter into and grant leases, licenses, tenancies at will and wayleave agreements.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

(Amended October 2022)

3. To consent to the assignment, sub-letting or surrender of existing leases and to approve amendments to the terms of existing leases, licence or agreement

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

4. Where appropriate in consultation with the Service Lead, Legal Services, to authorise and take necessary legal proceedings for the termination and renewal of leases, agreements and licences.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

5. In consultation with the Director (Finance ) and Service Lead, Legal Services, to take legal/court action to enforce payment of rent and other charges due to the Council.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

6. To approve the revision of rent and licence fees either in accordance with the formula set out in the lease or in accordance with the open market value. This shall include authority to agree not to increase the rent where appropriate.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

7. In consultation with the Service Lead, Legal Services, authority to institute proceedings for the removal of trespassers on City Council land.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

*Deputies for Service Lead, Legal Services - Team Leader – ECL, Contracts, Procurement & Licensing; Team Leader – Housing & Litigation; Team Leader – Property, Planning & Non-contentious.*

8. In consultation with the Service Lead, Legal Services, authority to exercise the powers contained under Sections 77 and 78 of the Criminal Justice Public Order Act 1994.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

*Deputies for Service Lead, Legal Services - Team Leader – ECL, Contracts, Procurement & Licensing; Team Leader – Housing & Litigation; Team Leader – Property, Planning & Non-contentious.*

9. Authority to submit planning applications for the development or redevelopment of Council owned sites.

*Deputy for City Surveyor - Principal Estates Surveyor;*

(Amended October 2022)

*Deputy for Director (Finance) - Deputy Chief Finance Officer*

10. In accordance with any procedures required by the Asset Management Plan and in consultation the Director (Finance), where this is deemed to be in the overall best interests of Exeter City Council, and where such disposal is of no strategic importance to the Authority, the disposal by freehold sale of land and/or buildings at open market value.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

11. Authority to vary or release freehold covenants where such release is not likely to prejudice the Council's existing land holding or any future development proposals.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

12. In consultation with the Director (Finance) and Director (Corporate Services), to pay or accept compensation where appropriate.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

13. In consultation with the Director (Finance), authority to acquire interests in land, provided that such acquisition is catered for within the capital bidding programme.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

14. To act as appointing officer and take all necessary action to comply with Party Walls, etc. Act 1996.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

15. In consultation with the Director (Finance) and in agreement with the other relevant Officers, to agree requests for the adoption of land and facilities provided by a developer pursuant to a planning obligation.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer.*

16. To exercise the Council's powers under Section 6-8 of the Exeter City Act 1987.

*Deputy for City Surveyor - Principal Estates Surveyor;  
Deputy for Director (Finance) - Deputy Chief Finance Officer*

## **Service Lead, Culture, Leisure and Tourism**

(Amended October 2022)

1. With agreement from both the Chief Executive and Growth Director and portfolio holder, to deputise for the Director of Culture, Leisure and Tourism and assume all delegated powers related to the Directorate post.
2. With agreement of the relevant Portfolio Holder, to set and alter fees associated with Visit Exeter and Exeter Leisure services to take account of market conditions.

### **Events, Facilities & Markets Manager**

1. The alteration of market days required as a result of statutory holidays.

*Deputies – Corn Exchange – Corn Exchange Manager  
Matford Centre/Markets, Matford Centre Manager  
Tourism Facilities – Visitor Facilities Manager*

2. To establish/vary tolls, fees and charges in respect of the Matford Centre, Corn Exchange and the various markets authorised by Exeter City Council.

*Deputies – Corn Exchange – Corn Exchange Manager  
Matford Centre/Markets, Matford Centre Manager  
Tourism Facilities – Visitor Facilities Manager*

3. The day-to-day management, including where appropriate, opening hours and bookings for the Council's recreational facilities.

*Deputies – Corn Exchange – Corn Exchange Manager  
Matford Centre/Markets, Matford Centre Manager  
Tourism Facilities – Visitor Facilities Manager*

### **Museum Manager**

1. The effective day to day running of the **Royal Albert Memorial Museum** and to determine the casual use of the Museum buildings in connection with events promoted by or supported by the City Council.

*Deputy – Content Management Lead Officer*

2. **Working in accordance with relevant professional standards and within the Collections Development Policy agreed by the Council, determine appropriate stewardship and development of the museum collection.**

*Deputy - Content Management Lead Officer*

3. To exercise the powers and functions of the Council under Sections 9, 10 and 11 of Exeter City Act 1987.

*Deputy – Content Management Lead Officer*

4. To agree requests for the adoption of land and facilities provided by a developer for the Museums service pursuant to a planning obligation.

*Deputy – Content Management Lead Officer*

(Amended October 2022)

5. In consultation with the Executive Member with relevant Portfolio to approve items for de-accession from the museum collection, unless the item is of a significant nature or monetary value.

*Deputy – Content Management Lead Officer*

6. In consultation with the relevant Portfolio Holder, be authorised to submit applications for Grant Funding less than £50,000 in value, where there is no additional call for City Council resource beyond that already authorised within museum revenue expenditure.

*Deputy – Content Management Lead Officer*

## Equality Impact Assessment: Amendments to the Scheme of Delegation

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:
Executive Committee – 4 October 2022; Council – 19 October	Amendments to the Scheme of Delegation	That the Council approve the changes to the Scheme of Delegation to Officers as set out in the Appendix to this report.	None

**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
<b>Race and ethnicity</b> (including Gypsies and Travellers; migrant workers; asylum seekers).	N/A	N/A	No impact.
<b>Disability:</b> 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.	N/A	N/A	No impact.
<b>Sex/Gender</b>	N/A	N/A	No impact.
<b>Gender reassignment</b>	N/A	N/A	No impact.
<b>Religion and belief</b> (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	N/A	N/A	No impact.
<b>Sexual orientation</b> (including heterosexual, lesbian, gay, bisexual).	N/A	N/A	No impact.
<b>Age</b> (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	N/A	N/A	No impact.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
age categories are for illustration only as overriding consideration should be given to needs).			
<b>Pregnancy and maternity</b> including new and breast feeding mothers	N/A	N/A	No impact.
<b>Marriage and civil partnership status</b>	N/A	N/A	No impact.

**Actions identified that will mitigate any negative impacts and/or promote inclusion**

**Officer: John Street, Corporate Manager, Democratic & Civic Support**

**Date: 06 September 2022**

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## **REPORT TO EXECUTIVE**

Date of Meeting: 4 October 2022

## **REPORT TO COUNCIL**

Date of Meeting: 18 October 2022

Report of: Director Corporate Services

Title: Minor Amendment of Parliamentary Polling Districts and Polling Places for Exeter and East Devon Constituencies.

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

### **1. What is the report about?**

1.1 This report concerns an amendment to the current polling district arrangements for the Exeter Parliamentary Constituency and the part of the East Devon Parliamentary Constituency, which falls within the Exeter City Council area. Subsequent arrangements will therefore be necessary for local government elections with reference to the St. Thomas Exeter City Council Ward (Exeter Constituency) and Alphington and Cowick County Division and the Topsham Ward (East Devon Constituency) and Wearside and Topsham County Division.

### **2. Recommendations:**

2.1 That the Council adopts the proposals as set out in paragraphs 8.1 and 8.4.

### **3. Reasons for the recommendation:**

3.1 For many years, there has been consideration as to the appropriateness in continuing to use the West Exe Children's Centre as a polling station, due to the ability to ensure suitably accessible accommodation at the Children's Centre, as well as the close proximity of another polling station at St Thomas Church Hall.

3.2 Given that the electorate allocated to the MC polling district is fairly small (719), the (Acting) Returning Officer considers that it would be possible to merge these electors with those allocated to the current MB polling district at St. Thomas Church polling station (2099) to avoid the need to close the school, with minimal disruption to the electorate. Given that the new combined polling district would then have 2,818 electors allocated, it is proposed to provide two polling stations within St. Thomas Church.

3.3 The new polling district would be designated as MB and the remaining polling districts re-designated as shown on the attached map Appendix C.

3.4 Polling places would continue to be defined as coterminous with the polling district boundary.

3.5 Although the (Acting) Returning Officer has legislative power to insist upon using the premises at the children's centre, this could mean the school closing. This is contrary to the long held view that, wherever practicably possible and when suitable alternative premises are available, schools should not be used as polling stations.

3.6 Additionally, due to the development of housing within the NB and ND polling districts in the Topsham Ward, it is proposed to amend the polling district boundary between the two polling districts as shown on the map at Appendix E, with the polling places to continue to be defined as coterminous with the polling district boundaries.

#### **4. What are the resource implications including non financial resources**

4.1 There may be some small savings in servicing one less polling station premises.

#### **5. Section 151 Officer comments:**

5.1 There are no significant financial implications for Council to consider.

#### **6. What are the legal aspects?**

6.1 The Council is obliged to meet the requirements of the Representation of the People Act 1983 (Section 18A- 18D). A notice of the review has been published on the Council's website, along with an Information Sheet (Appendix A).

#### **7. Monitoring Officer's comments:**

The approval of Polling Districts within the City is a council function, but should take account of the comments raised by the (Acting Returning Officer) as well as those raised during the consultation. John Street – Deputy Monitoring Officer

#### **8. Report details:**

8.1 As set out in 3.1 – 3.2 issues have been raised concerning the continued use of West Exe Nursery School as a polling station.

8.2 In order to alleviate the situation, it is recommended that polling districts MB and MC are merged and re-designated as MB and that the current polling districts MD and ME are re-designated as MC and MD respectively. (Polling District MA is unaffected). In keeping with current policy the polling places are to continue to be designated in line with polling district boundaries.

8.3 Maps attached at Appendix B show the current layout of polling districts within St. Thomas Ward with the proposed arrangements set out at Appendix C.

8.4 It is recommended to amend the boundaries between polling districts NB and ND as shown on the attached maps at Appendix D and Appendix E. In keeping with current policy the polling places are to continue to be designated in line with polling district boundaries.

8.5 It is intended that the new polling district and polling place arrangements come into force with the publication of the next electoral register on 1 December 2022.

8.6 The (Acting) Returning Officer continues to try to avoid using schools as polling stations wherever practicably possible and where suitable alternative premises are available. This is not however always possible, with thirteen polling stations (of a total of 55) being accommodated within school premises, at the recent May 2022 elections. Of these, eight remained open on polling day with five closing to pupils.

8.7 Whilst it is ultimately the decision of the school itself to close on polling day, the (Acting) Returning Officer is acutely aware of the disruption potentially caused to pupils when schools are closed. The (Acting) Returning Officer's comments are attached at Appendix F.

8.8 There were no comments from the (Acting) Returning Officer for the East Devon Constituency, or from the Returning Officer at Devon County Council.

8.9 Two other comments were received and are shown at Appendix G.

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

9.1 The proposal ensures that the service provided by the Council is value for money, whilst ensuring that polling stations are as accessible as possible.

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

10.1 The current arrangements could continue to lead to on-going public relations difficulties with a schools facility choosing to close on polling day.

## **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 no potential impact has been identified on people with protected characteristics as determined by the Act.

## **12. Carbon Footprint (Environmental) Implications:**

12.1 There are no direct carbon/environmental impacts arising from the recommendations.

## **13. Are there any other options?**

13.1 The alternative option is to retain existing the arrangements, which could lead to the school authorities deciding to close the school on polling day.

**Director Corporate Services, Baan Al-Khafaji**

Author: John Street, Electoral Registration Officer and (Acting) Returning Officer

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

Background papers used in compiling this report:-

None

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



## **EXETER CITY COUNCIL**

### **Interim Minor Review of Polling Districts and Polling Places**

NOTICE IS HEREBY GIVEN that Exeter City Council in pursuance of the powers conferred upon it by sections 18A to 18E of the Representation of the People Act 1983 (as amended by the Electoral Registration and Administration Act 2013) shall undertake a review of the parliamentary polling districts and parliamentary polling places concerning the polling districts currently designated MB and MC (St. Thomas Ward) and NB and ND (Topsham Ward).

Any person or organisation wishing to make a representation in respect of the arrangement of polling districts and polling places as shown above must write to: Mr. Jeff Chalk, Polling District Review, Electoral Services Office, Exeter City Council, Paris Street, EXETER EX1 1JN or [electoral.services@exeter.gov.uk](mailto:electoral.services@exeter.gov.uk) by 8 July 2022.

The Council would welcome any person or body with expertise in access for persons with any type of disability to comment on the Acting Returning Officer's representations, or on any other matter. Where possible, people making representations should suggest alternative places that may be used as polling places.

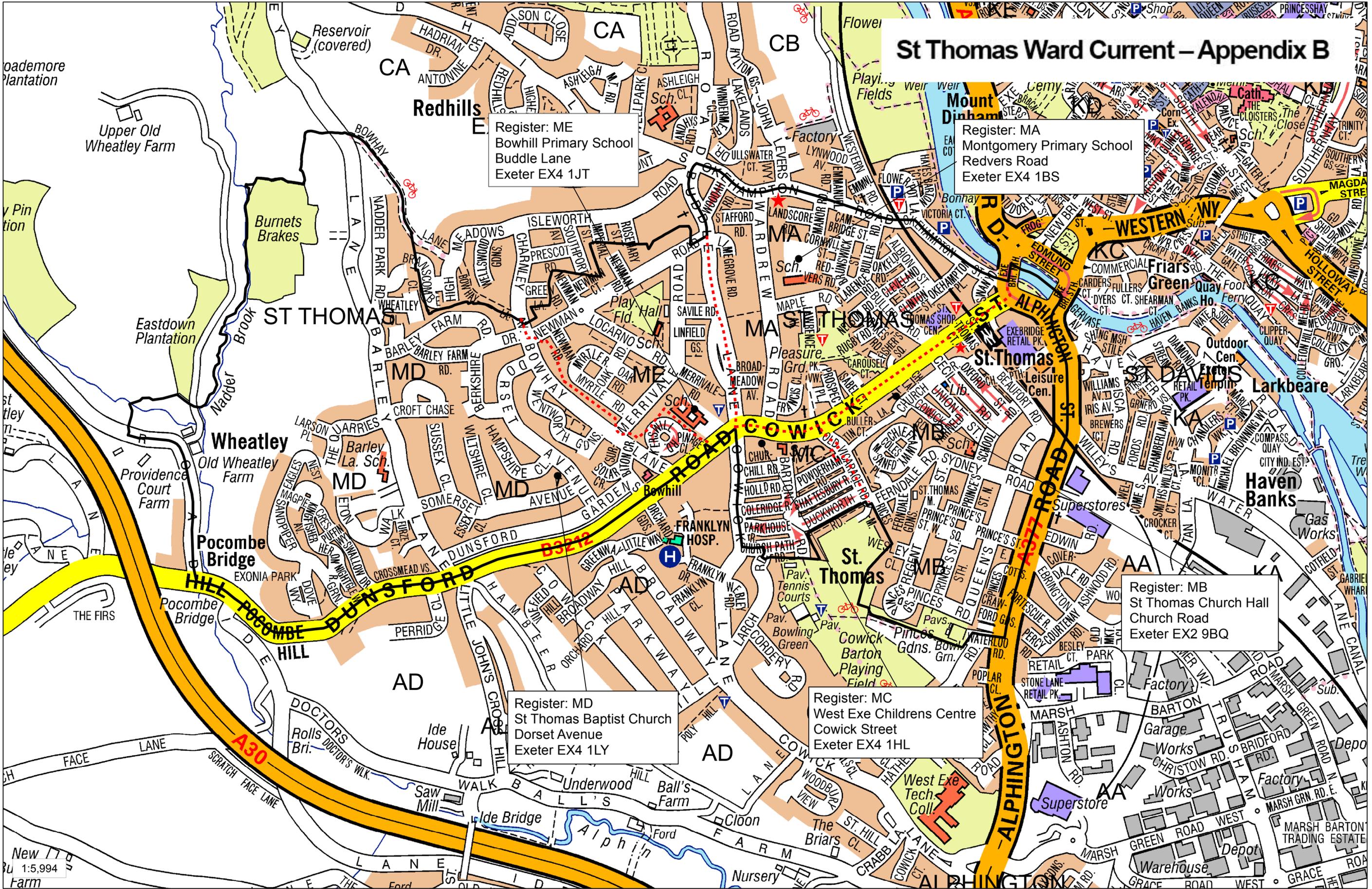
This review will require a submission to be made by the Acting Returning Officer for the Exeter Constituency. This submission will be published on the City Council website by 24 June 2022.

It is intended that the Council will make its recommendations in such time as to facilitate the introduction of any new arrangements for the polling districts and places as shown above by the publication of the revised electoral register on 1 December 2022.

Karime Hassan  
Chief Executive & Growth Director  
6 June 2022

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# St Thomas Ward Current – Appendix B



Register: ME  
Bowhill Primary School  
Buddle Lane  
Exeter EX4 1JT

Register: MA  
Montgomery Primary School  
Redvers Road  
Exeter EX4 1BS

Register: MB  
St Thomas Church Hall  
Church Road  
Exeter EX2 9BQ

Register: MD  
St Thomas Baptist Church  
Dorset Avenue  
Exeter EX4 1LY

Register: MC  
West Exe Childrens Centre  
Cowick Street  
Exeter EX4 1HL

Page 113

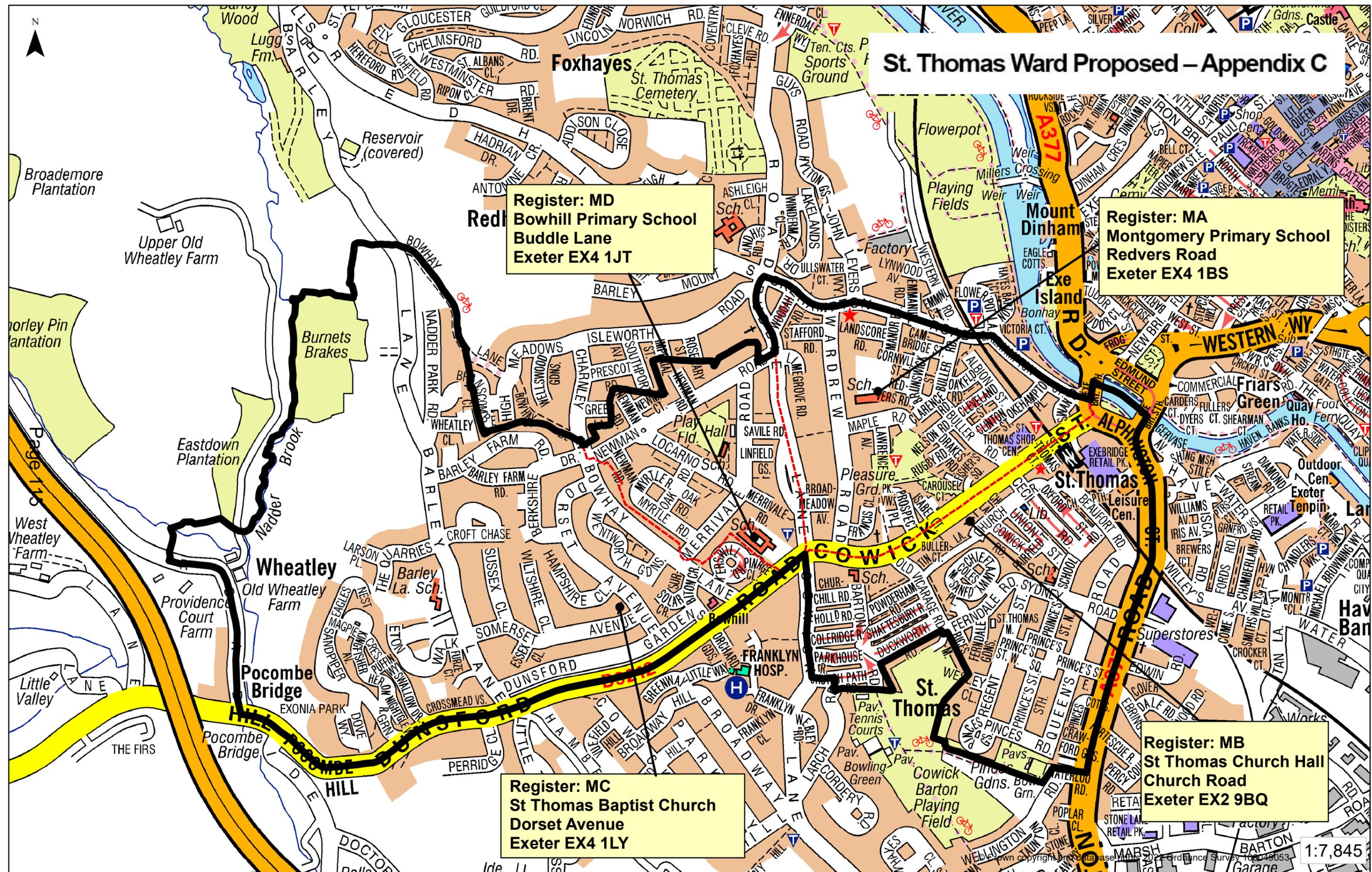
Map No 21  
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St Thomas Ward: Polling Districts and  
Polling Stations (from 2017)



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# St. Thomas Ward Proposed – Appendix C



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# Topsham Ward Current – Appendix D

Register: NC  
 100 Club  
 Wear Barton Road  
 Exeter EX2 7EH

Register: ND  
 Newcourt Community Centre  
 Blakeslee Drive  
 Exeter EX2 7FN

Register: NA  
 Matthews Hall  
 Fore Street  
 Topsham  
 Exeter EX3 0HF

Register: NB  
 Topsham Town AFC  
 Coronation Field  
 Topsham Road  
 Exeter EX3 0LT

1:14,502

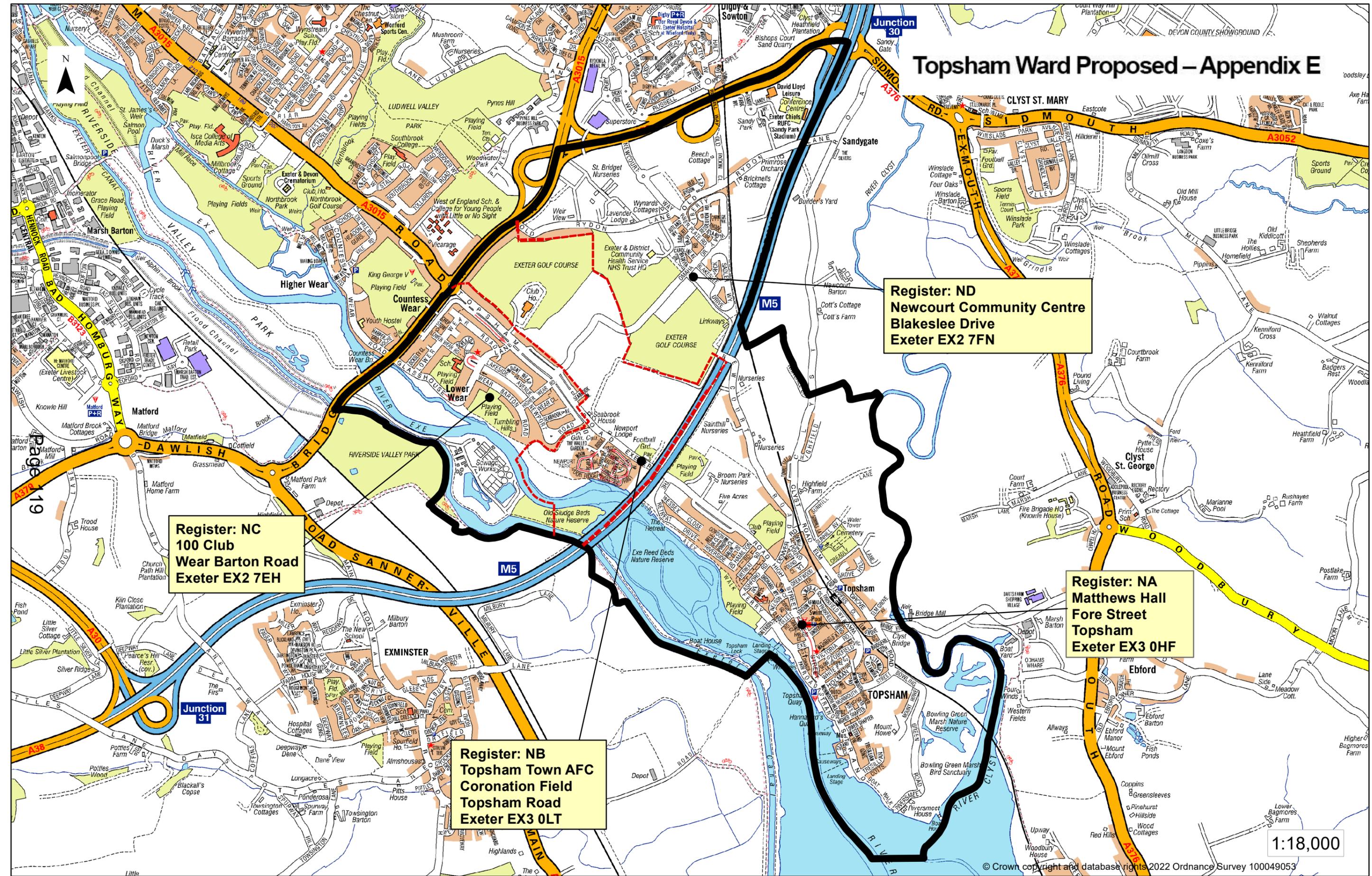
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Topsham Ward: Polling Districts and  
 Polling Stations (from 2017)



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# Topsham Ward Proposed – Appendix E



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## Topsham Ward: Polling Districts and Polling Stations (Proposed 2022)



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**REPRESENTATION OF THE PEOPLE ACT 1983**

**Interim Minor Review of Parliamentary Polling Districts & Polling Places 2022**

**Report of the Acting Returning Officer concerning existing polling arrangements in the Exeter Constituency.**

<b>Polling District</b>	<b>Polling place</b>	<b>Station</b>	<b>Comments</b>	<b>Proposals</b>
<b>MB</b>	St. Thomas	St Thomas Church Hall, Church Road	Satisfactory	Consider merging polling district MB with polling district MC– see comment below.
<b>MC</b>	St. Thomas	West Exe Nursery School, Cowick Street	Objections have been raised by the school at recent elections. There is a strong likelihood that the school will need to close in future to facilitate use as a polling station.	Merge polling districts MB and MC and provide two polling stations at St. Thomas Church Hall. Amend polling districts and places as appropriate
<b>NB*</b>	Topsham	Topsham Town AFC, Exeter Road, Exeter, EX3 OLT	Satisfactory	Agree that the proposed new polling district boundary between NB and ND would make it more convenient for electors.
<b>ND*</b>	Topsham	Newcourt Community Centre, Blakeslee Drive, Exeter, EX2 7FN	Satisfactory	See above.

\*Commenting as Returning Officer for Exeter City Council

John Street  
Acting Returning Officer (Exeter Constituency)  
Civic Centre,  
Paris Street,  
EXETER  
EX1 1JN

23 June 2022

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**Jeff Chalk**

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**From:** Councillor Rob Hannaford [REDACTED]  
**Sent:** 03 July 2022 19:47  
**To:** Electoral Services ECC  
**Cc:** [REDACTED]  
**Subject:** Interim Minor Review of Polling Districts 2022  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Team

In response to the consultation to review polling stations and districts , I wish to formally object to close the long-standing station at the West Exe Childrens Centre , and merge this with St Thomas Church Hall, which already serves a very large area.

There is absolutely no need to change the current arrangements, that have been in place for years.

As a former governor of the Cowick First School, then as a founder and very long-standing former governor of the West Exe Children's Centre , I know the site and buildings intimately.

As we saw again a few weeks ago, there are no safeguarding or practical reasons not to use this site.

The main building and site are protected with an intercom door system, and the polling station is held in a separate self-contained building with a separate entrance and walkway.

There would be no reason to close the centre on poling day.

Overall, I am concerned that polling districts seem to be getting bigger and more inaccessible across Exeter, making democratic participation more excluding.

I have copied in Executive members as I understand this this consultation report will be coming back to them in due course.

Regards Rob

Get [Outlook for Android](#)

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**From:** Jeff Chalk  
**Sent:** Tuesday, June 7, 2022 3:34:16 PM  
**To:** CLLR - ALL Councillors Group  
**Cc:** John Street  
**Subject:** Interim Minor Review of Polling Districts 2022

Dear Cllr

Please find below, for your information, a link to a web page created to facilitate a consultation regarding a minor review of polling districts, in the St. Thomas and Topsham Wards.

[Interim review of polling districts 2022 - Exeter City Council](#)

The consultation is open until 8 July 2022. If you have any comments, please reply to [electoral.services@exeter.gov.uk](mailto:electoral.services@exeter.gov.uk)

Regards

Jeff Chalk

**Jeff Chalk**

---

**From:** [REDACTED]  
**Sent:** 09 June 2022 08:14  
**To:** Jeff Chalk  
**Subject:** FW: Interim review of polling districts 2022 - Exeter City Council

**Follow Up Flag:** Follow:up  
**Flag Status:** Flagged

**From:** Eliot Wright  
**Sent:** 09 June 2022 00:20  
**To:** Electoral Services ECC  
**Subject:** Interim review of polling districts 2022 - Exeter City Council

Can I suggest that the group of houses at the northern end of Newcourt Road, numbers 135, 137 and 139, currently in district NA, could be moved into district ND as the polling station at Newcourt Community Centre is appreciably closer than Matthews Hall, the polling station for NA.

Cheers,  
*Eliot Wright*

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

# EXETER CITY COUNCIL REVIEW OF POLLING DISTRICTS & POLLING PLACES/STATIONS 2019

## Information Sheet

### General Information

1.1 The last full reviews of Parliamentary polling districts and places in Exeter, were undertaken in 2015 and 2016 following reviews of electoral arrangements in Exeter and Devon respectively, carried out by the Local Government Boundary Commission for England (LGBCE). The reviews were completed in January 2016 and again in January 2017. The Council is now required to carry out a further scheduled statutory review to be completed in 2019.

- The Parliamentary polling districts and places are replicated for local government elections.
- The Act requires each local authority to undertake a review every five years. The last statutory review was undertaken in 2014.
- The final decision on the situation of polling stations rests with the Returning Officer.
- It should be noted that City Ward, County Division and Parliamentary Constituency boundaries cannot be changed under this process.
- A **polling district** is a geographical sub-division of an electoral area, i.e. a UK Parliamentary constituency, a European Parliamentary electoral region, a ward or an electoral division.
- A **polling place** is a geographical area in which a polling station is located. In Exeter polling places are the same as the polling district to allow a greater degree of flexibility in deciding where a polling station should be.
- A **polling station** is the actual room or building where the process of voting takes place, and must be located within the polling place designated for the particular polling district. The Returning Officer for the particular election must provide a sufficient number of polling stations, and allot the electors to those polling stations in such manner as he or she thinks the most convenient.

## List of Current Polling Stations by City Ward

Address	District	Electorate
<b>Alphington Ward</b>		
Temporary Polling Station, Seven Stars Hotel, Alphington Road, Exeter, EX2 8JB	AA	733
Alphington Sports Club, Church Road, Exeter, EX2 8SW	AB	1208
Alphington Village Hall, Alphington Community Assoc, Ide Lane, Exeter, EX2 8UT	AC	2061
West Exe Technology College, Hatherleigh Road, Exeter, EX2 9JU	AD	2538
<b>Duryard &amp; St. James Ward</b>		
University of Exeter, The Central Block - Birks Grange, New North Road, Exeter, EX4 4PQ	BA	1759
University of Exeter, Library - Lopes Hall, St. German`s Road, Exeter, EX4 6TH	BB	739
Exeter Cricket Club Pavilion, Prince of Wales Road, Exeter, EX4 4PR	BC	1486
St Sidwell`s C of E Primary School, York Road, Exeter, EX4 6PG	BD^	2869
<b>Exwick Ward</b>		
Redhills Primary School, Landhayes Road, Exeter, EX4 2BY	CA	2456
The Thatched House Inn, Exwick Road, Exeter, EX4 2BQ	CB	1947
Exwick Parish Hall, Station Road, Exeter, EX4 2FD	CC	1084
Exwick Community Centre, Kinnerton Way, Exeter, EX4 2PR	CD	1898
<b>Heavitree Ward</b>		
South West Baptist Assoc., Wonford Baptist Chapel, 36-38 Wonford Street, Exeter, EX2 5DL	DA	1502
Scout Hut, South Lawn Terrace, Exeter, EX1 2SN	DB^	2616
The Community Room, Ladysmith Infant School, Off Pretoria Road, Exeter, EX1 2PS	DC	1217
Community Room, Hamlin Gardens, Exeter, EX1 3AA	DD	604
Community Centre, Bodley Close, Exeter, EX1 3LG	DE	1017
<b>Mincinglake &amp; Whipton Barton Ward</b>		
Beacon Heath Church, King Arthur`s Road, Exeter, EX4 9BE	EA	1538
The Beacon, Pendragon House, Beacon Lane, Exeter, EX4 8LZ	EB	2127
Whipton Community Hall, Pinhoe Road, Exeter, EX4 8AG	EC	832
Community Room, Rennes House, Vaughan Road, Exeter, EX1 3JW	ED	2143
<b>Newtown &amp; St. Leonard`s Ward</b>		
Victoria Park Tennis Club, Lyndhurst Road, Exeter, EX2 4NX	FA	1217
St Leonard`s Church Centre, Topsham Road, Exeter, Devon, EX2 4NG	FB,FBA	1679
St Luke`s Campus, College Road, Exeter, Devon, EX1 2LT	FC	925
Belmont Chapel, Western Way, Exeter, EX1 2DB	FD	2301
Belmont Bowling Club, The Green, Blackboy Road, Exeter, EX4 6SS	FE	1081
<b>Pennsylvania Ward</b>		
Sylvania Community Hall, Mincinglake Valley Park, Exeter EX4 7DR	GA	1730
St James' Church Hall, Mount Pleasant Road, Exeter, EX4 7AH	GB	2322
St Marks Church Hall, St Marks Avenue, Exeter, EX1 2PX	GC	2391
Baptist Church Hall, Pinhoe Road, Exeter, EX4 7HZ	GD	1263
<b>Pinhoe Ward</b>		
Temporary Polling Station, Orwell Garth, (Off Summerway), Exeter	HA	1436
Pinhoe C of E Primary School, Harrington Lane, Exeter, EX4 8PE	HB	2061
The Hall Church, Main Road, Exeter, EX4 8HS	HC	2028
St Lukes Science and Sports College, Harts Lane, Exeter, EX1 3RD	HD	838
<b>Priory Ward</b>		
Community Room, Grandisson Court, Off Bishop Westall Road, Exeter, EX2 6NJ	JA,JAA*	755
Countess Wear Village Hall, 28 School Lane, Exeter, EX2 6LB	JB	1047
Wynstream Primary School, Burnthouse Lane, Exeter, EX2 6AY	JC	2471
Wonford Methodist Church, Church Hall, Burnthouse Lane, Exeter, EX2 6NF	JD,JDA	2277
<b>St. David`s Ward</b>		
Sea Cadet HQ, Canal Banks, Haven Road, Exeter, EX2 8DU	KA	1487
Community Room, Abbeville Close, Topsham Road, Exeter, EX2 4SJ	KB,KBA	901

Address	District	Electorate
Community Room, 66 Weavers Court, Exeter, EX2 4EF	KC	740
Wesley Room, Mint Methodist Church, Fore Street, Exeter, EX4 3AT	KD	1705
Exeter Community Centre Trust, 17 St David's Hill, Exeter, EX4 3RG	KE	2656
<b>St. Loyes Ward</b>		
Clyst Heath Nursery & Community Primary School, Royal Crescent, Exeter, EX2 7QT	LA*	2379
Woodwater Academy, Woodwater Lane, Exeter, EX2 5AW	LB*	1534
St Peter`s High School, Quarry Lane, Exeter, EX2 5AP	LC*	1294
Community Room, Russet House, Russet Avenue, Exeter, EX1 3QB	LD	1792
<b>St.Thomas Ward</b>		
Montgomery Primary School, Redvers Road, Exeter, EX4 1BS	MA	1943
St Thomas Church Hall, Church Road, Exeter, EX2 9BQ	MB	2111
West Exe Nursery School, Cowick Street, Exeter, EX4 1HL	MC	750
St Thomas Baptist Church, Dorset Avenue, Exeter, EX4 1LZ	MD	1808
Bowhill Primary School, Buddle Lane, Exeter, EX4 1JT	ME	904
<b>Topsham Ward</b>		
Matthews Hall, Fore Street, Topsham, Exeter, EX3 0HF	NA* ^	2900
Topsham Town AFC, Exeter Road, Exeter, EX3 OLT	NB*	1264
100 Club, Wear Barton Road, Exeter, EX2 7EH	NC	1611
Newcourt Community Centre, Blakeslee Drive, Exeter, EX2 7FN	ND*	1328

\*Polling station located in East Devon Constituency.

^Double station

## Current Arrangement of Polling Districts

Maps are available upon request.

## What the Rules say\*.

- (a) the authority must seek to ensure that all electors in a constituency in its area have such reasonable facilities for voting as are practicable in the circumstances;
- (b) the authority must seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled;
- (c) the authority must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place;
- (d) the polling place for a polling district must be an area in the district, unless special circumstances make it desirable to designate any area wholly or partly outside the district;
- (e) the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.

\*(Representation of the People Act 1983 s.18)

Please also note that the Council must publish any correspondence submitted in respect of this review.

## **Access**

All polling stations should have access facilities for disabled electors. This includes wheelchair users. There are various building regulations which determine how adaptations can be made. It is not always possible for the owners of buildings to make permanent structural changes. Where permanent facilities are not possible, Electoral Services try to make temporary provision, usually by means of a portable ramp. However, it must be remembered that, on occasion these ramps can cause a hazard and thus it is not always a practical solution.

A polling station should be within reasonable walking distance for most electors.

## **Practical Considerations**

### Availability

There is no such thing as a purpose built polling station. We have to adapt and use the buildings which are available in the locality. Whilst regulations permit the Returning Officer to use schools, the owners of other buildings (Church halls, sports clubs etc.) have no such obligation.

### Suitability

When selecting a polling station there are some basic criteria which need to be considered.

- Geographically central for the majority of the electorate.
- Appropriate for democratic use.
- Health and safety arrangements
- Enough useable space.
- Exclusive use.
- Access
- Welfare facilities for staff
- Cost

### Topography

Considerations such as steep hills and other natural boundaries, railway lines, busy main roads etc. need to be taken into account.

## **Other Factors**

### Use of Schools

The current policy is that schools should not be used, where there is a reasonable and viable alternative. This is not always possible. Whilst regulations permit the Returning Officer to use schools as polling stations, every effort will be made to ensure that the school remains open on polling day, although ultimately this decision lies with the school itself. Any alternate suggestions for other suitable venues will be considered.

## Overall Number of Polling Stations

There are no legislative limits on the number of polling stations an authority can provide. However, when considering numbers, there needs to be sufficient to run efficient and effective elections, which are as accessible and convenient to the electorate as possible and which follow the principle set out above.

## Timetable

Publication of Notice of the Review – 10 June 2019

Consultation period – 10 June – 19 July 2019

Publication of the Returning Officers representations – within 30 days of receipt

Report to Executive Committee – 8 October 2019

Submit to Council – 15 October 2019

Publication of Review Report – by 22 October 2019

Implementation of report recommendations – from Register of Electors published on 1 December 2019, to take effect for the elections due after that date.

## **Potential Issues and Considerations**

Below is information relating to some known concerns relating to polling stations.

### 1. Alphington Ward

St. Andrews Church Hall (AA) has ceased to be available as a polling station. A temporary polling station was put in place at the Seven Stars Hotel on Alphington Road, for the elections which took place on 2 and 23 May 2019. Temporary cabins are less than ideal due to cost and accessibility factors. The Seven Stars is also located slightly outside of the AA polling district and is within the AD district. This means that there are a number of residences and electors surrounding the new site, which are not currently able to vote there. Possible solutions include; combining the current AA and AD polling districts and for all electors to go to West Exe Technology college, or; the arrangement concerning the temporary facility is maintained with the boundaries of AA and AD redrawn to accommodate this.

### 2. Duryard & St.James Ward

There are currently two polling stations reasonably close together in Duryard & St. James Ward (BB & BC) Lopes Hall and Exeter Cricket Club. The number of electors at Lopes Hall is relatively small (about 700) and could be merged with the Cricket Club to form one polling district and station.

### 3. Exwick Ward

The polling district (CB) currently utilises the Thatched Tavern as a polling station. Should consideration be given to approaching Exeter College to enquire as to whether they may have a room available within their nearby facility?

### 4. Newtown & St.Leonard's Ward

Similarly, Belmont Bowling Club (FE) is located near to Belmont Chapel (FD). It may be possible to combine the two districts together. However, this would require Belmont Chapel to accommodate two polling stations.

### 5. Pinhoe Ward

The temporary polling station at Orwell Garth continues to cause high profile complaints regarding access for elderly and disabled electors, as well as adequately maintaining the secrecy of the ballot. The use of Willowbrook School may need to be considered as an alternative venue.

6. St.Thomas Ward

West Exe Nursey School (MC) is located near to St. Thomas Church Hall (MB). It may be possible to combine the two districts together. However, this would require St. Thomas Church centre to accommodate two polling stations.

Alternate suggestions for any other current polling station will be also be given consideration.

**Point of Contact**

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EXETER  
EX1 1JN

(01392) 265141

[electoral.services@exeter.gov.uk](mailto:electoral.services@exeter.gov.uk)

[www.exeter.gov.uk](http://www.exeter.gov.uk)

## List of Consultees

The (Acting) Returning Officer, Exeter City Council (Exeter Constituency)  
The (Acting) Returning Officer, East Devon District Council (East Devon Constituency)  
The Returning Officer, Devon County Council  
All Exeter City Councillors  
All Devon County Councillors for Exeter  
Ben Bradshaw MP (Exeter Constituency)  
Hugo Swire MP (East Devon Constituency)  
Exeter Labour Party  
Exeter Conservative Association  
Exeter Liberal Democrats  
Exeter Green Party  
Exeter UKIP  
Exeter Women's Equality Party  
Exeter British National Party  
Exeter For Britain Movement  
East Devon Labour Party  
East Devon Conservative Association  
East Devon Liberal Democrats  
East Devon Green Party  
East Devon UKIP  
Age UK Exeter  
Action on Hearing Loss  
Devon Insight  
Living Options Devon  
Step One  
Scope  
University of Exeter Students Guild  
Estuary League of Friends

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## REPORT TO EXECUTIVE

Date of Meeting: 4 October 2022

## REPORT TO COUNCIL

Date of Meeting: 18 October 2022

Report of: Director Finance

Title: Overview of General Fund Revenue Budget 2022/23 – Quarter 1

### Is this a Key Decision?

No

### Is this an Executive or Council Function?

Council

#### 1. What is the report about?

To advise Members of the overall financial position of the General Fund Revenue Budgets for the 2022/23 financial year after three months.

#### 2. Recommendations:

It is recommended that Members of the Executive note the report and Council notes and approves (where applicable):

- (1) The General Fund forecast financial position for the 2022 financial year;
- (2) The supplementary budgets as detailed in paragraph 8.12;
- (3) The outstanding Sundry Debt position as at June 2022;
- (4) The creditors payments performance; and
- (5) The One Exeter programme update

#### 3. Reasons for the recommendation:

To formally note the Council's projected financial position and to approve additional expenditure required during the financial year.

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

The impact on the General Fund working balance is set out in section 8.9.

The General Fund Working Balance is projected to stand at £2.465 million at year end.

#### 5. Section 151 Officer comments:

The report suggests that the General Fund is on track; however, this is only down to the fact that Council approved an earmarked reserve to protect itself against financial volatility. The report proposes using some £2m of that reserve in order to ensure that the General Fund working balance remains above the minimum level. The impact of the pay offer made to staff is some £1.5m more than the Council budgeted and that, along with

significant price increases and energy costs mean that the Council's budget is precarious. The work currently underway (and referred to in the report) on One Exeter is now critical to restoring the financial health of the Council. The earmarked reserve can only be spent once and this must now be replaced by reductions to the Council's expenditure. The Government's support on energy is actually set at a higher rate than the Council has secured its energy for over the next six months, but even the rate we have secured is some 44% higher than we were previously paying.

## 6. What are the legal aspects?

Section 28 of the Local Government Act 2003 imposes a statutory duty on the Council to monitor during the financial year its expenditure and income against the budget calculations. If the monitoring establishes that the budgetary situation has deteriorated, the Council must take such action as it considers necessary to deal with the situation. This might include, for example, action to reduce spending in the rest of the year, or to increase income, or to finance the shortfall from reserves.

The Local Government Finance Act 1992 places a legal requirement on Council to approve not only the budget but also any changes to the budget proposed during the year. Council has a legal duty to ensure that the budget is balanced and that any changes to the budget are fully funded.

## 7. Monitoring Officer's comments:

This report raises no issues for the Monitoring Officer.

## 8. Report details:

### Overview of General Fund Revenue Budget 2022/23

#### 8.1 Financial Summary

<b>FUND</b>	<b>Planned Transfer To / (From) Working Balance</b> £	<b>Budget Variance Over / (under)</b> £	<b>Outturn Transfer 2022/23</b> £
General Fund	(915,600)	(99,726)	(1,015,326)

#### 8.2 General Fund (Appendix 1 & Appendix 2)

The current forecasts show an overall projected overspend of £1,795,506 against a revised budget of £19,846,560. This includes supplementary budgets of £4,391,610 already agreed by Council (19 July 2022). Variances of more than +/- £30,000 are detailed below:

#### 8.3 Chief Executive & Growth Director

<b>Budget Heading</b>	<b>Over / (Underspend)</b>
<b>Affordable Housing Development</b>	<b>(£103,384)</b>

**Responsible Officer: Chief Executive**

Two of the three business cases that this budget was to be used for will not be started this year.

**8.4 Housing and Supporting People**

Budget Heading	Over / (Underspend)
Housing Needs and Homelessness	£50,000
<b>Responsible Officer: Service Lead, Housing Needs &amp; Homelessness</b> The financial impact of the pay offer of £1,925 across all grades is likely to cause overspends on salary budgets.	

**8.5 City Development**

Budget Heading	Over / (Underspend)
Planning Services	£50,000
<b>Responsible Officer: Service Lead, Housing Needs &amp; Homelessness</b> The financial impact of the pay offer of £1,925 across all grades is likely to cause overspends on salary budgets.	

**8.6 Communications, Culture and Leisure Facilities**

Budget Heading	Over / (Underspend)
Markets & Halls	(£78,418)
<b>Responsible Officer: Facilities &amp; Markets Manager</b> The first quarter of 22/23 has been busy at the Matford Centre, with the livestock market continuing to thrive and grow. We are forecasting above budget income from the auctioneers and car parking. However, with the impact of rising inflation and living costs yet to become apparent, forecasting should be approached with caution until further into the year	
Leisure & Sport	£300,000
<b>Responsible Officer: Director - Communications, Culture &amp; Leisure</b> The new financial year started positively, with the extremely successful opening of St Sidwell's Point at the end of April – unfortunately though missing a full month of trading whilst having full establishment costs.  Since then, memberships have continued to rise ahead of target and footfall volume has increased, indicating the public has regained its confidence post-pandemic, despite	

infection rates periodically spiking. In addition, centres have seen higher casual use than anticipated, and also yield.

The skills crisis has led to operational difficulties and temporary working arrangements this quarter. These have been mitigated despite other leisure providers seeing an inability to operate in key trading times. This makes forward planning of a new centre hard to predict – especially against figures predicted before SSP was open. The cost of living crisis and pending recession impact our forecasts on a weekly basis.

At this stage of the financial year the dynamics involved have created a unique situation where the service could be close to breaking even, through to £500,000 over. So at this stage we would rather suggest prudent forecasting on the side of fortune at £300,000.

November will see a full outline strategy for the next three years to give elected Members the full picture. This will include a review of wet, dry and commercial opportunities, revised establishment costs, capital improvement plan, capital covid settlement and SSP total fit out and spend.

<b>Communications</b>	<b>(£60,735)</b>
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**Responsible Officer: Service Lead – Communications, Tourism & Culture**

This underspend is due to two factors. Firstly, there is one vacancy in the establishment due to a secondment to Leisure & Sport; the decision to backfill this role has yet to be made and the post will unlikely to be filled before January 2023. Secondly, advertising revenue has been strong in the first quarter of 22/23, as pre-lockdown activity levels resume. However, with the current economic challenges, it is hard to predict if this trend will continue.

**8.7 Net Zero Exeter and City Management**

<b>Budget Heading</b>	<b>Over / (Underspend)</b>
<b>Domestic Waste Collection</b>	<b>(£273,630)</b>

**Responsible Officer: Service Lead – Waste, Recycling & Fleet**

The service continues to struggle to recruit and this has caused operational difficulties. This has delayed the roll out of the food waste so there will be savings in the year due to vacancies and vehicles not yet being leased. These savings will more than offset the impact of the pay offer.

<b>Waste Chargeable Services</b>	<b>£514,440</b>
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**Responsible Officer: Service Lead – Waste, Recycling & Fleet**

As reported in previous years there is a shortfall in the trade waste income budget which it was hoped would be addressed by securing new agreements. The service makes a surplus having recovered well since the pandemic and has secured new and

<p>extended existing high profile contracts. However there is an ongoing shortfall against the income target.</p> <p>The difficulties with recruitment and retention of staff have also had an impact on the projected surplus from green waste. Collections were discontinued over the summer due to a shortage of drivers, so there will be a reduction in income for 22/23 as renewals are delayed to reflect the break in service.</p>	
<b>Recycling and MRF</b>	<b>£77,790</b>
<p><b>Responsible Officer: Service Lead – Waste, Recycling &amp; Fleet</b></p> <p>The financial impact of the pay offer of £1,925 across all grades is likely to cause overspends on salary budgets as the facility needs a full complement of staff to run efficiently.</p>	
<b>Public Safety</b>	<b>£99,090</b>
<p><b>Responsible Officer: Service Lead – Engineering, Waterways &amp; Parking</b></p> <p>Home call income continues to fall short of the budget given the increasing number of alternatives available and provision across Devon. This has been partly offset by vacancies within the Enforcement and CCTV Officers.</p>	
<b>Parking Services</b>	<b>£1,087,710</b>
<p><b>Responsible Officer: Service Lead – Engineering, Waterways &amp; Parking</b></p> <p>Parking fees and charges were at 98% of the budget profile at the end of July, however as there are so many variables impacting on income levels it is prudent to assume 90% for the year as a whole. Season ticket income has been affected with changes in demand from commuters and is expected to reduce by almost half compared with pre-Covid budgets. The financial impact of the pay offer is likely to cause overspends on salary budgets.</p>	
<b>Waterways</b>	<b>£77,250</b>
<p><b>Responsible Officer: Service Lead – Engineering, Waterways &amp; Parking</b></p> <p>£44k of income was incorrectly accrued for at 21/22 year end. The service will also be impacted by the pay offer as there are no compensating vacancies and agency cover is required for any staff absence.</p>	

## 8.8 Finance

<b>Budget Heading</b>	<b>Over / (Underspend)</b>
<b>Corporate Property – Assets</b>	<b>(£231,118)</b>
<p><b>Responsible Officer: City Surveyor</b></p> <p>This figure is primarily due to the forecast underspend in Property Maintenance. However, this is only an estimate and will be refined throughout the year as maintenance requirements are assessed. There are also vacancies and reduced hours savings within the Assets team, which will be taken into consideration as part of the restructure proposal currently being worked on</p>	

## 8.9 Corporate Services

Budget Heading	Over / (Underspend)
<b>Corporate Support</b>	<b>177,220</b>
<p><b>Responsible Officer: Service Lead – Democratic Support</b></p> <p>The empty offices in the Civic Centre have continued to reduce the income that has been budgeted in 22/23. Although this has been mitigated slightly by income from the telecommunications mast plus small savings in supplies and services, the situation is likely to remain unchanged for the foreseeable future as Covid continues to have an impact on working practices.</p>	

## 8.10 Other Financial Variations

Budget Heading	Over / (Underspend)
<b>Net interest</b>	<b>£265,250</b>
<p>The budgeted interest payable for 2022/23 anticipated that the Council would take out additional borrowings in the year, to finance a further loan to the wholly owned property development company; ECL. It is now anticipated that additional borrowings will not be required in 2022/23. However, this also means that the expected interest from ECL will not be receivable.</p>	

## 8.11 General Fund Balance

In 2022/23, it is projected that there will be an overall net contribution from the General Fund Balance of £1,015,326, leaving a balance of £4,507,247. This remains above the minimum requirement for the General Fund working balance, which was approved by Council in February 2022 at £3 million.

Movement	2022/23
Opening Balance, as at 01/04/22	<b>£5,522,573</b>
Net	(£1,015,326)
<b>Projected Balance at Year End</b>	<b>£4,507,247</b>

## 8.12 Supplementary Budgets

It is proposed that the supplementary budgets identified in Appendix 3 are approved and added to the 2022/23 budget. The requests are all self-financing or funded by an earmarked reserve and will have no impact on the projected General Fund working balance.

## 8.13 Outstanding Sundry Debt

An aged debt analysis of the Council's sundry debts is shown in the table below.

Age of Debt	March 2021	March 2022	June 2022
Up to 29 days (current)	£2,399,454	£1,154,547	£1,352,079
30 days – 1 Year	£1,530,103	£2,129,058	£2,527,095
1 – 2 years	£451,358	£387,330	£438,681
2 – 3 years	£550,482	£623,164	£465,381
3 – 4 years	£276,837	£280,899	£502,901
4 – 5 years	£417,580	£180,759	£173,666
5 + years	£752,772	£1,136,701	£1,159,604
<b>Total</b>	<b>£6,378,586</b>	<b>£5,892,458</b>	<b>£6,619,407</b>

#### 8.14 Debt Write-Offs

The following amounts have been written-off during 2022/23:

	2021/22 Total	2022/23 (Qtr 1)
• Council Tax	£251,786	£62,128
• Business Rates *	(£4,273)	£0
• Sundry Debt	£36,402	£1,767
• Housing Rents	£86,948	£23,093
• Non-HRA Rents	£111,991	£20,613
• HB Overpayments	£150,304	£4,895

\* Business Rate write offs dealt with annually

#### 8.15 Creditor Payments Performance

Creditors' payments continue to be monitored in spite of the withdrawal of statutory performance indicator BVPI8. The percentage paid within 30 days was 98.6% for the first three months of 2022/23 compared with 96.1% after the first three months of 2021/22.

### 9. One Exeter Update

As Members will be aware, One Exeter is the Council's transformation programme and is a critical priority for the council.

The Programme aims to make better use of the skills and resources we have, enable us to provide more cost efficient and joined up services and crucially, support the delivery of cost reductions that need to be made by April 2027. Transforming the way we work, including putting the customer at the centre of how we plan and deliver our services and supporting and developing our staff will ensure that we are a fit for purpose council.

A detailed programme of work has been developed to deliver this work which is focussed around seven work streams:

Work Stream	Area	Details

1	Leisure Service Review	Leisure Services to be redesigned to be cost neutral
2	Target Operating Model/Service Costs	To include Organisational Change, options for the size, shape and grouping together of our services, cessation/reduction in discretionary services and review of statutory and support services
3	Technical Accounting	Review of charges from the General Fund
4	Corporate Property	Asset disposal and management/potential additional income and review of Asset Improvement and Maintenance costs
5	Seek external funding	Seek funding from ring fenced and externally funded services
6	Staff Costs	Consideration of new working patterns
7	Income	To include commercialisation, return from borrowing and car parking income

A report was presented to Executive in February 2022 which set out how the council would reduce the budget for 2022/23 by £1.3 million. Appendix 5 sets out how the Council is performing against the 2022/23 approved budget reductions and whether the reductions are likely to be fully realised. As at Quarter 1, it is forecast that £36k of the £1.3m prediction will not be achieved.

In addition to the £1.3m identified for 2022/23, there is a further requirement to identify an additional £6.6m between 2023/24 to 2026/27. This amount includes the expected impact of the pay award and takes account of the increased financial pressures resulting from high inflation rates. Appendix 6 sets out progress against the seven work streams and assessed risk status.

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

This is a statement of the projected financial position to the end of the 2022/23.

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

The risks relate to overspending the Council budget and are mitigated by regular reporting to the Strategic Management Board and Members. Members have a legal responsibility to take action where balances are projected to reach an unsustainable level and the Strategic Management Board are working to address the current projected shortfall in reserves.

Areas of budgetary risk are highlighted in this report. The key areas of budgetary risks are attached as Appendix 4, for reference.

## **12. 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 no potential impact has been identified on people with protected characteristics as determined by the Act because there are no significant equality and diversity impacts associated with this decision.

## **13. Carbon Footprint (Environmental) Implications:**

There are no direct carbon/environmental impacts arising from the recommendations.

## **14. Are there any other options?**

Not applicable.

**Director Finance & S151 Officer, Dave Hodgson**

Authors: Nicola Morley, Bridget Kendrick and Claire Hodgson

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

Background papers used in compiling this report:

None

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## 2022/23 GENERAL FUND BUDGET MONITORING - SUMMARY

APPENDIX 1

## QUARTER 1

	Original Budget £	Supplementary Budgets & Transfers £	Revised Budget £	Year End Forecast £	Variance to Budget £
Chief Executive & Growth Director	3,116,820	397,820	3,514,640	3,426,161	(88,479)
Housing & Supporting People	3,874,140	364,310	4,238,450	4,288,450	50,000
City Development	954,300	1,917,420	2,871,720	2,921,720	50,000
Communications, Culture and Leisure Facilities	7,550,910	246,060	7,796,970	7,974,804	177,834
Net Zero Exeter and City Management	3,764,620	1,002,240	4,766,860	6,386,580	1,619,720
Finance	(1,326,740)	496,760	(829,980)	(1,022,318)	(192,338)
Corporate Services	2,424,540	(33,000)	2,391,540	2,570,309	178,769
less Notional capital charges	(4,903,640)	0	(4,903,640)	(4,903,640)	0
<b>Service Committee Net Expenditure</b>	<b>15,454,950</b>	<b>4,391,610</b>	<b>19,846,560</b>	<b>21,642,066</b>	<b>1,795,506</b>
Net Interest	1,083,000		1,083,000	1,348,250	265,250
New Homes Bonus	(1,362,350)		(1,362,350)	(1,362,350)	0
Revenue Contribution to Capital	0		0	0	0
Minimum Revenue Provision	958,240		958,240	958,240	0
Voluntary Revenue Provision	0		0	0	0
<b>General Fund Expenditure</b>	<b>16,133,840</b>	<b>4,391,610</b>	<b>20,525,450</b>	<b>22,586,206</b>	<b>2,060,756</b>
Transfer To/(From) Working Balance	25,550	(941,150)	(915,600)	(1,015,326)	(99,726)
Transfer To/(From) Earmarked Reserves	(234,290)	(3,358,830)	(3,593,120)	(5,554,150)	(1,961,030)
<b>General Fund Net Expenditure</b>	<b>15,925,100</b>	<b>91,630</b>	<b>16,016,730</b>	<b>16,016,730</b>	<b>0</b>
Formula Grant	(4,985,380)		(4,985,380)	(4,985,380)	0
Business Rates Growth / Pooling Gain	(3,274,000)		(3,274,000)	(3,274,000)	0
Covid 19 Grant	0		0	0	0
CIL Income	(1,250,160)	(91,630)	(1,341,790)	(1,341,790)	0
Council Tax	(6,415,560)		(6,415,560)	(6,415,560)	0
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Working Balance March 2022 £ 5,522,573

£ 4,507,247 March 2023

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## 2022/23 GENERAL FUND BUDGET MONITORING - DETAIL

## QUARTER 1

ACTUAL TO DATE			YEAR END FORECAST			
PROFIED BUDGET	ACTUAL TO DATE	VARIANCE TO DATE	APPROVED BUDGET	CURRENT OUTTURN FORECAST	FORECAST VARIANCE	
£	£	£	£	£	£	
5,041,178	3,020,538	(2,020,640)	<b>TOTAL GENERAL FUND NET EXPENDITURE</b>	<b>24,750,200</b>	<b>26,545,706</b>	<b>1,795,506</b>
<b>Chief Executive &amp; Growth Director</b>						
545,083	509,077	(36,006)	IT SERVICES	2,067,650	2,067,650	0
229,638	211,531	(18,107)	STRATEGIC MANAGEMENT	932,400	949,175	16,775
47,079	0	(47,079)	AFFORDABLE HOUSING DEVELOPMENT	190,000	86,616	(103,384)
80,076	64,538	(15,538)	CENTRAL SUPPORT	324,590	322,720	(1,870)
<b>901,876</b>	<b>785,146</b>	<b>(116,730)</b>	<b>NET EXPENDITURE</b>	<b>3,514,640</b>	<b>3,426,161</b>	<b>(88,479)</b>
<b>Housing &amp; Supporting People</b>						
(582,120)	(654,439)	(72,319)	HOUSING NEEDS & HOMELESSNESS	1,309,770	1,359,770	50,000
0	0	0	SUNDRY LANDS MAINTENANCE	95,460	95,460	0
35,276	43,619	8,343	GF HOUSING - PROPERTY	144,070	144,070	0
586,334	585,443	(891)	REVENUES, BENEFITS & CUSTOMER ACCESS	2,227,740	2,227,740	0
48,171	40,653	(7,518)	ORGANISATIONAL CHANGE PROGRAMME	461,410	461,410	0
<b>87,661</b>	<b>15,276</b>	<b>(72,385)</b>	<b>NET EXPENDITURE</b>	<b>4,238,450</b>	<b>4,288,450</b>	<b>50,000</b>
<b>City Development</b>						
(8,815)	(29,549)	(20,734)	BUILDING CONTROL & LAND CHARGES	51,780	51,780	0
194,833	199,786	4,953	PLANNING SERVICES	1,233,990	1,283,990	50,000
396,488	163,344	(233,144)	LIVEABLE EXETER GARDEN CITY	1,585,950	1,585,950	0
<b>582,506</b>	<b>333,581</b>	<b>(248,925)</b>	<b>NET EXPENDITURE</b>	<b>2,871,720</b>	<b>2,921,720</b>	<b>50,000</b>
<b>Communications, Culture and Leisure Facilities</b>						
114,989	118,994	4,005	CULTURE	460,700	460,700	0
47,373	11,402	(35,971)	TOURISM	190,810	178,683	(12,127)
(76,303)	(201,088)	(124,785)	MARKETS & HALLS	(401,410)	(479,828)	(78,418)
462,745	309,071	(153,674)	MUSEUM SERVICE	2,224,640	2,252,130	27,490
714,410	534,489	(179,921)	LEISURE & SPORT	2,935,380	3,235,380	300,000
14,963	0	(14,963)	ST SIDWELLS POINT	59,850	59,850	0
26,475	51,878	25,403	VISITOR FACILITIES	52,250	53,874	1,624
110,360	71,472	(38,888)	COMMUNICATIONS	415,230	354,495	(60,735)
208,367	207,921	(446)	ACTIVE & HEALTHY PEOPLE	1,615,520	1,615,520	0
71,250	69,989	(1,261)	EXETER COMMUNITY GRANTS PROGRAMME	244,000	244,000	0
<b>1,694,629</b>	<b>1,174,128</b>	<b>(520,501)</b>	<b>NET EXPENDITURE</b>	<b>7,796,970</b>	<b>7,974,804</b>	<b>177,834</b>
<b>Net Zero Exeter &amp; City Management</b>						
115,483	(125,568)	(241,051)	ENVIRONMENTAL PROTECTION	542,380	542,380	0
52,676	42,901	(9,775)	LICENCING, FOOD, HEALTH & SAFETY	433,040	433,040	0
100,736	82,071	(18,665)	PUBLIC SAFETY	467,290	566,510	99,220
(534,742)	(541,387)	(6,645)	PARKING SERVICES	(6,184,320)	(5,096,610)	1,087,710
75,726	123,619	47,893	WATERWAYS	380,870	458,120	77,250
224,066	91,831	(132,235)	ENGINEERING SERVICES	1,048,830	1,048,830	0
411,053	328,230	(82,823)	PARKS & GREEN SPACES	2,092,430	2,092,430	0
31,777	23,885	(7,892)	BEREAVEMENT SERVICES	129,850	138,820	8,970
375,469	305,737	(69,732)	STREET CLEANING	1,727,060	1,727,060	0
50,796	41,114	(9,682)	PUBLIC CONVENIENCES	225,800	227,870	2,070
483,822	478,131	(5,691)	DOMESTIC REFUSE COLLECTION	2,827,750	2,554,120	(273,630)
(232,347)	(118,730)	113,617	WASTE CHARGEABLE SERVICES	(644,220)	(129,780)	514,440
53,077	65,030	11,953	WASTE AND FLEET OVERHEADS	141,170	154,020	12,850
216,869	115,738	(101,131)	RECYCLING	915,770	993,560	77,790
0	0	0	FLEET MANAGEMENT & MAINTENANCE	0	0	0
98,636	(18,804)	(117,440)	NET ZERO AND BUSINESS	663,160	676,210	13,050
<b>1,523,097</b>	<b>893,798</b>	<b>(629,299)</b>	<b>NET EXPENDITURE</b>	<b>4,766,860</b>	<b>6,386,580</b>	<b>1,619,720</b>
<b>Finance</b>						
82,940	15,976	(66,964)	MAJOR PROJECTS	331,760	331,760	0
(1,381,697)	(1,623,197)	(241,500)	CORPORATE PROPERTY - ESTATES	(4,499,800)	(4,471,860)	27,940
206,170	54,256	(151,914)	CORPORATE PROPERTY - ASSETS	837,220	606,102	(231,118)
37,046	33,434	(3,612)	CORPORATE	148,230	148,230	0
396,582	382,290	(14,292)	UNAPPORTIONABLE OVERHEADS	1,586,310	1,586,310	0
142,730	138,871	(3,859)	FINANCIAL SERVICES	570,610	578,660	8,050
24,651	22,977	(1,674)	INTERNAL AUDIT	100,340	103,130	2,790
23,167	21,180	(1,987)	PROCUREMENT	95,350	95,350	0
<b>(468,411)</b>	<b>(954,213)</b>	<b>(485,802)</b>	<b>NET EXPENDITURE</b>	<b>(829,980)</b>	<b>(1,022,318)</b>	<b>(192,338)</b>
<b>Corporate Services</b>						
159,591	143,836	(15,755)	HUMAN RESOURCES	644,060	644,060	0
39,998	29,752	(10,246)	LEGAL SERVICES	167,320	167,320	0
100,726	160,636	59,910	ELECTIONS & ELECTORAL REG	405,000	405,000	0
164,095	154,938	(9,157)	DEMOCRATIC REPRESENTATION	663,410	654,845	(8,565)
62,758	70,577	7,819	CIVIC CEREMONIALS	284,780	294,894	10,114
203,403	236,648	33,245	CORPORATE SUPPORT	269,970	447,190	177,220
(10,750)	(23,565)	(12,815)	TRANSPORTATION	(43,000)	(43,000)	0
<b>719,821</b>	<b>772,822</b>	<b>53,001</b>	<b>NET EXPENDITURE</b>	<b>2,391,540</b>	<b>2,570,309</b>	<b>178,769</b>

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## PROPOSED SUPPLEMENTARY BUDGETS

**Supplementary Budgets**

Description	£	Funded by:
Homes for Ukraine Scheme - Expenditure	1,052,100	Self financing
Homes for Ukraine Scheme - Income	(1,052,100)	Self financing
Ukrainian Sponsors - Expenditure	369,600	Self financing
Ukrainian Sponsors - Income	(369,600)	Self financing
Planning Temporary Agency Staff Cover	70,000	Funded from reserve
Chewing Gum Task Force - Expenditure	19,120	Self financing
Chewing Gum Task Force - Income	(19,120)	Self financing
<b>Total</b>	<b>70,000</b>	

**Budget Transfers**

Transfer £25,000 budget for Cathedral Yard bollard work from Parks to Engineering  
 Transfer £21,850 support team budget from Parks to Car Parks

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**2022/23 BUDGET MONITORING**  
**AREAS OF BUDGETARY RISK**

The table below notes service-areas that, based on either experience last year or market factors this year, have been identified as having significant budgetary risk within the 2022/23 revenue budgets.

The revenue budget areas of risk are:

Service	22/23 Approved Budget	Risk Rating	Risk and mitigation
<b>City Development, Housing &amp; Supporting People</b>			
<b>Planning Services</b> Revenue	£824,010		There have been a number of recent planning decisions which have been appealed. This generally results in a need for external consultancy and legal advice. Significant expenditure has been incurred in this area in previous financial years.
<b>Revenues and Benefits</b> Housing Benefit Subsidy	£32,206,040		The Council currently administers over £32 million of Housing Benefit payments for rent allowances and rent rebates. Not all expenditure can be claimed back as subsidy. Certain supported and temporary accommodation costs are not eligible for full subsidy; these claim types will remain in Housing Benefit and not move to Universal Credit. As more Housing Benefit claims move onto Universal Credit the amount of unsubsidised expenditure will be an increased proportion of total expenditure. Errors made by ECC officers are not subsidised in full if they go over a set percentage of total expenditure. As total expenditure reduces due to Universal Credit rollout, the margins within which error payments are subsidised will reduce, increasing the risk of a subsidy loss in this area.
<b>Communications, Culture and Leisure Facilities</b>			
<b>Markets &amp; Halls</b> (Revenue)	(£401,410)		The opening quarter of 22/23 has proved to be busy for the Matford Centre with auctioneers and car parking income both being forecasted above budget. However, the impact of the current economic situation has yet to be witnessed therefore forecasting is cautious.

Service	22/23 Approved Budget	Risk Rating	Risk and mitigation
<b>Leisure &amp; Sport</b> (Revenue)	£2,935,380		The new year has started positively with the opening of St Sidwell's Point, resulting in the rise of memberships and footfall volume, showing that post-Covid confidence may be restored. However, there are still challenges to be faced such a lack of skilled leisure professionals and the current cost of living crisis, which may have a detrimental effect on memberships. A three-year strategy will be presented in November, which will review revenue projections, revised establishment costs and a capital improvement plan.
<b>Communications</b> (Revenue)	£415,230		Advertising revenue has been strong in the first quarter of 22/23, as pre-lockdown activity levels resume. However, as with other areas, the impact of the current economic situation has yet to be determined so forecasting is being approached with caution.
<b>Net Zero Exeter and City Management</b>			
<b>Trade Waste Fees &amp; Charges</b>	(£1,316,850)		There has been a longstanding budget gap within Waste and Recycling income budgets. When the 2021/22 budgets were prepared it was anticipated that ECC could secure some significant commercial waste contracts and so the income targets were increased. Although the University contract has been extended and the Met Office contract begins from September this is not likely to be sufficient to meet the shortfall.
<b>Car Parking Fees &amp; Charges</b>	(£8,896,430)		The Covid pandemic has resulted in ongoing changes to working patterns and commuter parking. The income from visitors can also be volatile during holiday periods, so the current projections assume 90% of the original budget.
<b>Home Call Fees &amp; Charges</b>	(£320,730)		There has been reduced demand for the Home Call offer from ECC in recent years as there are alternative, cheaper services available in the marketplace.

**Risk Rating Key:**

	Current forecasts indicate either a favourable variance compared to the budget or no variance at all
	Current forecasts indicate an adverse budgetary variance of between 0% and 5% that will be kept under review
	Current forecasts indicate an adverse budgetary variance of more than 5% and will be monitored closely

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## Monitoring One Exeter Budget Reductions - 2022/23 Quarter 1 Update

Description	2022/23 Budget Reduction (£)	Outturn Forecast (£)	Comment
<b>Discretionary Service Review</b>			
Guildhall Chambers	4,640	4,640	Budget monitored closely by Service Lead - no spend outside budgeted account codes is planned
Mayoralty	7,500	7,500	Lord Mayor is now using one of the pool electric vehicles therefore savings met and Lord Mayor activities in-line with budget
Civic Centre	4,400	1,000	Committee room food and drinks and Civic Centre stationery expenditure incurred
Civic Centre	3,290	3,290	Postage and shredding activity forecast within remaining budget
Public Celebrations & Twinning	10,280	10,280	Planned activities are forecast to come in on or under budget. Supplementary budget of £10k was added to cover costs of Queen's Jubilee celebration
Mail	50,750	50,750	Currently forecast to come in on budget
Communications & Marketing	40,000	40,000	Budget monitored closely by Service Lead to keep spend at budgeted levels with any overspends met by compensating savings
Arts & Events	20,000	20,000	Forecast that grants issued will come in on budget
Staff awards	10,000	10,000	No Staff Award event
Net Zero & Business Admin	2,500	2,500	Planned activity has been reduced in line with the identified savings
Business Projects	20,000	20,000	Planned activity has been reduced in line with the identified savings
Customer Service Centre	85,200	85,200	1 post deleted and 2 posts funded by grant income
Underground Passages	45,094	38,041	Running costs and income adjusted to reflect revised opening hours but final establishment greater than original 2022/23 estimates
Active & Healthy	95,367	69,788	Staff costs to be met from CIL
<b>Sub Total Discretionary Service Review</b>	<b>399,021</b>	<b>362,989</b>	
<b>Enabling &amp; Support Services</b>			
Corporate Support Unit	34,092	34,092	2 posts removed & hours reduced from establishment so saving achieved
Accountancy Services	18,195	18,195	Post removed from establishment so saving achieved
Procurement	8,902	8,902	Post removed from establishment so saving achieved
Internal Audit	990	990	No spend anticipated against these account lines
Democratic Services	- 7,000	- 7,000	Post upgraded to Team Leader and met from above employee cost savings
HR	- 24,730	- 24,730	HR Business Partner post partly met from above employee cost savings
Major projects consultancy	30,000	30,000	No spend anticipated against these account lines
<b>Sub Total Enabling &amp; Support Services</b>	<b>60,449</b>	<b>60,449</b>	
<b>Organisational Change Programme</b>			
Corporate Support Unit	26,068	26,068	Post removed from establishment so saving achieved, due to redesign of complaints process
<b>Sub Total Organisational Change Programme</b>	<b>26,068</b>	<b>26,068</b>	
<b>Asset Disposal &amp; Management</b>			
Capitalisation of fleet lease	550,000	550,000	Saving achieved
<b>Sub Total Asset Disposal &amp; Management</b>	<b>550,000</b>	<b>550,000</b>	
<b>Self-financing Services</b>			
Review of support service recharges to self-financing services	252,930	252,930	Recharges for 2022/23 expected to remain in-line with the approved budgets
<b>Sub Total Self-financing Services</b>	<b>252,930</b>	<b>252,930</b>	
<b>One Exeter Programme Savings</b>	<b>1,288,468</b>	<b>1,252,436</b>	

36,032 Forecast variance at Quarter 1

Assessment	Status
Low / minimal risk that budget saving will not be fully achieved	
Some risk that budget saving will not be fully achieved	
High risk that budget saving will not be fully achieved	

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## Progress against MTFP Predictions

Work stream	Budget area	Risk Rating	Update
<b>Service Review</b>			
1	Leisure Services		St Sidwells' Point has opened. A report profiling predicted income levels and three year plan is due to be taken to Executive in November 2022 after financial predictions have been independently verified.
<b>Target Operating Model / Service reductions</b>			
2	Organisational Change Programme		Work is underway with all services to identify more efficient ways of working and potential budget reductions for 2023/24 and beyond.
2	Statutory, non-discretionary services		
2	Enabling and support services		
2	Cessation / reduction of discretionary functions		The Director of Finance / Deputy Chief Executive has worked with the Leader and Deputy Leader on an initial analysis to identify Discretionary Services that could potentially be stopped from April 2023. SMB have now been asked to consider the feasibility of the proposals prior to them being discussed more widely from September.
2	Changes to management structure and operating model		It is planned for a new structure to be in place from April 2024. The LGA will be supporting the Council with this work.
<b>Technical Accounting</b>			
3	Self-financing services		A review of support services was conducted for 2022/23, a review of internal recharges is due for 2023/24
<b>Corporate Property</b>			
4	Asset disposal and management		Achieved
4	Corporate Property		Savings due to be delivered in 2026/27
<b>Seek External Funding</b>			
5	Contribution from ring-fenced discretionary services		On track. Opportunities continue to be explored to identify where further contributions could be achieved. Potential to deliver predicted savings for temporary period up to 2025.
5	Externally funded services		Work continues to find new opportunities for increasing external funding.
<b>HR</b>			
6	Staff costs		Options are currently being explored.
<b>Income Generation</b>			
7	Commercialisation		Delivery of the anticipated income against this work stream is high risk due to an outstanding legacy deficit and uncertainty around markets and securing contracts.
7	Exeter City Living group activities		Income predicted against this work stream could be impacted by rising interest rates.
7	Car park income		Car parking income levels are now at about 95% of pre pandemic levels.

Assessment	Risk Rating
Work-stream either delivered, on track to deliver or has sufficient time remaining to achieve indicative contribution as profiled over the MTFP	
Work-stream subject to some risks (e.g. influenced by external factors) and/or some doubt on ability to achieve indicative contribution as profiled over MTFP	
Work-stream subject to high degree of risk (e.g. income generation) and/or insufficient time remaining to achieve indicative contribution as profiled over the MTFP	

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## **REPORT TO EXECUTIVE**

Date of Meeting: 4 October 2022

## **REPORT TO COUNCIL**

Date of Meeting: 18 October 2022

Report of: Director Finance

Title: 2022/23 General Fund Capital Monitoring Statement – Quarter 1

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

### **1. What is the report about?**

To report the current position in respect of the Council's revised annual capital programme and to advise Members of the anticipated level of deferred expenditure into future years.

The report seeks Member approval to amend the annual capital programme in order to reflect the reported variations.

### **2. Recommendations:**

It is recommended that Executive Committee supports and recommends to Council to approve:

- (1) The overall financial position for the 2022/23 annual capital programme; and
- (2) The amendments and further funding requests to the Council's annual capital programme for 2022/23.

### **3. Reasons for the recommendation:**

3.1. Local authorities are required to estimate the total of capital expenditure that it plans to incur during the financial year when it sets the prudential indicators for capital expenditure. This shows that its asset management and capital investment strategies are affordable, prudent and sustainable.

Capital expenditure is a significant source of risk and uncertainty since cost variations, delays and changing specifications are often features of large and complex capital projects.

In order to manage the risks associated with capital programming the annual capital programme is updated every three months to reflect any cost variations, slippage or acceleration of projects.

#### 4. What are the resource implications including non financial resources

The financial resources required are set out in the body of this report.

#### 5. Section 151 Officer comments:

5.1 Members should note the significant deferrals in the schemes approved. The current economic climate, with rising interest rates however makes the existing programme unaffordable. Interest rates have risen by over 2.5% since the start of the year. Members are reminded that the interest rate charged by the PWLB is based on the cost of the Government's borrowing, not the base rate set by the Bank of England, thus the rate rise being higher than the increase in base rate currently seen. If the full amount required for the Capital Programme, as it stands, was borrowed it would add around £1.3m cost to the General Fund. This is unaffordable and therefore the management Team will be undertaking a review of the programme to determine areas that can be removed or postponed.

#### 6. What are the legal aspects?

The capital expenditure system is framed by the Local Government and Housing Act 1989.

#### 7. Monitoring Officer's comments:

It is clear from the S.151 Officers comments that the Capital Programme as it currently stands is unaffordable. SMB is alive to this issue and are working on reporting back to Members with proposals as to how we reduce this area of budgetary pressure.

#### 8. Report details:

##### 8.1. REVISIONS TO THE CAPITAL PROGRAMME

The 2022/23 Capital Programme, including commitments brought forward from 2021/22, was last reported to Executive on 5 July 2022. Since that meeting the following changes have been made that have increased the programme:

Description	£	Approval/Funding
<b>Capital Programme, as reported to Council 19 July 2022</b>	<b>131,182,860</b>	
Energy Saving Projects	64,000	Approved by Council 19 July 2022
Fleet Leasing Costs	2,110,830	
Pinhoe Playing Fields Upgrades	49,280	
<b>Revised Capital Programme</b>	<b>133,406,970</b>	

## 8.2. PERFORMANCE

The revised capital programme for the current financial year is £133.407 million. During the first three months of the year the Council spent £46.772 million on the programme, which equates to 35.06% of the revised programme. This compares with £5.046 (7.48%) that was spent in the first three months of 2021/22.

The current programme is detailed in Appendix 1. The Appendix shows a total forecast spend for 2022/23 of £94.921 million with £38.590 million of the programme potentially being deferred to 2023/24 and beyond.

Appendix 2 shows the approved budgets for 2023/24 with the proposed 2022/23 budget to be carried forward to 2023/24 and beyond for Executive and Council to consider for approval.

Appendix 3 shows the overall position for those schemes which span more than one financial year.

## 8.3. AVAILABLE CAPITAL RESOURCES

The available capital resources for the General Fund for 2022/23 are £13.067 million. An estimated spend of £94.921 million is required of which £85.609 million will be funded from borrowing with £3.755 million capital receipts carried forward to 2023/24.

Appendix 4 sets out the forecast use of the resources available for the General Fund and the likely amounts of borrowing that will be necessary to fund the capital programme over the next three years.

The value of actual capital receipts received in the quarter in respect of the General Fund are:

	<b>General Fund £</b>
<b>Balance as at 1 April 2022</b>	<b>3,020,582</b>
New Receipts	2,278,353
<b>Balance as at 30 June 2022</b>	<b>5,298,935</b>

## 8.4. EXPENDITURE VARIANCES

The main (greater than +/- £30k) variances and issues concerning expenditure are as follows:

Scheme	Variance £
<b>Energy Saving Projects</b>	<b>42,000</b>
<p><b>Officer Responsible: Net Zero Project Lead</b></p> <p>Overall, the Water Lane Smart Grid &amp; Solar project is very much nearing completion and will be delivered before the grant activity end date agreed of the 31 December. However, commissioning of Water Lane has suffered increased costs due to the impact of Covid19 at the start of the project in 2020, supply chain availability problems, a very complex private wire dig requiring reinforcement, contaminated land at the depot site requiring added surveys and works, additional District Operator (WPD) connection infrastructure and a project change. The replacement of the Mary Arches Car Park site, with the Riverside Leisure Centre, included an additional solar PV array.</p>	

Scheme	Variance £
<b>Leisure Complex – Build Project</b>	<b>62,220</b>
<p><b>Officer Responsible: Director - Communications, Culture &amp; Leisure</b></p> <p>The Leisure Complex – Build Project is showing an overspend this quarter, with more cost anticipated. All the leisure capital programmes are currently being reconciled and reviewed with the project consultants as part of a strategy paper currently being prepared for submission in November; it is likely that there will be amendments to the current programme to reflect the future plans for the Leisure Centres.</p>	

#### 8.5. SCHEMES TO BE DEFERRED TO 2023/24 AND BEYOND

Schemes which have been identified as being wholly or partly deferred to 2023/24 and beyond are:

Scheme	Budget to be Deferred £
<b>Datacentre Relocation</b>	<b>35,940</b>
<b>NCSC Zero Trust</b>	<b>53,910</b>
<p><b>Officer Responsible: Chief Executive &amp; Growth Director</b></p> <p>Both these projects have been slipped into next year as they are currently being reassessed.</p>	

<b>Scheme</b>	<b>Budget to be Deferred £</b>
<b>Improved recycling containers</b>	<b>257,580</b>
<b>Materials Reclamations Facility enhancements</b>	<b>4,081,600</b>
<b>Officer Responsible: Interim Service Manager – Waste, Recycling and Fleet</b>	
The roll out of the new food waste collection arrangements will continue into 2023/24 and new bins and boxes will be purchased as and when the scheme is extended throughout the city. There are a number of different elements to the MRF enhancements project and the bulk of the costs are likely to be spent in 2023/24.	
<b>Parks Infrastructure</b>	<b>119,190</b>
<b>Outdoor Leisure facilities - Newcourt</b>	<b>121,270</b>
<b>Bowling Green Marshes coastal defence scheme</b>	<b>450,000</b>
<b>Topsham flood prevention scheme</b>	<b>795,000</b>
<b>Cricklepit Bridge</b>	<b>153,750</b>
<b>Trews Weir refurb</b>	<b>1,039,850</b>
<b>Exeter Ship Canal M5 viaduct</b>	<b>164,500</b>
<b>Exeter Quay Cellars cliff face</b>	<b>400,000</b>
<b>Exhibition Way Bridge</b>	<b>210,960</b>
<b>Yaroslavl Bridge</b>	<b>62,250</b>
<b>Leypark Road Footbridge</b>	<b>210,960</b>
<b>Repairs to walls at Farm Hill</b>	<b>79,900</b>
<b>Mallison Bridge</b>	<b>1,037,750</b>
<b>Riverside Walls at Quay</b>	<b>528,950</b>
<b>Bonhay Rd/Andlaw House Footpath</b>	<b>42,440</b>
<b>St James' Weir &amp; Ducks Marsh Meadow banks</b>	<b>159,840</b>
<b>Canal Basin Topsham Quay Countess Wear - Canal craning pads</b>	<b>188,500</b>
<b>Heavitree Paddling Pools</b>	<b>439,300</b>
<b>Mincinglake Valley Park Reed Beds &amp; Pipe Inlet</b>	<b>102,100</b>
<b>Exeter Ship Canal - Bottleneck &amp; Bird Hide</b>	<b>87,260</b>
<b>Exeter Ship Canal - Green Tip to Water Lane</b>	<b>51,500</b>
<b>Bromhams Farm Playing Fields</b>	<b>235,000</b>

**Officer Responsible: Engineering & Assets Manager**

There is likely to be significant slippage in the Engineering capital programme for 2022/23. This is partly due to external factors, but also the Engineering team do not currently have the capacity to deliver the full range of projects and have had difficulties recruiting new staff to progress this work. Therefore the programme is being re-prioritised and a number of projects are being deferred in whole or in part to later years, and grouped together where it is felt that this can aid delivery.

**Repairs to Turf Lock Pier Head****70,310****Officer Responsible: Service Manager – Engineering, Waterways and Parking**

The Turf Lock works is pending longer term decisions around the canal and loading points.

**Ash Die Back tree replacement****212,630****Play Areas****131,600****Officer Responsible: Interim Service Manager – Public & Green Space**

Current national guiding bodies are still indicating that Ash Die Back will result in 90% loss over 10 years, with only 5% of trees showing any resilience to the disease. Current demand levels for ECC are not that high at the moment, but disease prevalence will change over time as it spreads. The capital approval has been re-profiled evenly between 2022/23 and 2025/26. The estimated spend for play areas has been re-forecast based on capacity and availability of equipment.

Scheme	Budget to be Deferred £
Mary Arches MSCP	3,492,369
Guildhall MSCP	100,026
Cathedral & Quay MSCP	3,757,198
John Lewis MSCP	122,967
Princesshay 2 MSCP	2,427,503
Princesshay 3 MSCP	55,969
Leighton Terrace & KW St MSCP	667,700
<p><b>Officer Responsible: City Surveyor</b> Consultants have been appointed and will start work in 22/23; this is the only spend anticipated in 22/23.</p>	
City Wall	328,520
<p><b>Officer Responsible: City Surveyor</b> The only anticipated costs in 22/23 are consultant-driven survey and design works</p>	
Backlog Maintenance	4,934,830
<p><b>Officer Responsible: City Surveyor</b> This programme has been put on hold until the Estates restructure has taken place and adequate resources can be identified.</p>	
BLRF – Bonhay Meadows	957,430
BLRF – Exeter Canal Basin	578,550
BLRF – Mary Arches Car Park	1,256,840
BLRF – Belle Isle	651,800
BLRF – Cath & Quay Car Park	2,317,450
<p><b>Officer Responsible: City Surveyor</b> These programmes are currently being progressed by ECL. Costs in 22/23 will be consultant fees only.</p>	
Depot Relocation	2,930,280
<p><b>Officer Responsible: City Surveyor</b> Consultant team is now in place so 22/23 costs will be for this team.</p>	
Guildhall Roof Replacement	473,760
<p><b>Officer Responsible: City Surveyor</b> Initial jury room replacement tenders above estimate; expected to be complete by March 2023. Additional funding will be required to complete main roof in 23/24</p>	

<b>RAMM Roof Replacement</b>	<b>934,510</b>
<p><b>Officer Responsible: City Surveyor</b></p> <p>Grant match funding applied for and due to grant restrictions, the start of the project will not be until early 23/24. Spend in 22/23 will be for on-going consultancy support and surveys.</p>	
<b>Ancillary Accom Flat Roof</b>	<b>124,640</b>
<b>Bradninch Place Heating Etc</b>	<b>242,350</b>
<b>Wat Tyler House Water Ingress</b>	<b>235,270</b>
<b>Verney House Roof and Drainage</b>	<b>121,000</b>
<b>Commercial Properties EPS Imps</b>	<b>204,700</b>
<p><b>Officer Responsible: City Surveyor</b></p> <p>These budgets are unlikely to be required until 23/24.</p>	

## 8.6. FURTHER FUNDING REQUESTS

### Noise monitoring equipment (£45,000)

The Environmental Health team have a legal duty to investigate approximately 1,200 noise nuisance complaints a year. In practice this is done using specific noise monitoring equipment to meet evidential requirements. The existing kit was due for replacement five years ago but is becoming increasingly unreliable. 3 mobile units at £15k each should be sufficient to deal with this volume of complaints. These will be funded from capital receipts.

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

The Capital Programme contributes to all of the key purposes, as set out in the Corporate Plan.

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

Areas of budgetary risk are highlighted to committee as part of the quarterly budget monitoring updates.

## 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 no potential impact has been identified on people with protected characteristics as determined by the Act because the impact of each scheme is considered prior to approval. Any significant deviation from this will be noted within the body of this report.

## **12. Carbon Footprint (Environmental) Implications:**

We are working towards the Council's commitment to carbon neutral by 2030. The impact of each scheme is considered prior to approval.

## **13. Are there any other options?**

There are no other options.

**Director Finance, Dave Hodgson**

Author: Nicola Morley, Claire Hodgson and Bridget Kendrick

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

Background papers used in compiling this report:-

None

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2022/23 CAPITAL MONITORING - QUARTER 1

Responsible Officer	Scheme	2022/23 Capital Programme	2022/23 Spend Quarter 1	2022/23 Forecast spend	2022/23 Budget to be Carried Forward to 2023/24 and Beyond	2022/23 Programme Variances (Under)/Over
		£	£	£	£	£
<b>Chief Executive &amp; Growth Director</b>						
Chief Executive & Growth Director	Customer Contact Platform	161,030	0	161,030	0	0
	Annual Contribution to Strata	53,910	53,904	53,904	0	(10)
	PTSN Replacement	40,000	0	40,000	0	0
	ECC Civic Centre HFX Door Access Replacement	100,000	0	100,000	0	0
	System Upgrade Cost 2012 Server replacement	35,940	0	35,940	0	0
	GIS Cloud Migration	3,590	0	3,590	0	0
	Idox System for Planning	60,680	0	60,680	0	0
	Cash and Income Management	1,840	0	1,840	0	0
	Finance System Upgrades	1,280	0	1,280	0	0
	Idox System Upgrades	6,260	0	6,260	0	0
	Financial Management	207,270	11,185	207,270	0	0
	Datacentre Relocation	35,940	0	0	35,940	0
	SAN Replacement	179,700	51,716	179,700	0	0
	Door Access RAMM	100,000	7,410	100,000	0	0
	NCSC Zero Trust	53,910	0	0	53,910	0
IT Replacement programme	85,950	666	85,950	0	0	
<b>TOTAL</b>		<b>1,127,300</b>	<b>124,881</b>	<b>1,037,444</b>	<b>89,850</b>	<b>(10)</b>
<b>Net Zero Exeter and City Management</b>						
Service Manager - Public & Green Spaces	Parks Infrastructure	149,190	565	30,000	119,190	0
	Cemeteries & Churchyards Infrastructure Improvements	134,790	0	134,790	0	0
	Parks Anti-Incursion Measures	24,210	5,397	24,210	0	0
	Ash Die Back Tree Replacement	291,840	0	79,210	212,630	0
	Binfrasturcture	2,960	0	2,960	0	0
	Columbarium	360,210	0	360,210	0	0
	Cemetery Fields Play Area	156,830	0	156,830	0	0
	Play Areas	381,600	17,787	250,000	131,600	0
	Outdoor Leisure Facilities - Newcourt	121,270	0	0	121,270	0
	Repair Canal Bank at M5	26,890	0	26,890	0	0
	Bowling Green Marshes Coastal Defence Scheme	500,000	0	50,000	450,000	0
	Topsham Flood Prevention Scheme	800,000	0	5,000	795,000	0
	Pinhoe Playing Field Upgrades	91,830	0	91,830	0	0
	Cricklepit Bridge	153,750	0	0	153,750	0
	Trews Weir refurb	1,114,850	0	75,000	1,039,850	0
	Exeter Arena Skatepark	42,750	19,321	42,750	0	0
	District Street Lighting	292,150	0	292,150	0	0
	Piazza Terracina	10,000	159	40,000	(30,000)	0
	Holman Way, Topsham CP Copse	9,740	10,146	10,146	0	406
	Exeter Ship Canal M5 viaduct	164,500	0	0	164,500	0
	Exeter Quay Cellars cliff face	439,730	1,457	39,730	400,000	0
	Exhibition Way Bridge	210,960	0	0	210,960	0
	Yaroslavl Bridge	77,250	0	15,000	62,250	0
Leypark Road Footbridge	210,960	0	0	210,960	0	

Responsible Officer	Scheme	2022/23 Capital Programme	2022/23 Spend Quarter 1	2022/23 Forecast spend	2022/23 Budget to be Carried Forward to 2023/24 and Beyond	2022/23 Programme Variances (Under)/Over
		£		£	£	£
Engineering & Assets Manager	Paul St Car Park Bridge & Ramp	21,220	0	0	21,220	0
	King William Footbridge	21,220	0	0	21,220	0
	Farm Hill Retaining Walls (23 no.)	53,050	0	30,000	23,050	0
	Mallison Bridge	1,037,750	0	0	1,037,750	0
	Riverside Walls at Quay	528,950	0	0	528,950	0
	Bonhay Rd/Andlaw House Footpath	42,440	0	0	42,440	0
	Underground Passages	30,900	0	30,900	0	0
	St James Weir & Ducks Marsh	209,840	0	50,000	159,840	0
	St Davids Church Boundary Wall	14,490	0	14,490	0	0
	Canal Basin Topsham Quay Countess Wear - Canal craning pads	188,500	0	0	188,500	0
	Double Locks	10,300	0	0	10,300	0
	Heavitree Paddling Pools	464,300	0	25,000	439,300	0
	Taddiford Brook	10,300	0	0	10,300	0
	Flowerpot Skate Park	16,520	435	1,000	15,520	0
	Landfill Gas Extraction Systems @ Clifton Hill & Mincinglake Valley Park (Public Realm & Mincinglake Valley Park	52,480	0	52,480	0	0
	Exeter Ship Canal Bottleneck	112,260	0	25,000	87,260	0
	Exeter Ship Canal Water Lane	51,500	0	0	51,500	0
Bromhams Farm Playing Fields	250,000	0	15,000	235,000	0	
Salmonpool swingbridge / Clapperbrook lane	30,000	0	30,000	0	0	
Service Manager - Engineering, Waterways & Parking	Improved Car Park Security Measures at King William Street & Arena Park	19,670	0	0	19,670	0
	Repairs to Turf Lock Pier Head	70,310	0	0	70,310	0
	Repair to Walls at Farm Hill	79,900	0	0	79,900	0
	Bank Repairs & Stabilisation to Watercourses	20,000	0	20,000	0	0
	CCTV improvements	241,240	5,658	241,240	0	0
Service Manager - Recycling, Waste & Fleet	Waste Infrastructure	463,300	0	463,300	0	0
	Cleansing Bins and Boxes	80,000	37,537	80,000	0	0
	Improved recycling containers	292,100	0	34,520	257,580	0
	Enhance the Materials Reclamations Facility	4,141,600	31,220	60,000	4,081,600	0
Service Manager - Environmental Health & Community Safety	Fleet lease costs	2,110,830	0	2,110,830	0	0
	Disabled Facility Grants	1,607,460	130,062	1,607,460	0	0
	Energy Saving Projects	1,322,150	656,393	1,364,150	0	42,000
<b>TOTAL</b>		<b>19,514,940</b>	<b>916,137</b>	<b>8,032,076</b>	<b>11,525,270</b>	<b>42,406</b>
<b>City Development, Housing &amp; Supporting People</b>						
Director	Agile & Flexible Rollout	20,000	0	20,000	0	0
	Next Steps/Rough Sleepers Accommodation Programme Property Acquisitions	2,661,230	356,628	2,661,230	0	0
<b>TOTAL</b>		<b>2,681,230</b>	<b>356,628</b>	<b>2,681,230</b>	<b>0</b>	<b>0</b>
<b>Communications, Culture and Leisure Facilities</b>						
Director	Council Signage Improvement	79,090	0	79,090	0	0
	Leisure Centre Essential Enhancements	32,360	0	32,360	0	0
	Riverside Leisure Centre	410,930	1,507	410,930	0	0
	Riverside Sports Hall Roof	2,000,000	210,505	2,000,000	0	0
	Leisure Complex - Fit Out	713,430	93,788	713,430	0	0
	Leisure Management	245,440	0	245,440	0	0
	Leisure Complex - Build Project	714,470	776,692	776,692	0	62,220
	Bus Station Construction	507,370	6,303	507,370	0	0
	Pinhoe Community Hub	53,760	0	53,760	0	0

Responsible Officer	Scheme	2022/23 Capital Programme	2022/23 Spend Quarter 1	2022/23 Forecast spend	2022/23 Budget to be Carried Forward to 2023/24 and Beyond	2022/23 Programme Variances (Under)/Over
		£		£	£	£
<b>TOTAL</b>		<b>4,756,850</b>	<b>1,088,795</b>	<b>4,819,072</b>	<b>0</b>	<b>62,220</b>
<b>Finance</b>						
Director	Loan to Exeter City Living	15,641,560	0	15,641,560	0	0
	Commercialisation Options	4,912,720	428,652	4,912,720	0	0
	Commercial Property Purchase	55,000,000	43,808,602	55,000,000	0	0
City Surveyor	Building Management System (BMS)	24,330	0	24,330	0	0
	Civic Centre Air Conditioning Replacement	25,000	0	25,000	0	0
	Fire Risk Assessment Works	750,550	2,143	750,550	0	0
	Beacon Heath Martial Arts & Boxing Club - New Roof	14,650	0	0	14,650	0
	Pinces Gatehouse Roof repairs	28,390	0	0	28,390	0
	Exmouth Buoy Store	93,710	0	93,710	0	0
	Mary Arches MSCP	3,600,380	0	108,011	3,492,370	0
	Guildhall MSCP	103,120	0	3,094	100,030	0
	Cathedral & Quay MSCP	3,873,400	0	116,202	3,757,200	0
	Harlequins MSCP	16,510	0	0	16,510	0
	John Lewis MSCP	126,770	0	3,803	122,970	0
	Princesshay 2 MSCP	2,502,580	0	75,077	2,427,500	0
	Princesshay 3 MSCP	57,700	0	1,731	55,970	0
	Leighton Terra & KW St MSCP	688,350	0	20,650	667,700	0
	Civic Centre Phase 3 Roof Rep	230,000	0	230,000	0	0
	City Wall	378,520	600	50,000	328,520	0
	Backlog Maintenance	4,934,830	0	0	4,934,830	0
	BLRF - Bonhay Meadows	1,007,430	5,284	50,000	957,430	0
	BLRF - Exeter Canal Basin	598,550	674	20,000	578,550	0
	BLRF - Mary Arches Car Park	1,306,840	1,471	50,000	1,256,840	0
	BLRF - Belle Isle	671,800	757	20,000	651,800	0
	BLRF - Cath & Quay Car Park	2,367,450	2,664	50,000	2,317,450	0
	BLRF - Clifton Hill	425,000	0	425,000	0	0
	Depot Relocation	3,430,280	34,417	500,000	2,930,280	0
	Guildhall Roof Replacement	613,760	0	140,000	473,760	0
	RAMM Roof Replacement	974,510	0	40,000	934,510	0
	Commercial property Ancillary Accommodation flat roof recovering	124,640	0	0	124,640	0
	Bradninch Place additional works	242,350	0	0	242,350	0
	Wat Tyler House water ingress	235,270	0	0	235,270	0
	Verney House roof and drainage	121,000	0	0	121,000	0
	Commercial Properties EPC Improvements	204,700	0	0	204,700	0
	<b>TOTAL</b>		<b>105,326,650</b>	<b>44,285,263</b>	<b>78,351,439</b>	<b>26,975,220</b>
<b>GENERAL FUND SERVICES TOTAL</b>		<b>133,406,970</b>	<b>46,771,704</b>	<b>94,921,261</b>	<b>38,590,340</b>	<b>104,616</b>

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## BUDGETS CARRIED FORWARD TO 2023/24 AND BEYOND

Responsible Officer	Scheme	2023/24 Budget as	Proposed Budget	Budget Reprofiled	Total 2023/24	2024/25 Budget as
		per Budget	to be Carried	to Future Years	Capital Programme	per Budget
		Book/Council	Forward to 2023/24			Book/Council
		Approvals	and Beyond at Qtr 1			Approvals
		£	£	£	£	£
<b>Chief Executive &amp; Growth Director</b>						
	Annual Contribution to Strata	53,910	0	0	53,910	53,910
	IT Replacement Programme	50,000	0	0	50,000	50,000
Chief Executive & Growth Director	Financial Management	200,000	0	0	200,000	0
	Datacentre Relocation	0	35,940	0	35,940	0
	NCSC Zero Trust	0	53,910	0	53,910	0
<b>TOTAL</b>		<b>303,910</b>	<b>89,850</b>	<b>0</b>	<b>393,760</b>	<b>103,910</b>
<b>Net Zero Exeter and City Management</b>						
Service Manager - Public & Green Space	Parks Infrastructure	0	119,190	0	119,190	0
	Ash Die Back Tree Replacement	25,000	212,630	0	237,630	0
	Play Areas	218,600	131,600	0	350,200	225,000
	Outdoor Leisure Facilities - Newcourt	0	121,270	0	121,270	0
	Bowling Green Marshes Coastal Defence Scheme	160,000	450,000	0	610,000	160,000
	Topsham Flood Prevention Scheme	0	795,000	0	795,000	0
	Cricklepit Bridge	0	153,750	0	153,750	0
	Trews Weir refurb	0	1,039,850	0	1,039,850	0
	District Street Lighting	163,950	0	0	163,950	168,750
	Piazza Terracina	0	(30,000)	30,000	0	127,500
	Exeter Ship Canal M5 viaduct	0	164,500	0	164,500	0
	Exeter Quay Cellars cliff face	0	400,000	0	400,000	0
	Exhibition Way Bridge	0	210,960	0	210,960	0
	Yaroslavl Bridge	0	62,250	0	62,250	0
	Leypark Road Footbridge	0	210,960	0	210,960	0
	Paul Street Car Park Bridge & Ramp	87,440	21,220	0	108,660	0
	King William Footbridge	87,440	21,220	0	108,660	0
	Farm Hill Retaining Walls (23 no.)	218,600	23,050	0	241,650	281,250
	Mallison Bridge	0	1,037,750	0	1,037,750	0
	Riverside Walls at Quay	0	528,950	0	528,950	0
	Bonhay Rd/Andlaw House Footpath	0	42,440	0	42,440	0
	St James' Weir & Ducks Marsh Meadow banks	1,093,000	159,840	0	1,252,840	0
	Canal Basin, Topsham Quay, Countess Wear	0	188,500	0	188,500	0
	Double Locks Access Road & paths	43,720	10,300	0	54,020	0
	Heavitree Paddling Pools	0	439,300	0	439,300	0
	Taddiford Brook @ New North Road / Taddiford Road	43,720	10,300	0	54,020	0
	Flowepot Skate-park	0	15,520	0	15,520	0
	Landfill Gas Extraction Systems	601,150	0	0	601,150	0
	Mincinglake Valley Park Reed Beds & Pipe Inlet	0	102,100	0	102,100	0
	Exeter Ship Canal - Bottleneck & Bird Hide	0	87,260	0	87,260	0
	Exeter Ship Canal - Green Tip to Salmonpool	0	51,500	0	51,500	0
	Bromhams Farm Playing Fields	0	235,000	0	235,000	0
Engineering & Assets Manager						

## BUDGETS CARRIED FORWARD TO 2023/24 AND BEYOND

Responsible Officer	Scheme	2023/24 Budget as	Proposed Budget	Budget Reprofiled	Total 2023/24	2024/25 Budget as
		per Budget	to be Carried	to Future Years	Capital Programme	per Budget
		Book/Council	Forward to 2023/24			Book/Council
		Approvals	and Beyond at Qtr 1			Approvals
		£	£	£	£	£
	Northernhay & Rougemont Gardens	0	0	0	0	168,750
	Longbrook Street wall behind 30-38	0	0	0	0	56,250
	Okehampton Street & Parr Street Car Parks	54,650	0	0	54,650	0
	Exwick Cemetery	21,860	0	0	21,860	0
	Higher Cemetery	21,860	0	0	21,860	0
	Budlake Road	109,300	0	0	109,300	0
	Exeter Ship Canal - Swans Nest Car Park	0	0	0	0	56,250
	Improved Car Park Security Measures at King William Str	0	19,670	0	19,670	0
Service Manager - Engineering, Waterways & Parking	Repairs to Turf Lock Pier Head	27,330	70,310	0	97,640	140,620
	Repair to Walls at Farm Hill	0	79,900	0	79,900	0
Service Manager - Recycling, Waste & Fleet	Improved recycling containers	0	257,580	0	257,580	0
	Enhance the Materials Reclamations Facility	0	4,081,600	0	4,081,600	0
Service Manager - Environmental Health & Community Safety	Disabled Facility Grants	800,000	0	0	800,000	800,000
Miscellaneous	Capitalised Staff Costs	50,000	0	0	50,000	50,000
<b>TOTAL</b>		<b>3,827,620</b>	<b>11,525,270</b>	<b>30,000</b>	<b>15,382,890</b>	<b>2,234,370</b>
<b>Communications, Culture and Leisure Facilities</b>						
Director	Leisure Complex - Build Project	0	0	92,040	92,040	0
<b>TOTAL</b>		<b>0</b>	<b>0</b>	<b>92,040</b>	<b>92,040</b>	<b>0</b>
<b>Finance</b>						
	Beacon Heath Martial Arts & Boxing Club - New Roof	0	14,650	0	14,650	0
	Pinces Gatehouse Roof repairs	0	28,390	0	28,390	0
	Mary Arches MSCP	0	3,492,370	0	3,492,370	0
	Guildhall MSCP	1,014,340	100,030	0	1,114,370	1,160,040
	Cathedral & Quay MSCP	0	3,757,200	0	3,757,200	0
	Harlequins MSCP	0	16,510	0	16,510	352,930
	John Lewis MSCP	0	122,970	0	122,970	2,709,760
	Princesshay 2 MSCP	0	2,427,500	0	2,427,500	0
	Princesshay 3 MSCP	567,580	55,970	0	623,550	649,110
	Leighton Terra & KW St MSCP	1,071,350	667,700	0	1,739,050	0
	City Wall	0	328,520	0	328,520	0
	Backlog Maintenance	0	4,934,830	0	4,934,830	0
	BLRF - Bonhay Meadows	0	957,430	0	957,430	0
	BLRF - Exeter Canal Basin	0	578,550	0	578,550	0
	BLRF - Mary Arches Car Park	0	1,256,840	0	1,256,840	0
	BLRF - Belle Isle	0	651,800	0	651,800	0
City Surveyor	BLRF - Cath & Quay Car Park	0	2,317,450	0	2,317,450	0
	Depot Relocation	0	2,930,280	0	2,930,280	0
	Guildhall roof replacement	0	473,760	0	473,760	0
	RAMM - roof replacement	0	934,510	0	934,510	0

BUDGETS CARRIED FORWARD TO 2023/24 AND BEYOND

Responsible Officer	Scheme	2023/24 Budget as	Proposed Budget	Budget Reprofiled	Total 2023/24	2024/25 Budget as
		per Budget	to be Carried	to Future Years	Capital Programme	per Budget
		Book/Council	Forward to 2023/24			Book/Council
		Approvals	and Beyond at Qtr 1			Approvals
		£	£	£	£	£
	Commercial Property Ancillary Accommodation flat roof recovering	0	124,640	0	124,640	0
	Bradninch Place - additional actions to enable potential asset transfer including heating system, roof access and removal of the BMS system. These works are in addition to the condition survey backlog of £598,000	0	242,350	0	242,350	0
	Wat Tyler House - resolving ongoing water ingress with new rainwater system	0	235,270	0	235,270	0
	Verney House - roof access and rainwater drainage improvements. Potential for mitigation if asset transferred for residential development opportunity	0	121,000	0	121,000	0
	Commercial Properties - capital improvements to enable ongoing income (compliance with EPC legislation)	107,000	204,700	0	311,700	110,130
<b>TOTAL</b>		<b>2,760,270</b>	<b>26,975,220</b>	<b>0</b>	<b>29,735,490</b>	<b>4,981,970</b>
<b>GENERAL FUND SERVICES TOTAL</b>		<b>6,891,800</b>	<b>38,590,340</b>	<b>122,040</b>	<b>45,604,180</b>	<b>7,320,250</b>

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## SIGNIFICANT CAPITAL SCHEMES SPANNING MORE THAN ONE FINANCIAL YEAR

Responsible Officer	Scheme	Total Capital Budget £	Total Spend to Date £	Programme Variances (Under)/Over £
Director	Leisure Complex - Build Project	41,987,040	41,957,214	62,220
	Bus Station Construction	8,955,050	8,453,980	0
	Riverside Leisure Centre	7,062,100	6,652,680	0
<b>TOTAL</b>		<b>7,062,100</b>	<b>6,652,680</b>	<b>0</b>

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## GENERAL FUND AVAILABLE RESOURCES

GENERAL FUND	2022-23 £	2023-24 £	2024-25 £	2025-26 £	TOTAL £
<b>CAPITAL RESOURCES AVAILABLE</b>					
Capital Receipts Brought Forward	3,020,582				3,020,582
GF Capital Receipts	3,916,628	0	0		3,916,628
Revenue Contributions to Capital Outlay	0	89,670	0		89,670
Disabled Facility Grant	1,607,459	800,000	800,000	800,000	4,007,459
New Homes Bonus	0	14,647	0		14,647
Community Infrastructure Levy	30,000	0	0		30,000
Other - Grants/External Funding/Reserves/S106	4,492,570	7,877,090	160,000		12,529,660
<b>Total Resources Available</b>	<b>13,067,238</b>	<b>8,781,407</b>	<b>960,000</b>	<b>800,000</b>	<b>23,608,645</b>
<b>GENERAL FUND CAPITAL PROGRAMME</b>					
Capital Programme	133,406,970	6,891,800	7,350,250	1,045,950	148,694,970
Overspends/(Savings)	104,616				104,616
Slippage	(38,590,340)	38,712,380	(30,000)	(92,040)	0
<b>Total General Fund</b>	<b>94,921,246</b>	<b>45,604,180</b>	<b>7,320,250</b>	<b>953,910</b>	<b>148,799,586</b>

<b>UNCOMMITTED CAPITAL RESOURCES:</b>					
Capital Receipts Brought Forward	3,020,582	3,755,349	3,154,009	2,810,249	3,020,582
Resources in Year	10,046,657	8,781,407	960,000	800,000	20,588,064
Less Capital Receipts to carry forward	(3,755,349)	(3,154,009)	(2,810,249)	(2,656,339)	(2,656,339)
Less Spend in Year	(94,921,246)	(45,604,180)	(7,320,250)	(953,910)	(148,799,586)
<b>Borrowing Requirement</b>	<b>85,609,357</b>	<b>36,221,433</b>	<b>6,016,490</b>	<b>0</b>	<b>127,847,280</b>

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## **REPORT TO EXECUTIVE**

Date of Meeting: 4 October 2022

## **REPORT TO COUNCIL**

Date of Meeting: 18 October 2022

Report of: Director Finance

Title: 2022/23 HRA Budget Monitoring Report – Quarter 1

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

### **1. What is the report about?**

To advise Members of the financial position of the HRA Revenue and Capital Budgets for the 2022/23 financial year after three months.

In addition to the budgetary over/under-spends reported to this committee, Appendix 1 also highlights areas of risk, so that Members are aware that certain budgets have been identified as being vulnerable to factors beyond the control of the Council, which may result in potential deviations from budget, and are therefore subject to close monitoring by officers.

### **2. Recommendations:**

2.1 It is recommended the Executive note the report and Council notes and approves (where applicable):

- 1) The HRA forecast financial position for 2022/23 financial year; and
- 2) The revision of the HRA Capital Programme to reflect the reported variations detailed in Appendix 4.

### **3. Reasons for the recommendation:**

3.1 To formally note the HRA's projected financial position and to approve the reported variations to the HRA Capital Programme.

The Housing Revenue Account is a statutory account and local housing authorities have a duty to keep a HRA in accordance with proper accounting practices and to review the account throughout the year. Members are presented with a quarterly financial update in respect of the HRA and this is the first update for 2022-23.

#### **4. What are the resource implications including non financial resources**

4.1 The financial resources required to deliver both housing services to Council tenants and to invest in new and existing housing stock during 2022/23 are set out in the body of this report.

The impact on the HRA's available financial resources are set out in Appendix 3.

#### **5. Section 151 Officer comments:**

5.1 The financial position of the HRA has not changed significantly at Quarter 1. Unlike the General Fund, much of the financial resources required to fund the capital programme are generated by the HRA themselves, therefore they are not as reliant on borrowing to deliver the entirety of the programme. Borrowing is undertaken to provide additional properties only in the main and members should note that rising interest rates will impact on the business case viability of schemes in the pipeline. This will be regularly monitored.

#### **6. What are the legal aspects?**

6.1 The Housing Revenue Account is framed by the Local Government and Housing Act 1989. This Act created the ring-fence and the structure within which the HRA operates and covers the detailed operation of the HRA, including the credits (income) and debits (expenditure) which make up the account.

#### **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

#### **8. Report details:**

##### **HRA BUDGET MONITORING – QUARTER 1**

##### **8.1 Background to the HRA**

The Housing Revenue Account (HRA) records expenditure and income relating to council dwellings and the provision of services to tenants. Housing authorities have a statutory duty to maintain a HRA account, which is primarily a landlord account, in order to account to their tenants for income and expenditure on council housing separately from other functions and services of the Council. This includes tenancy management, repairs and maintenance, council house building and council house retrofits.

##### **8.2 Projected transfer from the working balance**

	£
<b>Approved Budgeted transfer from the working balance</b>	<b>1,154,130*</b>
Supplementary budgets – Council approved 19 July 2022	<b>550,500</b>
Edward’s Court 2022/23 budget – Council approved 22 February 2022	<b>(80,974)</b>
Revenue Contribution to Capital deferred from 2021/22 – 19 July 2022	<b>3,000,000</b>
<b>Revised Budgeted transfer from the working balance</b>	<b>4,623,656</b>

<b>*2022/23 Approved Budget Represented By</b>	£
85A1 MANAGEMENT	1,545,220
85A2 TENANCY SERVICES	1,511,160
85A3 SUNDRY LANDS MAINTENANCE	614,170
85A4 REPAIR & MAINTENANCE PROGRAMME	6,898,350
85A5 REVENUE CONTRIB TO CAPITAL	2,000,000
85A6 CAPITAL CHARGES	3,830,620
85A7 HOUSING ASSETS	2,298,160
85A8 RENTS	(19,849,110)
85B2 INTEREST	2,305,560
85B4 MOVEMENT TO/(FROM) WORKING BALANCE	<b>(1,154,130)</b>

The HRA has built up a considerable working balance of £11.146 million as at 31 March 2022. This is considerably higher than the £4 million contingency resolved to be retained. The HRA approved Medium Term Financial Plan (MTFP) plans to reduce the working balance, largely through significant revenue contributions to capital. This enables the built-up working balance to be used to fund the HRA capital programme towards planned works, retrofits and Council House building developments.

The revised budget deficit position of £4.624 million is due to a large anticipated revenue contribution of £5 million to capital.

8.3 The budget variances anticipated at quarter 1, indicate that £4,232,612 will be taken from the working balance in 2022/23 – See appendix 2. This represents a movement of £391,028 compared to the revised budget £4,623,656 for 2022/23. The key budget deviations are explained below.

<b>Budget Heading</b>	<b>Forecast Outturn Budget Variance at Quarter 1  (Under)/Overspend</b>
<b>Tenancy Services</b>	<b>(£15,600)</b>
<p><b>Officer Responsible: Assistant Director of Housing (LB)</b></p> <ul style="list-style-type: none"> <li>The budget anticipated 28 Right- to-Buy property sales in 2022/23. It is now anticipated that there will likely be closer to 40 Right-to-Buy sales during the year. This will result in an additional £15,600 of admin fee income but of course a loss of council homes.</li> </ul>	
<b>Sundry Land Maintenance</b>	<b>(£300,000)</b>
<p><b>Officer Responsible: Assistant Director of Housing (AP) Assistant Director of Housing (LB)</b></p> <ul style="list-style-type: none"> <li>The budget relating to expected action required due to Ash Die Back in trees on HRA land has been re-profiled to reflect new expectations around when the disease is likely to impact in Exeter.</li> </ul> <p>Current National guiding bodies indicate that Ash Die Back will result in 90% loss over 10 years, with only 5% of trees showing any resilience to the disease.</p> <p>The £300k underspend expected in 2022/23 will still be required in future years so there will be no overall impact on the Medium Term Financial Plan. Officers will continue to monitor the situation to ensure that there is appropriate budget provision for works needed.</p>	
<b>Housing Assets</b>	<b>£94,000</b>
<p><b>Officer Responsible: Assistant Director of Housing (AP)</b></p> <ul style="list-style-type: none"> <li>A pay increase of £1,925 for all local government staff has been offered for 2022-23. This is substantially more than the 1.5% uplift per employee that was built into the budgets.</li> </ul>	

If this offer is accepted then it would result in additional staff costs of £94k in the Housing Assets team.

The Housing Assets team is largely at full capacity so it is not anticipated that there will be any savings to compensate for this unexpected staff cost increase.

Other service areas which have vacant posts should be able to absorb the increase with savings.

**Edward's Court**

**£36,132**

**Officer Responsible: Assistant Director of Housing (LB)**

- The 2022/23 budget for Edward's Court Extra Care was based on a full 12 months of occupancy.
- The anticipated income expected from Edwards Court has reduced due to delay in awarding the care contract and allowing the first residents to move in. The contract had to be re-procured following Devon County Council's failure to specify a maximum amount for the well-being charge that allowed bidders to subsidise the care element of the bid thereby skewing the award process which had to be repeated.
- In addition to this we have seen that our original forecasting of services such as cleaning and catering have come in at higher costs than anticipated. This trend in higher costs is being reflected across the sector and presents challenges in accurately projecting the costs in a fluid market.

**Interest**

**(£205,560)**

**Officer Responsible:**  
**Assistant Director of Housing (AP)**  
**Assistant Director of Housing (LB)**

- The 2022/23 budget included interest cost for additional £5.6m approved borrowing. This additional borrowing is not likely to be drawn down for 12-18 months due to deferrals in the development capital programme.

Interest rates are on the rise, so interest received by the HRA on balances are now expected to be higher than originally anticipated.

**Total budget (underspend)/overspend**

**(£391,028)**

**2022/23 HRA Deficit/ (Surplus)**

**£4,232,612**

#### 8.4 Impact on HRA Working Balance

The HRA Working Balance represents amounts set aside to help facilitate service improvements, repay debt or to provide investment in the stock in future financial years.

The forecast balance, as at 31 March 2023, is set out below:

<b>Movement</b>	<b>2022/23</b>
Opening HRA Working Balance, as at 1 April 2022	£11,145,944
Forecast transfer (from)/to the working balance for 2022/23	(£4,232,612)
Balance resolved to be retained (HRA contingency)	(£4,000,000)
<b>Forecast Balance Available, as at 31 March 2023</b>	<b>£2,913,332</b>

The significant transfer from the working balance anticipated for 2022/23 brings the working balance as at 31 March 2023 down closer to the HRA balance resolved to be retained of £4m.

#### 8.5 HRA Available Resources over the Medium Term

The forecast HRA available resources for delivering both housing services and capital investment are set out in Appendix 3 for the period to 2025/26.

The total available resources is made up of several reserve balances; the HRA working balance, the Useable Capital Receipts reserve and the Major Repairs Reserve.

The HRA working balance is the movement on revenue budgets, contributions can be made from this reserve towards financing capital budgets in the form of 'Revenue Contributions to Capital'. The useable capital receipts reserve is made up of both the Right-to-Buy (RTB) receipts reserve and the Non-RTB receipts reserve; these reserves are available to finance capital spend, some restrictions apply. The Major Repairs Reserve is increased each year by the HRA depreciation charge to revenue, this reserve is then available to spend on the HRA capital programme.

The total forecast HRA available resources is impacted by variances in both revenue budgets detailed in section 8.3 above and variances in capital budgets detailed in section 8.9 below.

The forecast total available resources over the Medium-term-Financial-Plan (MTFP) has worsened by £838k since last reported at 2021/22 Outturn stage. This is largely as a result of the £704k expected overspend on the capital programme (detailed in section 8.9

below) and the £91,028 net revenue underspend on the MTFP as well as a fall in the Right-to-Buy receipts expected balance of £225k.

Total available reserves over the MTFP are now expected to be £1.22 million after deducting the £4 million balance resolved to be retained (HRA contingency).

### 8.6 HRA Debt

In October 2018 the Government formally removed the HRA debt cap, which restricted the amount of borrowing stock-holding local authorities could have for the purposes of the HRA. The lifting of the 'debt cap' means that local authorities are now able to borrow for housebuilding in accordance with the Prudential Code.

Executive on 8 October 2019 approved the first Council House Building Programme, which will deliver 100 new homes into the HRA at a cost of £18 million. On 5 April 2020, the Council took out a loan of £15.36 million from the PWLB to support this programme. The remaining £2.64 million will be funded by capital receipts.

As at 31 March 2022, the HRA's borrowing stood at £73.242 million. The total of the £15.360 million new loan and the former 'debt cap' level of £57.882 million.

The HRA currently has approval to borrow a further £5.6 million, this will likely be required in the next 12 to 24 months.

### 8.7 HRA Capital Programme

The 2022-23 HRA Capital Programme was approved by Council on 22 February 2022. Since that meeting the following changes have been made that have increased the 2021/22 programme.

Description	2022/23	Approval / Funding
<b>HRA Capital Programme</b>	<b>£21,828,854</b>	
Budgets carried forward/(back) from 2021/22 HRA Capital Programme	(£2,233,327) £1,750,861	Executive – 5 April 2022 Executive – 5 July 2022
<b>Revised HRA Capital Programme</b>	<b>£21,346,389</b>	

### 8.8 Performance

The current HRA Capital Programme is detailed in Appendix 4. The appendix shows a total forecast spend of £20,701,020 compared to the £21,346,389 approved programme; a reduction of £645,369. This reduction is made up of £1,350,000 that will be deferred to future years and a £704,631 expected overspend on the programme.

### 8.9 Capital Budget Variances

The details of key (greater than +/- £50k) variances from budget are set out below. The Assistant Director of Housing (AP) will be able to provide further details in respect of these areas, if required.

Scheme	Overspend / (Underspend)
<b>Electrical rewires - Domestic</b>	<b>£704,631</b>
<p><b>Officer Responsible – Compliance</b></p> <p>Improvement in property compliance has been a significant focus for the Housing Assets Team in recent years and as the number of electrical 5-yearly tests have been increased and completed, this enables a greater understanding of the property condition and any remedial work required. Following an Electrical Installation Condition Report (EICR) inspection, any Code 1 (most serious) issues identified are rectified immediately. Code 2 and Code 3 issues are recorded to be addressed in a prioritised order and, following the most recent inspections we now have a greater amount of Code 2 and 3 electrical work to complete and fund. This work was anticipated as part of the testing ‘catch-up’ process but we have only recently been able to precisely quantify the cost of the required works. Funding is available in the HRA reserve Balance to fund all currently identified outstanding work and, most importantly, this will address an important area of our property compliance and tenant safety.</p>	

#### 8.10 Schemes to be deferred to 2023/24 and beyond

Schemes which have been identified as being wholly or partly deferred to 2023/24 and beyond are:

Scheme	Budget deferred to/(brought forward from) future years
<b>Rennes House</b>	<b>£350,000</b>
<p><b>Officer Responsible – Assistant Director of Housing (AP)</b></p> <p>With Rennes House tenant engagement now completed we await the progression of the adjacent Vaughan Road development in order to precisely set the demolition and re-development timescales. Once the Vaughan Road procurement has been completed Members will be updated on plans and proposals but, in the interim, it is necessary to re-profile the budget to account for the unavoidable delays. For this proposed project and the other HRA development schemes, a more detailed report will be presented to Members later this year which will provide a full update on the 10-year 500 property target.</p>	

<b>Vaughan Road</b>	<b>£1,000,000</b>
<p><b>Officer Responsible – Assistant Director of Housing (AP)</b></p> <p>This development project will go out to tender in Quarter 2 of 2022/23 now that informal contractor engagement sessions have been completed. Due to the procurement timescales, it is unlikely that work will start on site until early 2023 at the earliest, therefore the budget has been re-profiled to reflect this.</p>	

## **9. Historic Council own build Final Accounts to 31 March 2023**

9.1 The Council's own build properties at Rowan House and Knights Place form part of the overall Housing Revenue Account, but separate income and expenditure budgets are maintained in order to ensure that they are self-financing.

As the 21 units were built using HCA funding in conjunction with borrowing (£998k), they are accounted for separately in order to ensure that they self-financing. A separate COB working balance and Major Repairs Reserve are maintained until such time as a sufficient balance has been accumulated to repay the debt attributable to these properties, at which point the units can be accounted for with the wider HRA stock.

### 9.2 Key Variances from Budget

There are no projected variances to report at the end of Quarter 1. The budgeted transfer from the COB working balance of £33,105 is still projected to be achieved during 2022/23.

## **10. How does the decision contribute to the Council's Corporate Plan?**

The Housing Revenue Account contributes to a key purposes, as set out in the Corporate Plan; Building great neighbourhoods.

## **11. What risks are there and how can they be reduced?**

For clarity, these are specific financial risks, alongside the risks captured in the corporate risk register.

It is not permissible for the HRA to go into an overall financial deficit position, it is therefore important to ensure that an adequate level of HRA balances is maintained as a contingency against risks. The HRA resolve to retain a working balance at no less than £4 million to mitigate against financial risks.

Areas of budgetary risk are highlighted to committee as part of the quarterly budget monitoring updates.

## **12. Equality Act 2010 (The Act)**

12.1 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.

12.2 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.

12.3 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.

12.4. In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because there are no significant equality and diversity impacts associated with this decision.

### **13. Carbon Footprint (Environmental) Implications:**

We are working towards the Council's commitment to carbon neutral by 2030. The impact of each scheme is considered prior to approval. 12.2 You should think about things like:-

### **14. Are there any other options?**

None

**Director Finance, David Hodgson**

Author: Kayleigh Searle

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

Background papers used in compiling this report:-

None

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

A number of areas of budgetary risk have been identified within the HRA, as follows:

Budget Title	2021/22 Approved Budget	Risk Rating	Risk and mitigation
General Maintenance	£2,710,000 (revenue)		The volatility of the level of requested repairs due to factors beyond the control of the Council, for example adverse weather conditions represent a budgetary risk. The impact of property inspections undertaken by the Tenancy Services Team may also lead to the identification of additional repairs. Spend to month three is slightly ahead of profile. Mitigation measures include monthly contract meeting with the Contractor – the meetings include budget review and work in progress updates. Other supporting measures include weekly Surveyors meetings to highlight repair demand pressures.
Repairs to Void Properties	£1,500,000 (revenue)		Property turnover and the varying condition of properties when returned to the Council represent a budgetary risk. Spend to month three is slightly ahead of profile. Mitigation includes a current review of the void standard – for inclusion in the currently commissioned Integrated Asset Management Contract. Additionally, property inspections by Housing Officers highlight sub-standard property conditions wherever possible and are an early alert to issues.
Rental Income from Dwellings	(£19,409,890) (revenue)		Right to Buy sales, number of new tenancies set at convergence rent levels, number of days lost through major works, rent lost in respect of void properties and welfare reform changes (for which an increased bad debt provision has been made) all impact on the annual rental income. The impact on rents due to COVID-19 was considered in 2020-21 and a two year recovery period was built into the medium-term financial plan. Rental income after the first 3 months is largely in line with profile. Mitigation has been impacted by the scale of work to some void properties. However, contract works are monitored to focus on timely completion of refurbishments.

**Risk Rating:**

	Potential for a favourable variance compared to the budget or no variance at all
	Potential for adverse budgetary variance of between 0% and 5% that will be kept under review
	Potential for an adverse budgetary variance of more than 5% and will be monitored closely

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HOUSING REVENUE ACCOUNTS BUDGET MONITORING 2022-23

APPENDIX 2

QUARTER 1

ACTUAL TO DATE			YEAR END FORECAST			
PROFILED BUDGET	ACTUAL TO DATE	VARIANCE TO DATE	MANAGEMENT UNIT	APPROVED BUDGET	Qrt 1 FORECAST VARIANCE	CURRENT OUTTURN FORECAST
£	£	£		£	£	£
285,353	253,977	(31,376)	MANAGEMENT	1,629,220	0	1,629,220
306,965	248,963	(58,002)	TENANCY SERVICES	1,523,160	(15,600)	1,507,560
250,855	93,280	(157,575)	SUNDRY LAND MAINTENANCE	914,170	(300,000)	614,170
1,881,878	1,300,146	(581,732)	REPAIRS & MAINTENANCE PROGRAMME	7,052,850	0	7,052,850
0	0	0	REVENUE CONTRIBUTION TO CAPITAL	5,000,000	0	5,000,000
0	0	0	CAPITAL CHARGES	3,830,620	0	3,830,620
487,928	510,085	22,157	HOUSING ASSETS	2,298,160	94,000	2,392,160
(33,498)	8,993	42,491	EDWARD'S COURT	(80,990)	36,132	(44,858)
(4,962,278)	(4,772,989)	189,289	RENTS	(19,849,110)	0	(19,849,110)
576,390	523,027	(53,363)	INTEREST	2,305,560	(205,560)	2,100,000
			MOVEMENT TO/(FROM) WORKING BALANCE	(4,623,640)	391,028	(4,232,612)
			<b>Net Expenditure</b>	<b>0</b>	<b>0</b>	<b>0</b>
			<b>Working Balance 1 April 2022</b>	<b>11,145,944</b>	<b>31 March 2023</b>	<b>6,913,332</b>

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COUNCIL OWN BUILD SITES

PROFILED BUDGET	ACTUAL TO DATE	VARIANCE TO DATE	MANAGEMENT UNIT	APPROVED BUDGET	Qrt 1 FORECAST VARIANCE	CURRENT OUTTURN FORECAST
£	£	£		£	£	£
20,913	14,968	(5,945)	MANAGEMENT	83,650	0	83,650
(2,809)	(3,265)	(456)	ROWAN HOUSE	(11,235)	0	(11,235)
(16,273)	(19,658)	(3,386)	KNIGHTS PLACE	(65,090)	0	(65,090)
0	0	0	INTEREST	7,590	0	7,590
0	0	0	CAPITAL CHARGES	18,190	0	18,190
			MOVEMENT TO/(FROM) WORKING BALANCE	(33,105)	0	(33,105)
			<b>Net Expenditure</b>	<b>0</b>	<b>0</b>	<b>0</b>
			<b>Working Balance 1 April 2022</b>	<b>321,938</b>	<b>31 March 2023</b>	<b>288,833</b>

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## APPENDIX 3

## HRA AVAILABLE RESOURCES

HOUSING REVENUE ACCOUNT	2022-23 £	2023-24 £	2024-25 £	2025-26 £	TOTAL £
<b>CAPITAL RESOURCES AVAILABLE</b>					
Usable Receipts Brought Forward					9,917,821
Major Repairs Reserve Brought Forward					18,066,602
Other HRA Sales	150,000	150,000	150,000	200,000	650,000
RTB sales	875,000	875,000	875,000	875,000	3,500,000
Surrender back to DLUHC - pending investment in replacement affordable housing			(2,158,229)		(2,158,229)
Major Repairs Reserve	3,830,620	3,780,620	3,705,620	3,655,620	14,972,480
Revenue Contributions to Capital	5,000,000	4,000,000	3,000,000	3,100,000	15,100,000
External contributions		-	-		0
Grant funding - Estate Regeneration Funding					0
Grant funding - Zero Energy Buildings Project					0
Commuted sums	112,402				112,402
Borrowing	4,100,000	750,000	750,000		5,600,000
<b>Total Resources available</b>	<b>14,068,022</b>	<b>9,555,620</b>	<b>6,322,391</b>	<b>7,830,620</b>	<b>65,761,076</b>
<b>CAPITAL PROGRAMME</b>					
HRA Capital Programme	21,828,854	15,810,560	10,051,220	9,070,573	56,761,207
Q1 - Slippage / Re-profiling	(1,832,465)	2,815,489	3,131,771	3,523,372	7,638,167
Q1- Overspends / (Savings)	704,631				704,631
<b>Total Housing Revenue Account</b>	<b>20,701,020</b>	<b>18,626,049</b>	<b>13,182,991</b>	<b>12,593,945</b>	<b>65,104,005</b>
<b>UNCOMMITTED CAPITAL RESOURCES:</b>					
Usable Receipts Brought Forward	9,917,821	6,926,975	5,276,386	1,843,157	9,917,821
Major Repairs Reserve Brought Forward	18,066,602	14,424,450	7,004,610	3,577,239	18,066,602
Resources in Year	14,068,022	9,555,620	6,322,391	7,830,620	37,776,653
Less Estimated Spend	(20,701,020)	(18,626,049)	(13,182,991)	(12,593,945)	(65,104,005)
<b>Uncommitted Capital Resources</b>	<b>21,351,425</b>	<b>12,280,996</b>	<b>5,420,396</b>	<b>657,071</b>	<b>657,071</b>
<b>WORKING BALANCE RESOURCES:</b>					
Balance Brought Forward	11,145,946	6,913,318	4,535,240	4,418,143	11,145,946
HRA Balance Transfer - to/(from) Working Balance	(4,623,656)	(2,078,078)	(117,097)	140,776	(6,678,055)
Q1 forecast under/(over)spend 2022-23	391,028	(300,000)			91,028
Balance Carried Forward	6,913,318	4,535,240	4,418,143	4,558,919	4,558,919
Balance Resolved to be Retained	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)
<b>Uncommitted HRA Working Balance (after balance resolved to be retained of £4m)</b>	<b>2,913,318</b>	<b>535,240</b>	<b>418,143</b>	<b>558,919</b>	<b>558,919</b>
<b>TOTAL AVAILABLE CAPITAL RESOURCES (after balance resolved to be retained of £4m)</b>	<b>24,264,743</b>	<b>12,816,236</b>	<b>5,838,539</b>	<b>1,215,990</b>	<b>1,215,990</b>

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**2022-23  
CAPITAL MONITORING - QUARTER 1**

	2022-23 Capital Programme	2022-23 Spend	2022-23 Forecast Spend	2022-23 Budget to be Carried Forward to Future Years	TO 2023-24	TO 2024-25	TO 2025-26	2022-23 Programme Variances Under ()
	£	£	£	£	£	£	£	£
<b>HRA CAPITAL</b>								
<i>EVERYONE HAS A HOME</i>								
Adaptations	832,782	51,694	832,782					-
Balcony Walkway Improvements	562,204	0	562,204					-
Bathroom Replacements (inc. Communal)	971,896	164,100	971,896					-
Boiler Replacement Programme & Central Heating	937,859	61,116	937,859					-
Common Area Footpath & Wall Improvements	253,646	0	253,646					-
Communal Area Improvements - New Flooring	108,010	0	108,010					-
Communal Door and Screen Replacements	100,000	0	100,000					-
Door Replacements (inc. Outbuildings)	428,283	24,651	428,283					-
Electrical Central Heating	22,040	3,278	22,040					-
Electrical Rewires - Communal	197,682	5,008	197,682					-
Electrical Rewires - Domestic	301,369	8,426	1,006,000					704,631
Energy Conservation	1,646,478	586,651	1,646,478					-
Estate Improvements	50,000	1,630	50,000					-
Fire Risk Assessment Works - Compliance	759,804	186,770	759,804					-
Fire Risk Assessment Works - Planned	373,872	0	373,872					-
Fire Safety Storage Facilities	212,882	0	212,882					-
Garage Upgrades	0	0	0					-
Kitchen Replacements (inc. Communal)	1,055,541	92,145	1,055,541					-
LAINGS Refurbishments	242,476	14,469	242,476					-
Lift Upgrades	154,800	0	154,800					-
Reroofing - Flats	454,285	2,500	454,285					-
Reroofing - Houses (outbuildings, chimney, gutters, downpipes, fascia)	954,501	0	954,501					-
Porch Canopies	54,031	0	54,031					-
Rennes House Structural Works	500,000	0	150,000	350,000			350,000	-
Soil Vent Pipe Replacement	24,000	6,472	24,000					-
Structural Repairs	741,966	40,801	741,966					-
Window Replacements	1,095,696	87,275	1,095,696					-
Housing Management system	16,909	0	16,909					-
Zebcat Project	50,000	50,000	50,000					-
<b>HOUSING REVENUE ACCOUNT TOTAL</b>	<b>13,103,012</b>	<b>1,386,986</b>	<b>13,457,643</b>	<b>350,000</b>	<b>0</b>	<b>0</b>	<b>350,000</b>	<b>704,631</b>
<b>COUNCIL OWN BUILD CAPITAL</b>								
Social Housing Acquisitions - Section 106	589,507	0	589,507					-
Social Housing Acquisitions - Open Market	1,023,546	0	1,023,546					-
St Loyes Extracare Scheme	331,421	51,542	331,421					-
Council House Building Programme - Bovemoors Lane	10,203	0	10,203					-
Council House Building Programme - Hamlin Gardens	2,000,000	4,897	2,000,000					-
Council House Building Programme - Vaughan Road	2,500,000	156,496	1,500,000	1,000,000		1,000,000		-
DP budget	1,700,000	0	1,700,000					-
Council Own Build (Phase 3)	88,700	5,000	88,700					-
<b>COUNCIL OWN BUILD TOTAL</b>	<b>8,243,377</b>	<b>217,935</b>	<b>7,243,377</b>	<b>1,000,000</b>	<b>0</b>	<b>1,000,000</b>	<b>0</b>	<b>0</b>
<b>OVERALL HOUSING REVENUE ACCOUNT TOTAL</b>	<b>21,346,389</b>	<b>1,604,921</b>	<b>20,701,020</b>	<b>1,350,000</b>	<b>0</b>	<b>1,000,000</b>	<b>350,000</b>	<b>704,631</b>

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## REPORT TO EXECUTIVE

Date of Meeting: 4 October 2022

## REPORT TO COUNCIL

Date of Meeting: 18 October 2022

Report of: Director of Culture, Leisure and Tourism

Title: A Public Art Strategy for Exeter

### Is this a Key Decision?

No

### Is this an Executive or Council Function?

Council

### 1. What is the report about?

- 1.1. The Public Art Strategy for Exeter sets out new ways of thinking about Public Art in Exeter, recognising the need for greater coherence and transparency around current practices across the city.
- 1.2. The Strategy has been drafted by Art Work Exeter and commissioned by Exeter City Council, in partnership with the University of Exeter and Exeter Culture.
- 1.3. Investment (£12K) from Research England's Strategic Policy Fund was secured through the University of Exeter to develop the Strategy. This money is specifically for initiatives where new policy is developed within a given area and in partnership with a local authority.
- 1.4. The focus of this investment was to look to develop new Public Art/realm policy and strategy to bring ambition and coherence and make the most of future public art opportunities in a growing city. Some of the funding will be used to animate the strategy with an active commission(s).
- 1.5. The report recognises that Public Art includes myriad practices in the **visual arts** (such as murals and street art, sculpture, video, sonic and digital media), as well as performance, music and theatre. It can be a soundscape, a light work, a landscape intervention or an interactive installation. It can be street furniture or an architectural statement. It can be permanent or temporary, be that years, months, weeks or days; it can be a full scale festival or a low key encounter. It can be an activity, process or even a functioning business emerging from an artist's interaction with a community of people, termed Social Practice.  
In essence, it is creative work sited in the public realm, in places and spaces that are freely accessible to everyone.

- 1.6. By adopting the *Place-based Cultural Strategy for Exeter* in 2019, Exeter City Council and Liveable Exeter have embraced the ambition that Exeter will innovate and lead in the area of the environment, wellbeing, cultural literacy, creative making and heritage innovation, acknowledging the importance of arts and culture in place-making. There is a recognition in the Strategy that Public Art can make a meaningful contribution towards a vibrant city with community engagement and participation at the heart of it.
- 1.7. In the creation of the Public Art Strategy, Art Work Exeter consulted with artists and makers, curators and commissioners, consultants and specialists, community groups and individuals from across the city and beyond.
- 1.8. The Strategy also includes examples of exemplary work from within the UK as well as internationally.
- 1.9. The Strategy proposes that all art for the city, including Public Art, should meet the key criteria of quality, inclusion and sustainability and that a shared set of values be adopted by all partners to foster positive collaborations and partnership working.
- 1.10. The Strategy has been produced for those with responsibility for commissioning, funding, reviewing, maintaining and developing Public Art. It is for city planners, for developers, for private landlords and anyone who has any responsibility for activity and culture that takes place in the public realm. This Strategy also advocates for adding more voices to that arena.
- 1.11. The Strategy proposes a series of Recommendations based on the following Priorities:
- 1.11.1. Transparent & Inclusive Commissioning Practices**
- Establish a Public Art Advisory Group (PAAG) comprising stakeholders from across the arts, culture and heritage sector, community, business, civic and realm.
  - Emphasise to developers that proactive, early engagement of artists through PAAG is integral to the planning application process.
- 1.11.2. Place-making**
- Embed this Strategy into the Local Plan and the Liveable Plan, so that relevant expertise and community involvement are integral to local planning and decision-making processes.
  - Engage commerce more actively to create sustainable funding and investment opportunities.
- 1.11.3. Engagement & Participation**
- Establish an Urban Room in the city centre, where creative processes and activities can be conducted as a part of democratic consultation about the built environment.
  - Celebrate what's here: as a part of modelling what could be here, look at what has been.
- 1.11.4. Developing the Creative Landscape**
- Foster a more vibrant, inclusive cultural ecology that encourages and supports artists and Creative Industry Practitioners to engage in public realm working.
  - Encourage Creative Arts education 'in its broadest sense' through partnership.

### **1.11.5. Quality & Impact**

- Map all the existing examples of Public Art, and conduct a Review / Repair/ Replace audit (see p29 of the strategy). Create trails and creative resources for people to engage with the city's Public Art.
- Prioritise high-quality, impactful projects – for wellbeing, for value, for engagement, for communities, for civic pride, for raising Exeter's profile as a culturally relevant city. The focus should be on the temporary and transitional, unless big budgets are involved.

### **1.11.6. Environmental Sustainability**

- Position sustainability, reuse/recycling and bio diverse outputs as core themes across the arts.
- Have a decommissioning process and budget in place for all new Public Art Works.

### **1.11.7. A Toolkit** that sets out a suggested structure and methodology for PAAG; commissioning guidelines, writing an artists' brief; budgets; and a maintenance checklist.

1.12 The Strategy proposes a series of suggestions. Some will fall in the remit of ECC but many would take a more collaborative approach. It is recommended that Exeter City Council implement the things that are in its remit and also support the work of the Liveable Place Board, Exeter Culture, the cultural sector, local businesses and key stakeholders in delivering it.

## **2. Recommendations**

2.1 That Executive recommend to Council to approve the Public Art Strategy for Exeter, to implement it where feasible and support the work of the Liveable Place Board, Exeter Culture, the cultural sector, local businesses and key stakeholders in delivering it.

## **3. Reasons for the recommendation:**

3.1 Exeter City Council has an aspiration to be a City of Culture. As set out in Exeter's Corporate Plan 2022—2026, Exeter will innovate and lead in the area of environment, wellbeing, cultural literacy, creative making and heritage innovation to build a living city where everyone thrives.

3.2 The Public Art Strategy for Exeter highlights the importance of the above recommendations in order to realise its cultural ambitions.

3.3 Public Art has been recognised as an opportunity and a platform for artists, and this is crucial to a city's arts ecology, which Exeter is committed to developing and supporting (see '*City of Creative Making*' in the Cultural Strategy). It is fundamental to effective place-making; it plays a key role in setting out a city's intentions and its identity.

3.4 Exeter is growing, both as an economy, and in size; Liveable Exeter's plan for the development of 12,000 new homes in eight sites across the city is a potential growth

of the city's current population of nearly 40%. It is often the case that Public Art interventions – particularly those associated with housing developments – are treated as 'add-ons' too late in the process. The recommendations set out in the Public Art Strategy recognises the value that artists bring enabling creativity to be a fundamental part of the whole processes.

3.5 The Strategy also recognises that early stage collaboration makes it more likely that the artwork will be more connected to place and also enables opportunities for creative engagement with the relevant community in the project's design and development, which is crucial as Exeter embarks on an ambitious plan for the city.

3.6 By adopting a shared set of values this articulates what we stand for as a city and what we expect from those with whom we collaborate.

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

4.1 The Strategy was funded through the University of Exeter.

4.2 Officer time will continue to be spent supporting the work of Cultural Partners from existing resource.

4.3 A small budget of £3,825 remains from the fund to deliver a small impactful active commission in partnership with Exeter Culture and key stakeholders in the city to put into practice the recommendations as set out in the Public Art Strategy.

4.4 There are no other resource or financial implications attached to the Public Art Strategy.

#### **5. Section 151 Officer comments:**

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

#### **6. What are the legal aspects?**

None identified

#### **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

#### **8. Report details:**

8.1 Please see Appendix A for a copy of the Draft Public Art Strategy for Exeter.

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

9.1 As outlined above, arts and culture can be a mechanism to work alongside partners and communities to continue to make Exeter a happy and healthy place to live for everyone.

9.2 The purpose of the Public Art Strategy for Exeter is to set out new ways of thinking about Public Art in Exeter, focusing on how it can contribute to enhancing the city's

unique heritage, culture and natural assets supporting the Council's Priority to 'Let Culture Thrive.'

9.3 The University of Exeter has signed a Civic University Agreement, and there are new models of collaboration underway between Exeter City Council (ECC), the Royal Albert Memorial Museum (RAMM) and the University as part of the Creative Arc programme. The potential is there for Public Art – incorporating static visual, digital, sonic and interactive to make a meaningful contribution alongside these new collaborations and developments towards a vibrant city and ecology for artists and organisations.

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

10.1 Exeter City Council has worked with leading Exeter partners to support the development of the Public Art Strategy for Exeter.

10.2 The Public Art Strategy for Exeter sets the direction for the city's cultural ambition. Failing to support it would have significant consequences for both the confidence in Exeter Culture and associated cultural partners.

## **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 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:**

12.1 Whilst the Public Art Strategy for Exeter has no direct carbon-environmental impacts arising from the recommendations, it does recognise that New Public Art Work and the activity around it should acknowledge the climate emergency and the necessity to reflect environmentally sensitive approaches at all stages, which would be an achievable aim for Partners in the city.

12.2 83% respondents surveyed about *what is important to them, their family and neighbourhood* said 'The Environment.'

12.3 There is a recommendation that the materials and processed proposed should reflect a harmony with the carbon-neutral agenda. Scoping the impact of manufacturing, travel and installation should be fundamental factors of any new construction.

12.4 The recommendation would also be to partner with nature and climate-focussed groups and organisations to support the city's ambitions.

### **13. Are there any other options?**

13.1 The City Council could choose to do nothing and not approve the Public Art Strategy for Exeter.

13.2 However, Exeter is set to grow considerably, with 8 new areas of the city over the next 20 years bringing 12,000 new homes. The Public Art Strategy sets out key recommendations and guidance where high quality design is required and the ways in which Public Art can contribute to the built environment.

13.3 As part of these developments, Exeter City Council has now confirmed Culture as one of the priority areas for the Community Infrastructure Levy and this will lead to future investment into arts in the public realm therefore a key set of recommendations are needed.

13.4 The Strategy also demonstrates the City Council's commitment to Culture as set in the Corporate Plan.

#### **Director of Culture, Leisure and Tourism, Jon-Paul Hedge**

Author: Sophie Constant, Arts & Events Lead

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

Background papers used in compiling this report:- None

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

# A Public Art Strategy for Exeter

*DRAFT V4*

**Produced by** Art Work Exeter

**Date** July 2022

**Commissioned by** Exeter City Council, University of Exeter and Exeter Culture

[Logos]

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# EXECUTIVE SUMMARY

Exeter is growing, both as an economy, and in size: Liveable Exeter's plan for the development of 12,000 new homes in eight sites across the city is a potential growth of the city's current population of nearly 40%. At the same time, the global pandemic, digitisation and the move to online retail has meant that city centres need to rethink their purpose.

By adopting the *Place-based Cultural Strategy for Exeter* (2019), Exeter City Council (ECC) and Liveable Exeter have embraced the ambition that Exeter will innovate and lead in the area of the environment, wellbeing, cultural literacy, creative making and heritage innovation, acknowledging the importance of arts and culture in place-making. The potential is there for Public Art to make a meaningful contribution towards a vibrant city and ecology for artists and organisations, as well as to promote greater and more meaningful community engagement and participation.

This report has been commissioned by Exeter City Council, in partnership with University of Exeter and Exeter Culture. It sets out new ways of thinking about Public Art in Exeter, focusing on how it can contribute to enhancing the city's unique heritage, culture and natural assets. Public Art is fundamental to place-making - a key strategy for the city.

As well as the growth of the city demanding clearer guidelines for the commissioning of Public Art, there is a need for greater coherence and transparency around current practices across the city. There is also a need to make the process more inclusive and democratic, in terms of who gets to make decisions, and why. Exeter is home to an abundance of individuals and organisations with professional experience and expertise in the field of Public Art, the Creative Arts, cultural development, social practice, creative engagement and partnership working. Let's value and harness that wealth of talent.

In the creation of this Strategy, we consulted with artists and makers, curators and commissioners, consultants and specialists, community groups and individuals from across the city and beyond; we researched examples of exemplary work from within the UK as well as internationally. As a result, this Strategy proposes a series of Recommendations based on the following Priorities:

- **Transparent & Inclusive Commissioning Practices**
  - Establish a Public Art Advisory Group (PAAG) comprising stakeholders from across the arts, culture and heritage sectors, community, business, and civic realm.
  - Emphasise to developers that proactive, early engagement of artists through PAAG is integral to the planning application process.
- **Place-making**
  - Embed this Strategy - and culture more generally - into the Local Plan and the Liveable Plan, so that relevant expertise and community involvement are integral to local planning and decision-making processes.

- Engage commerce more actively to create sustainable funding and investment opportunities.
- Engagement & Participation
  - Establish an [Urban Room](#) in the city centre, where creative processes and activities can be conducted as a part of democratic consultation about the built environment.
  - Celebrate what's here: as a part of modelling what *could be* here, look at what has been - untold stories, hidden histories, local heroes, Working Class history, social history.
- Developing the Creative Landscape
  - Foster a more vibrant, inclusive cultural ecology that encourages and supports artists and Creative Industries practitioners to engage in public realm working.
  - Encourage arts education 'in its broadest sense' through partnership.
- Quality & Impact
  - Map all the existing examples of Public Art, and conduct a *Review / Repair / Replace* audit (see pg 29). Create trails and creative resources for people to engage with the city's Public Art.
  - Prioritise high-quality, impactful projects – for wellbeing, for value, for engagement, for communities, for civic pride, for raising Exeter's profile as a culturally relevant city. The focus should be on the *temporary* and transitional, unless big budgets are involved.
- Environmental Sustainability
  - Position sustainability, reuse/recycling and bio-diverse outputs as core themes across the arts.
  - Have a decommissioning process and budget in place for all new Public Artworks.

We also provide a Toolkit (Appendix 1), that sets out a suggested structure and methodology for PAAG; commissioning guidelines; writing an artist's brief; budgets; and a maintenance checklist.

This Strategy is not intended to shut down commissioners from seeking to enliven and animate our public spaces; it is not intended to introduce a 'gatekeeping' agenda, or to suggest dominance of one set of ideals over another, with the concomitant danger of homogeneity that raises. Instead, it proposes that by encouraging a collaborative, strategic approach, the city can take the steps towards becoming an exemplar of cultural ambition. **Exeter is at a pivotal moment at which it can genuinely 'do things differently'.**

# 1. INTRODUCTION

Exeter is growing. Not just as an economy<sup>1</sup>, but in size: Liveable Exeter's plan for the development of 12,000 new homes in eight sites across the city is a potential growth of the city's current population of nearly 40%. Liveable's vision for the city incorporates the ambitions of the [Cultural Strategy](#) (2019), which envisages Exeter as a city that will innovate and lead in the area of the environment, wellbeing, cultural literacy, creative making and heritage innovation. The recent designation as a UNESCO City of Literature (2020) brings Exeter into a global network of Creative Cities.

The global pandemic, digitisation and the move to online retail has meant that city centres are changing. Alongside these city strategies, the University of Exeter has signed a Civic University Agreement, and there are new models of collaboration underway between Exeter City Council (ECC), the Royal Albert Memorial Museum (RAMM) and the University as part of the Creative Arc programme. The potential is there for Public Art to make a meaningful contribution alongside these new collaborations and developments towards a vibrant city and ecology for artists and organisations. Additionally, there are some key learnings from the way in which public monuments have been discussed and dealt with that should be included in forward plans for the development of Public Art. Exeter City Council has also recently included public art within the Community Infrastructure Levy.

In commissioning this Public Art Strategy now, ECC is demonstrating that it is ambitious in its aspirations for the city and its people, and recognises that when done well, Public Art can contribute to enhancing the city's unique heritage, culture and natural assets. Public Art is fundamental to place-making - a key strategy for the city.

In the creation of this Strategy, we consulted with artists and makers, curators and commissioners, consultants and specialists, community groups and individuals from across the city and beyond. What we present here is a distillation of those conversations, consultations and surveys.

Key themes emerging from the consultation process:

- Artists and those with experience in the Public Art field (such as curators) should be integral to the process of commissioning and decision-making
- Properly hold what is already here
- There is a need for ambition and 'to take more risks'
- Temporary work is preferable to under-funded permanent work
- Communities should have a voice in what happens in the public realm

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<sup>1</sup> "Exeter was joint 9th (6.4%) nationally for GVA growth Q4 2021. Predicted to be joint 6th (2.0%) Q4 2023." Irwin Mitchell UK Powerhouse Report 2022

We propose that all art for the city, including Public Art, should meet the key criteria of quality, inclusion and sustainability. To achieve this, we have produced this Strategy for those with responsibility for commissioning, funding, reviewing, maintaining and developing Public Art. It is for city planners, for developers, for private landlords and anyone who has any responsibility for activity and culture that takes place in the public realm. And this Strategy also advocates for adding more voices to that arena.

If we want the city to realise its cultural ambitions, then we need:

- a Public Art *policy* that creates the space for opportunity, engages the city's residents and communities, and is ambitious;
- those with current authority to commission work to engage with the expertise and knowledge of practitioners and organisations across the city - to take a step beyond 'business as usual';
- to create a landscape that champions inclusion and diversity, celebrates the city's assets, and amplifies its stories;
- to acknowledge the need to promote by example - environmental, sustainable, inclusive and net zero ambitions.

This Strategy is not intended to shut down commissioners from seeking to enliven and animate our public spaces; it is not intended to introduce a 'gatekeeping' agenda, or to suggest dominance of one set of ideals over another, with the concomitant danger of homogeneity that raises. Instead, it proposes that by encouraging a collaborative, strategic approach, the city can take the steps towards becoming an exemplar of cultural ambition. **Exeter is at a pivotal moment at which it can genuinely 'do things differently'.**

## 2. WHAT IS PUBLIC ART?

*“In my opinion, for Public Art to really engage it has to be more than pretty things to make our spaces nice; it has to reflect Exeter right now. Who the people of Exeter are, how they are feeling, what challenges/threats we face, what questions are on our mind, how the spaces and places of the city are shifting and why. I think it would be amazing for Public Art to be something quite fluid and evolving, so rather than one or two sculptures that stay for decades, [there could be] temporary exhibitions or installations that provoke debate, invite connection, remind us that public spaces are not just to pass through but a chance to connect with others, to breathe, to be well.”*

Survey respondent

As this quote so beautifully articulates, ‘Public Art’ holds much within its scope. From a purely formal perspective, it includes myriad practices in the visual arts (such as murals and street art, sculpture, sonic, video and digital media), as well as performance, music and theatre. It can be a soundscape, a lightwork, a landscape intervention or an interactive installation. It can be street furniture or an architectural statement. It can be permanent or temporary, be that years, months, weeks or days; it can be a full-scale festival or a low-key encounter. It can be an activity, process or even a functioning business emerging from an artist’s interaction with a community of people, termed *Social Practice*. In essence, it is ***creative work sited in the public realm, in places and spaces that are freely accessible to everyone.***

But it represents so much more. In contributing to making a distinctive public realm, it can also act as a vehicle for civic engagement and pride. Public Art can commemorate and celebrate; it can spark debate and challenge perceptions. As one consultee said, it can *“ornament, inform, stimulate, invite, provoke or cheer those who witness it. Public Art increases a sense of a place’s meaning or meanings, or potential meanings, whether we like it or not.”* As another commented, *“good public art should be about agency and about representing the people and the local community.”* A regular statement by people that we spoke to was that Public Art, like other forms of Art, when it was good, made people feel something, it touched them or moved them in some way. They might feel challenged or humbled, a sense of joy or a connection to something much larger than themselves.

*“It can elevate life to something more interesting for the moment - it’s transcendental, you go somewhere else - be taken somewhere else and be excited to be there!”*

Consultee

Art has the potential to transport people to another place, where the rules might be different; it gives them an opportunity to pause, think and reflect on their place in the universe:

*‘Artistic installation is also a ‘space of exception’. It isolates a specific space from the topology of the ‘normal’ world to reveal its inner conditions and determinations.’*

Boris Groys, *In the flow*. Verso 2016

Artists, through their practices, are the people who conjure this magic, and it is their singularity of vision that elevates work to more than just the materials and circumstances that comprise it. While we need people to come together to discuss values, to form briefs, select works, and participate in activity, it is the responder to the brief and receiver of the commission who will make the art... work.

*“I'm all for socially engaged practice, and especially for hearing those marginalised voices and breaking down that dominant mediocrity, but you've got to foreground the particularity of the artist, otherwise there's no point really.”*

Consultee

There has been much research into the positive impact and benefits of engagement with and through socially engaged art, such as community connection, reduced isolation, sociability, positive approaches to risk and change. However, it is also a useful vehicle for authority to devolve responsibility - putting the onus on individual change when larger systemic issues are the root of the problem. Public Art engagement needs to be integrated into the full picture of city development, as a democratic and responsive process, not just as decoration:

*‘None of these outcomes will change or even raise consciousness of the structural conditions of people’s daily existence, it will only help people to accept them.’*

Paola Merli, from Claire Bishop’s *Artificial Hells*. Verso 2012.

Public Art is also an opportunity and a platform for artists, and this is crucial to a city’s arts ecology, which Exeter is committed to developing and supporting (see ‘City of Creative Making’ in the *Cultural Strategy*). It is fundamental to effective place-making; it plays a key role in setting out a city’s intentions, to its sense of self, its identity.

*“Placemaking inspires people to collectively reimagine and reinvent public spaces as the heart of every community. Strengthening the connection between people and the places they share, placemaking refers to a collaborative process by which we can shape our public realm in order to maximise shared value. More than just promoting better urban design, placemaking facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution.”*

[Project for Public Spaces](#)

## 3. BEST PRACTICE

Based on our conversations and consultation with experts in the field of Public Art, plus research into examples of exemplary work from across the UK and beyond (case studies below), we propose that best practice incorporates the following principles:

- Quality – when commissioning work for the public realm, the intention must always be to strive for the best in terms of process, production and outcomes;
- Identity – all public realm artwork (both permanent and temporary) must have relevance for Exeter and its citizens, being in dialogue with and contributing to a sense of place that is inclusive, and embraces diversity in all its forms;
- Sustainability – taking inspiration from Exeter City Council’s Net Zero ambitions, the creation of new artworks needs to be carbon-neutral as standard, with ambitions to go much further in terms of environmental impact.

### 3.1 Values

Fundamentally, all best practice comes from a recognition of and adherence to a set of shared values, articulating what we stand for as a city, and what we expect from those with whom we collaborate:

- Trust
- Loyalty
- Co-operation
- Honesty and Integrity
- Inclusivity
- Transparency and Openness
- Generosity

We propose that these values are what shape our actions, our ambitions and our relationships in the city. They are fundamental to a coherent, fair and just society, and should form the basis from which we approach collaboration, partnership working and public engagement. By saying and showing that we hold these values, we can encourage people to be a part of plans that are ambitious, progressive and future-focussed, even though they may be perceived as challenging and risk-taking in their nature.

### 3.2 Involving Artists

It is often the case that Public Art interventions - particularly those associated with housing developments - are treated as ‘add-ons’ too late in the process. Engaging artists early allows for them to be embedded in the thinking process; this practice values artists as experts in their field, and as such they should be considered as part of the team responsible for creating the brief, as

colleagues collaborating with designers, architects and planners, and as members of the selection panel.

*“When I got to speak to the designer, I found that they had not considered involving an artist until after the structure was built - the mounts for artwork were essentially an afterthought. We talked about how an artist could influence the design and materials, meaning a more integrated approach with the potential for the structure itself to be an artwork, as opposed to having art put on it - he said that this was really interesting but had never been thought of as a possible part of the process in their team.”*

Consultee

This enables creativity to be a fundamental part of the whole process - and contributes to a greater likelihood of achieving a high-quality outcome. This early-stage collaboration also makes it more likely that the artwork will be more connected to its site. It also enables opportunities for creative engagement with the relevant community in the project’s design and development.

### 3.3 Community Consultation & Engagement

Prioritising long development time is, in essence, an inclusive action, and is integral to gathering momentum, engagement and feedback in order to inform the project’s direction and decision-making process. Involving people in a process that listens and holds their input in as high a regard as any other encourages buy-in, and contributes to citizens feeling part of the story of place. Decisions made out in the open, responding to input and findings, mean that outputs evolve out of the process, rather than being predetermined.

*“Plymouth will invite artists and community stakeholders to the table as often and as early in development discussions as possible, allowing enough time for false starts and valuing slow processes as a means to build relationships and knowledge, so that an exchange of expertise may take place.”*

(3) Plymouth Principles - Plymouth Culture/ Situations 2016

### 3.4 Pilot Projects and Temporary Interventions

Throughout the consultation process, conversations have returned again and again to the preference for temporary projects. This not only reflects environmental concerns - *“what are we doing making big lumps of material that have to be dug out of the ground”* (Consultee) - but recognises that impermanence can bring with it a vivacity that feels more relevant to the world today:

*“Public Art is often static - it’s been paid for and it stays there and people become blind to it. We’re already numbed from the advertising all around. It’s got to be livelier - alive - similar to how we change exhibitions in galleries and museums, a rolling programme.”*

Consultee

Tests, trials and models can also invite feedback and morph as needed/required/valued by participants. Small iterations can lead to bigger decisions and more permanent outcomes. By

occupying a space for a period of time, artists are able to create new worlds of what is possible, to explore common values in public space, to offer space to dream, to think and act as though things were different.

*“Through strategies of occupation and perpetuation the potential of public art to expose and respond to the encroachment of corporate interests on public space, to the diminishing opportunities for social cohesion and freedom of speech, and to the invisibility of the displaced and dispossessed in public life is considerable”*

Claire Doherty - *Out of time, out of place - Public Art Now*, Situations 2015

Sites that are due for development (such as the old Bus Station, in Exeter’s city centre) are ideal spaces in which to provide opportunities for creative engagement activities that invite communities to imagine, and to share ideas for what those spaces might become.

It is widely understood that engagement with communities leads to a greater chance of a work being ‘adopted’ by the people of that place. Involving people from the start, before any decisions are made, gives them agency and builds a culture of ambassadorship. Work that is ‘helicoptered in’ tends to garner reactions that criticise the cost, location and process.

*“Communities are responsible for Public Art, once the commissioners, artists, developers and everyone else has gone and the dust has settled.”*

Consultee

Sometimes it’s not about the geographical community in the location of the proposed new work, but the community that comes together to make the piece: a community of association, of interest.

Projects should look to use a set of basic outcomes from which to measure evaluation - arriving at these across sectors and between partners. Results of effective approaches, participant satisfaction, achievement of project intentions, and so forth, should be documented to provide a roadmap for subsequent projects in development. This will also deepen our understanding of local resonance.

Here we present some examples that we feel demonstrate best practice in Public Art.

An example of **large-scale Public Art that provides spectacle but also connects to a place and its people** is the [Crown Fountain in Chicago’s Millennium Park](#), a public park in the city’s business district. Created by Jaume Plensa, this interactive fountain comprises two 50-foot-high glass brick towers at either end of a shallow black granite reflecting pool. Inspired by the traditional use of gargoyles as water spouts for fountains, Plensa and the School of the Art Institute of Chicago recorded the faces of 1,000 Chicago residents, which are displayed in turn on the towers’ LED screens. A water outlet in each glass screen provides the illusion of water pouring from the mouths of the individuals displayed. The artist intends the collection of images displayed on the LED screens to expand over the years to reflect the social evolution of the city. This piece of work not only directly connects to the communities of the city, but it provides an experience, a chance to come together and to play, and as a respite from the heat of high summer in the city.

**Public Art that tells the story of a place** includes [Mona Caron’s murals in San Francisco](#). The large-scale pieces focus on the social practice of using art to create social interaction, in which

people reflect on the history, current state, and better potential, of the very space they find themselves in. ‘Windows into the Tenderloin’, for example, is a mural with miniature-detailed panels narrating life at this corner of the Tenderloin District, along with its history, legends, and an imaginary future. It was created through an immersive community process.

**A Public Artwork that combines identity, community and participation** is the [Cornish Dark Honey Bee Mural, in St Austell](#). Created by PC Projects with ceramicist Simeon Featherstone and environmental designer Anastasia Sledkova, the work began with in-depth creative consultation sessions with the local community. The team asked people to draw designs depicting their ideas about the ‘best thing’ about the town. These formed the basis for ‘icons’, which were printed onto 11,000 individual tiles, and put together to form a giant design of a Cornish Honey Bee, 20m by 5m. The project “was about raising awareness of that particular insect, and about that insect's role in a sense of identity in [St Austell]. It was also the fact that the several thousand tiles were hand stamped by nearly a thousand people, working out of a little workshop called The Hive in an empty shop on the high street. All these people came in lots of different groups, and worked over several months to make these tiles. An absolutely great way of getting people involved very directly, and doing something that was very relevant to the place. And also maintaining the overall design concept, where you get something that's visually striking and artistically or specifically interesting, and kind of provocative. A really wonderful combination of process and product.”

**Public Art can be fun - as evidenced by this interactive piece** by [Jeremy Deller: Sacrilege \(2012\)](#) is a life-sized, inflatable replica of Stonehenge, the British heritage and pagan site - essentially, a bouncy castle, an interactive inflatable pillow that viewers may walk and jump on. It is an energetic, humorous work that Jeremy Deller describes as “a way to get reacquainted with ancient Britain with your shoes off”. A co-commission between the Mayor of London and Glasgow International Festival of Visual Art, *Sacrilege* toured the UK as part of the London 2012 Festival, popping up in Exeter in June 2012, located in Belmont Park, where it proved to be fantastically popular.

**Architectural Public Art that also invites interaction** can be seen in The [William Mitchell murals at Hockley Flyover, Birmingham](#). Flanking the entrance to a pedestrian underpass beneath the ‘Hockley Circus’ flyover, the murals were commissioned as part of the Birmingham outer ring road development, opened in 1968. Designed to encourage public interaction with the artwork, Mitchell expressed pride that people felt encouraged to climb on them, noting that this allowed them to become a part of society. They recently attracted attention when climbers from the University of Birmingham Mountaineering Clubs – more used to scaling peaks in Snowdonia or the Lake District – took the sculptures and plotted new bouldering routes across them. In April 2022, the murals were granted Grade II Listed status.

**An example of Public Art that stimulates change, or potential change, and regeneration** is [Theaster Gates’s Chicago Land Development Projects](#). Located in Chicago’s most economically deprived neighbourhoods, the projects brought disused buildings back to life, to hold events as well as objects, demonstrating intelligent exchange with lasting change. His work [Sanctum with Situations in Bristol](#) was to construct a ‘stage’ from salvaged materials from previous sacred and hallowed local buildings for local musicians and sound artists to perform concerts. Performances ran on a rolling 24hr programme, the performance schedule was intentionally secret so the community would engage with artists in unexpected ways.

**Public Art can be a catalyst for the formation of a community:** some areas might not have an existing community at the location (ie a roundabout on a road), or have not been developed yet. Users, passers-by, the wider community can all be recruited in preliminary stages to help shape what interactions and investigations might look like. The [FLOW project in Exeter](#) started with an ambitious ‘ribbon orchard’ tree-planting scheme that involved residents via community and nature-focussed groups. There were investigations, tests and an Orchard Lab that helped shape the choice of trees and where to plant them. Commissioned artworks alongside included a set of samples to travel to other locations, and a series of usable (for humans and insects) art objects along the route that reflected the same themes. A continuing series of events (such as [wassails](#), held every January) act to further build a community of interested and accidental parties.

**Public Art that encourages us to see, experience and think of spaces differently** include [Trudie Entwistle’s ‘Incline’](#) (Scarborough, England, 2002). Commissioned by Public Arts as part of ‘People Making Places’ for the Yorkshire Forward Urban Renaissance Programme) temporarily transformed a public road into a sculptural green space. Providing a stage for performance, projection and cinema, it became a magnet for all ages to sit and enjoy the music in the last of the summer sun.

A future **work that links directly to environmental awareness**, through repurposing, includes [SEE MONSTER](#), a retired rig from the North Sea, transformed into one of the UK’s largest public art installations to inspire global conversations about a sustainable future.

**Public Art that connects historical events to contemporary life** includes [Seeds of Change](#) (Maria Thereza Alves, 1999-ongoing). The piece is an ongoing investigation based on original research of ballast flora in the port cities of Europe. Projects have been developed for Marseilles, Reposaari, Dunkirk, Exeter and Topsham, Liverpool and Bristol. Material such as stones, earth, sand, wood, bricks and whatever else was economically expedient was used as ballast to stabilise merchant sailing ships according to the weight of the cargo. Upon arrival in port, the ballast was unloaded, carrying with it seeds native to the area where it had been collected. Communities in host cities were encouraged to plant the ballast seeds in a communal act of growing. In Bristol, the plants were displayed on a floating platform: *“It spoke to history and community and what we wanted to do to change the city. People really enjoyed it because of the plants, but they enjoyed going on a boat trip to the floating platform - the whole experience was a sort of journey”* (consultee).

**Public Art can be a prototype as a part of testing activity, for the development of spaces.** *Jubilee Park* in Gothenburg, Sweden, is a new project, on a former dockland site. The city had no concrete plan for what the development might hold, so invited a number of creative agencies to create prototype projects and structures. These include a sauna, an orchard park and a beach. This is a part of [Prototyping Gothenburg](#) - a method of using a ‘temporary permanence’ for the space between an industrial site and an urban neighbourhood (3-5 years) to be occupied with testing activity in partnership with the population of the city, and colouring and directing the final direction of developments.



## 4. CONTEXT

*“Unless there are proper budgets there can’t be anything other than temporary work. I don’t think we should litter our streets with poor Public Art.”*

Consultee

Exeter has a blend of commissioning routes and agendas. Traditionally, the Local (ECC) and District (Devon County Council - DCC) have been the entities most responsible for Artwork in the public realm, but in recent years the landscape has changed, and an increasing number of other bodies and organisations have taken up the mantle. What follows is an outline of the main commissioners/deliverers of Public Art in the city, with reference to some of the current issues.

**Exeter City Council** are funders of cultural activity in the city and have previously curated their own festivals and public/outdoor performances, and historically commissioned murals at a number of locations (in the 1980s and 90s). Like other UK local authorities, arts and cultural activities are funded through Section 106/CIL contributions, the neighbourhood funding aspect of the latter feeding into the Exeter Grants Programme, the main form of funding for independent art and community projects in Exeter. ECC has also received Arts Council England’s Cultural Development Fund and Cultural Compact money. They are regarded as guardians of the existing Public Art assets. **RAMM**, the city museum funded by the City Council, has contributed to activity in the public realm, with 2021’s *Museum At Large* being its first foray into commissioning a body of outdoor works, albeit temporary.

**Devon County Council**, via its Highways dept, has been responsible for commissioning large-scale works around the region. Along with developers, they have had command of the largest scale of budget for new works and have tended to opt for the monumental. Partnerships with other large bodies and agencies have meant a number of agendas are served with each work.

In the city centre, **InExeter** (a body that manages the Business Improvement District) has been commissioning temporary and permanent works as a part of place-shaping and wayfinding activity. This has taken various forms including: multicoloured umbrellas suspended over the High St, new murals in unloved transitional spaces, and ongoing support for street, music and art festivals.

The two main retail spaces - the **Guildhall Shopping Centre** and **Princesshay** - have both commissioned work as part of their marketing agendas, and participated in cross-city initiatives that feature temporary Public Art and performances. These include: walkway murals, art in shop windows, installations and interventions, a pop-up ‘beach bar’, and pop-up elements of festivals. The both also host ‘inherited’ Public Artworks from previous iterations and incarnations of their sites.

**The University of Exeter** has traditionally commissioned sculpture for its campuses, but more recently, under the aegis of the [Arts & Culture team](#), there has been a move toward ‘purposeful encounters’, and an increasing remit to commission new cultural activity and high-quality art works. The micro-commissions have resulted in soundscapes, wassails, and a video and sound installation on a Stagecoach bus; in addition, the team supports other arts organisations and

activities through match-funding. New academic courses at the University, such as the MA in Curation and the MA in Creativity, are producing or contributing to arts initiatives and activity in the city. The [Outside the Box](#) programme, funded by the AHRC and curated by the Drama Department, saw performances take place in green spaces across the city, including Riverside Valley Park, Northernhay Gardens and Bartholomew Cemetery.

**Exeter City Living** (ECC's property development arm) has commissioned temporary, community-engaged work from a local artist as a mechanism for connecting with communities around its proposed development site. Hoardings around a former old people's housing complex were designed in collaboration with schoolchildren and attendees of events at a local community centre.

Independent cultural operators, such as **Art Work Exeter**, **Blind Ditch**, **MIDI**, **Burn the Curtain** and **Kaleider** have developed, commissioned and delivered Public Artworks in the city, with varying levels of community engagement and participation, sometimes in partnership with each other, and often as part of a festival. Examples include: Art Week Exeter, where independent producers such as Paula Crutchlow, NOSE, Miss C\*s Graffiti Academy and John Wigzell held spaces and commissioned multiple artists and performers over the course of a week of activity; and Exeter Street Arts Festival, where independent producers are given free reign to shape the programme for individual performance stages.

Current processes vary, from individual commissioners choosing to work with a particular artist for a chosen outcome based on knowledge/ proximity/recommendation (see [Scotty Gillespie's murals and designs](#) for InExeter, the [Alice Mary Art walkway mural](#) for Guildhall Shopping Centre); open calls with shortlisting by an internal panel ([RAMM's Museum at Large](#) project); ongoing relationships between a commissioner and artist/s (ie Michael Fairfax and DCC Highways Dept); to approaches where all applicants get to participate in some way ([Miss\\*C's Graffiti Academy's Bridge & Tunnel Paint Jam](#)).

While the city refreshed its Commissioning Guidelines in 2017, these have not been consistently referenced or adhered to, and there is an ongoing lack of consistency in conjunction with a lack of transparency around processes. One example is the 2017 'Rainbow Gate' architectural installation, where no record of the commissioner or selection process can be found, yet the work is attached to two local authority-owned buildings, so presumably was sanctioned by someone on behalf of Exeter City Council.

In one survey for this Strategy, 54% of respondents felt that processes suffered from a *"lack of transparency about who makes decisions and where the money comes from"* with one saying: *"Exeter does not seem to have a clear and consistent approach to public art. It feels like a lot of voices."*

The Heavitree Arch (lead artist: Michael Fairfax) was a multi-partner work, involving both the County and City councils, and continues to have a divided audience. Criticism stems from how the consultation was conducted, with some people being clear that there was not much local support for the work to go ahead and that it was pushed onto the community. Our own conversations with people around this work have covered the fact that it has lofty intentions and a high-quality finish, but that it was not reflective of the local community, was poorly sited and was very expensive for something that wasn't perceived as required or wanted. Other works as a part of the same Heavitree

project are more popular, such as the text on the pavement and around the tree on the opposite side of the road. Perversely, the public toilets there are permanently closed, so there is less reason for people to congregate/ occupy this space.

Public Art in the city has a varied reputation, with accountability for upkeep being as much a controversy as new commissions (InExeter paid for the Vhils work (see below) to be cleaned after it was paint-bombed, as the corporate owners declined to have the work done).

The fact that the city does not have a catalogue, map or guide to its Public Art assets is a missed opportunity. A number of conversations with people across heritage and culture sectors, as well as respondents to the surveys, showed a concern that this is indicative of a number of issues here. We pose that if the city's historical assets aren't properly held or regarded, the history and story of the city isn't firmly rooted and the views and lives of the people who live here are regarded as insignificant.

*“The lack of community engagement in projects is evidence of the continuation of the view that city centre space is ‘distemic’, which is to say it does not have an identifiable community associated with it.”*

Consultee

[Exeter Memories](#), a grassroots-hobbyist website, provides the most comprehensive guide and is generally a fantastic resource on city history. However, the website is the work of one man and has ceased to be updated since 2017. Some entries would benefit from a rewrite to reflect changes in attitudes and the growth of understanding around statuary and memorial works, with a post-colonial lens, following the powerful Black Lives Matter movement, in particular. This website and associated social media group (and other informal/ grassroots social media groups such as [Exeter Past and Present](#) on Facebook) are an indication of the groundswell of support for longer-standing, community-focussed artworks.

The [murals](#) of Andrew Stacey/Andrew Alleyway were painted in the 1980s and are much loved by people who grew up in the city during that time; the overpainting and rendering of the *West Street Festival 1979* mural is still lamented on public fora and social media groups. It is worth noting that often these works depict ordinary people. The age of these pieces means that they will require serious reevaluation at some point in the next five years; remedial work has been carried out on an ad hoc basis on many of the works. As an example, the Maddox Row ‘witches’ mural is now flaking over 50% of its surface and has recently, for the first time, been graffitied.

It is important to be transparent in how these wall-based works are evaluated, and how any decision - whether to attempt to conserve them versus seeing the site as an opportunity for a new commission - is made. As these sites already hold public interest, there is potential to galvanise communities of interest around the development of a new commission, regarding how the people of today's city are represented.

Pop-up activity, such as [Brendan Barry's walk-in camera obscura projects](#) (and [Sam White's Light-Play](#) before that), gave audiences a route into art making. Interactive mobile installations such as [Stephen Hodge's Where to build the walls that protect us](#), invited hands-on participation in thinking about the future of the city in light of rising sea levels. The processional, multi-partner *On*

*Tenterhooks* (created by [Oceanallover](#), commissioned by ECC in 2016) brought wide-scale participation, using existing social structures such as schools and choirs, and through an impermanent, spectacular work, to wider audiences.

There are some striking examples of less traditional and semi-permanent standalone pieces across the city centre, such as the [Vhils commission](#) (2011), by Urban Outfitters on the High Street; street art pieces by Bristol artist [My Dog Sighs](#) in John St; the graffiti wall in Belmont Park (annually repainted for the Respect Festival); the willow sculpture at St Sidwell's Community Centre and the benches and insect hotels - both by James Bond - alongside the [FLOW orchard project](#).

The city is host to a number of well-executed and high-quality memorials and sculptures, many by internationally respected local resident artists. Notable examples are: the *Exeter War Memorial*, which stands proudly over Northernhay Gardens, by John Angel FRBS; *The Deerstalker* by E B Stephens ARA; and the *Livery Dole Martyr's Memorial* by Harry Hems. All of these were funded by public subscription and are considered assets to the city's heritage. Exeter has a history of moving many of its statuary and monumental works to different locations, with some being put into storage on a temporary and permanent basis. There is only one woman represented amongst the statues - Queen Victoria, on top of Marks & Spencer - and symbolic female figures on the *EWM*. The remainder are city grandees of note, sharing their names with roads and buildings, as was the way.

*"I don't have a problem with the statues, they were the communication technology of their time - we don't need to make more these days, as we can celebrate people and their achievements and hold all this digitally."*

Consultee

One work of contention is the statue of General Sir Redvers Buller, astride his horse. The City Council is planning to install a reinterpretation panel, created by academics and activists, to address the fact that Buller was a key player in Britain's colonial activities (and atrocities, although not in himself a cruel person, and commended for his treatment of his troops). There was a small backlash of protest (reflective of a national response by a minority to the way statuary is being re-evaluated) including a death threat being sent to a Councillor of colour, when ECC stated they were looking at relocating the statue. It is hoped that the panel will satisfy both sides of the debate, although it will need to be firmly held and publicised as a statement of intent for it to work.

*"There's something about accepting that [Public Art will] be controversial for some people, that some people will hate whatever you do. That's not the same as thoughtless offence being caused. I think that's the confusion around people who aren't able to conceive that celebrating slave traders or memorializing them might cause pain and hurt to people who are still feeling the results of that system is very different from, 'I don't like what that looks like'."*

Consultee



## 5. PRIORITIES

### **Ambition:**

*To have a high-quality, varied, and impactful Public Art portfolio, that enriches Exeter's cultural offer and reputation; strengthens its wellbeing and place-shaping ambitions; provides opportunities for its artists, producers and makers to develop as creators; and enables its residents (including young people) to have agency, experience creativity, and to develop as active participants and audiences in the cultural field.*

1. **Transparent & Inclusive Commissioning Practices:** the processes around commissioning, selecting and funding Public Art are clear and open.
2. **Place-making:** the Public Art Strategy - and culture more broadly - is embedded into local investment and city planning developments.
3. **Engagement & Participation:** citizens from across all communities of geography, interest and need are involved in appropriate ways, and their voices are heard and valued.
4. **Developing the Creative Landscape:** Exeter's cultural ecology thrives, providing opportunities for artists to engage in public realm working, while giving everyone the chance to develop as active participants and audiences in the cultural field.
5. **Quality & Impact:** Exeter's Public Art is championed and celebrated for its quality and ambition, enhancing the city's reputation as a cultural destination.
6. **Environmental Sustainability:** New Public Artwork and the activity around it acknowledges the climate emergency and the necessity to reflect environmentally sensitive approaches at all stages.

## 5.1 Transparent & Inclusive Commissioning Practices

**Aim:** The processes around commissioning, selecting and funding Public Art are clear and open.

**Challenges and Opportunities:** This Strategy's key ambition is to provide recommendations for making the commissioning process more transparent, open and inclusive. We anticipate that this approach will more effectively engage all stakeholders (commissioners, funders, artists, residents and publics), but also simplify the process overall, and provide the framework for ensuring that work intended for the public realm is of high quality, impactful, engaging and valued.

During the consultation process for this report, it was mentioned repeatedly that people felt excluded from the process, and that work often pops up as if out of nowhere: *"A decision is made and you find out later."* This was cited as a reason for much of the Public Art in the city being considered as poor examples: *"People have mixed feelings about the work that has been commissioned already in the city, part of this is because they weren't involved."* Among the general public, where there should be pride, there is at best ambivalence; among arts practitioners, there is mistrust.

By commissioning this Strategy, ECC is demonstrating its desire for a more coherent approach, one that pulls together the aspirations and recommendations highlighted in the *Cultural Strategy*, the *Liveable Vision*, and the *Co-mission* report by Blind Ditch. This coherence in turn contributes to a clearer message about Exeter and its cultural landscape - not just in terms of opportunities, but in how it values the role of culture in relation to development and growth, and its intention that everyone can be equal partners on that journey.

*"Art should not be commissioned for the sake of filling a space, and should not be developed by Council committees. The process should be as organic as possible with a broad range of people encouraged to express an opinion during the development of an artwork."*

Consultee group

**Recommended Actions:** Establish the framework (see Appendix 1.1 for structure details) for a Public Art Advisory Group (PAAG), to provide the necessary guidance based on expertise and experience in the field. This Group would ideally comprise stakeholders from across the arts, culture and heritage sectors, community, business, and civic realm, to ensure quality and encourage creative engagement. PAAG can support the team developing the Local Plan, and the Liveable Exeter Masterplan. There is also the potential for the creation of a Culture Unit (a suggestion in Blind Ditch's report: *(Co)Mission - ways forward for art and culture in planning in Exeter*) that could hold responsibility for convening a rolling Advisory Group/working groups around proposals for commissions.

For ECC/Liveable Exeter to proactively identify Public Art opportunities in capital works (such as development of the old Bus Station, for instance) as early as possible in the project planning process, and involve the PAAG. City-led commissions should be timed to allow for artists to leverage their creativity to contribute to the overall vision for a site, and help to shape its functional design.

Emphasise to developers that proactive, early engagement of artists is integral to the planning application process. Not only will developers be expected to begin planning for Public Art early in their process, but it is a stipulation that they engage with the PAAG, this Strategy, alongside the Local Plan and the Masterplan, before they begin to form their team, or draw up draft plans.

A threshold of £5k should be observed. Where commissions sit below this, there is less need for deep consultation (but still drawing upon existing knowledge) and a focus to spend on high quality work. It is anticipated that this will be for performances, temporary installations and events, small wall-based murals and one-off participatory artist-led social activities. Cultural partners (if they are not the commissioners) should be involved in conversations about intentions and potential, and processes for fair selection.

If commissioning a larger (£5k+) project, then a project-specific Advisory Group will help to define the project and establish buy-in and potentially credibility. The group should comprise those with key interests in the project or site, including the commissioner, possibly a representative of a funder, artists/creative practitioners, individuals with knowledge specific to the site (historians, heritage experts), members of the public/ community; local councillors for that location and relevant portfolio holders. It is important that no one works unpaid, and that community members remuneration should be provided and budgeted for, without undue bureaucratic processes. Members of this group should form part of a selection panel.

Above £5K spends need to have transparent artist engagement processes, these include:

- Open call-outs,
- Limited call-outs,
- Accessible Artist Briefs and alternative application formats,
- A long lead-in time, for each stage,
- Appropriate selection panels,
- Paid development time for short-listed artists,
- Publicly shared progress reports and opportunities to observe and comment along the way.

Refuse to accept timeframes shorter than six months for any creative or cultural commission; respect that artists have lives and other work. The longer people have to think, digest and respond, the richer the outcomes will be.

## 5.2 Place-making

**Aim:** the Public Art Strategy - and culture more broadly - is embedded into local investment and city planning developments.

**Challenges and Opportunities:** Since it commissioned the *Place-based Cultural Strategy* in 2019, Exeter has continued its trajectory as a Local Authority with a stated commitment to putting arts and culture at the core of its thinking. It is considered supportive in its approaches towards independent cultural activity across the city, demonstrating “*an openness to arts in the cracks where ... they are willing to support the development of and growth of cultural infrastructure*” (Consultee); this is evidenced in the growth of the ‘cultural quarter’ around the High Street end of Sidwell Street, and on Paris Street, including organisations such as TOPOS, Art Work Exeter, Maketank and Positive Light Projects.

ECC has embraced the idea of place-making/place-shaping as an effective driving force, and recognises the arts as integral to this process. It is actively seeking expert guidance on how to further embed culture in the future development of the city (see the Blind Ditch report, plus Charles Landry’s report, which is due in October 2022), and we advise that this Strategy be read alongside these documents.

For place-making to be truly effective and transformative, it requires buy-in from all aspects of civic life, including city authorities, developers, and other institutions; everyone “with a stake in growing the shared value and values of living in a place”<sup>2</sup> needs to be pulling on the same rope. With economic growth predicted to continue, there is also a great opportunity to harness more support from the business sector in contributing to the city’s arts and culture offer. Regarding business, Council Leader Phil Bialyk has said, “*Our attitude is that the answer is yes – now what’s the question? We try to look for reasons to do something. That contributes to a very successful city here in Exeter*” (quoted in Business Leader Magazine, 4.2.2020). Let’s see that same commitment applied to the arts.

As the business sector grows, with a concomitant increase in staff, and new businesses seek to establish themselves here, the potential audiences for and participants in arts activity also develops. An attractive cultural offer is a positive draw for staff recruitment purposes, and raises Exeter’s reputation as an appealing location to do business. The City Council has amalgamated its arts and community budgets, and has reduced these over the last five years (in response to drastic reductions in central Govt. funding). The commercial sector is ‘booming’ in Exeter, particularly the Creative Industries - cultural activity needs an increase in funding to meet the needs and desires of a growing professional community. Now is the time for all creative practitioners and stakeholders to re-imagine and revisit funding for the arts in light of current restraints and, where feasible, how the Council can support leveraging funds from other sources.

There’s a long tradition of (and contention around) businesses sponsoring art, but could Exeter lead the way in creating a city-wide fund to which the business sector contributes? This fund could be

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<sup>2</sup> <https://www.sustainableplaceshaping.net/resources/>

overseen by PAAG, providing opportunities for micro-commissions, match-funding for city-wide initiatives (such as festivals) or for larger and more ambitious pieces of work.

It is worth considering that an estimated 0.5% slice of the city's annual Community Infrastructure Levy income would deliver around £40k - enough to run a post or small team. 1% would allow for the same amount to be banked for more ambitious future works. [Percent For Art](#) is a thriving scheme in many other countries (since the mid-C20th) that takes 1-2% income from all development projects for arts funding. There is a great opportunity here as Exeter could potentially operate this as a statement-of-intent around culture being a driving aspect in city development.

**Recommended Actions:** Capitalise on the relationship between economy and place by embedding culture as a tool for local planning and decision-making, and in so doing, align with Exeter's wellbeing agenda. By stating Exeter's priorities, values and, crucially, *policies* around this from the start, and by having the confidence to say, "No, your proposals are not for us", Exeter can use its nascent City Plan to step into its authority as a vibrant city with lots to offer.

Reinforce Exeter's cultural ambitions not only for Public Art and other commissions, but also at streetscape and neighbourhood scales, including supporting the development of community-led initiatives that enable creative community engagement with urban projects.

Offer developers and potential commissioners the potential to increase the weight of their spend by forming a mosaic of funding around their contribution. By using inclusive practices, having socially focussed outcomes and transparent processes, projects will be eligible for match funding from traditional routes (HLF, ACE, Historic England, etc) and able to commission more impactful works as a result.

The budget for any new Public Artwork should include provision for a review in the future - this may lead to repairs, conservation, remodelling, re-siting or even removal. Organic and growing features may need close husbanding for an initial growing period and periodic attention. Communities around works like these are fundamental, with initiatives such as Adopt-a-tree being key to their survival outside the agreed maintenance plan.

Our understanding of Public Art is that it can take myriad forms, from the temporary to the permanent, from the micro to the majestic. The unifying factors are that it happens in the public realm and requires the engagement of the public to activate it. In Exeter we have a raft of inherited statuary, a collection of permanent sculptural and wall-based works and an irregular programme of events, performances and longer-term socially engaged projects. New commissions need to come from an understanding of what is here - culturally, demographically, physically. The positioning of any new work, connection with cultural infrastructure and messaging and what it contributes to the story of place need to be mapped out in any proposal.

Let potential commissioners know that the public realm is a shared space ([The Commons](#)) and decisions about how it looks and feels are to be undertaken in conjunction with others, through consultation and in response to how the resident population have spoken. The exercise of privilege by imposing the world-view of people who have the authority/ permission to do so (and have continued to do so) is an act of exclusion.

The city has multiple initiatives for promoting itself internally and externally - Visit Exeter, Exeter Live Better and InExeter being the most prominent. They are mainly operating as a form of tourism-marketing, in service to the growing commercial and professional sector. There is potential to work with these initiatives to create a philanthropic initiative for funding cultural activity - from which they and the sectors they serve all benefit greatly.

## 5.3 Engagement & Participation

**Aim:** Citizens from across all communities of geography, interest and need are involved, and their voices are heard and valued.

**Challenges and Opportunities:** As we have already identified in this report, Exeter has a poor reputation when it comes to proper consultation and engagement; survey respondents and consultees cited the general sense of feeling ‘done to’ rather than ‘through and with’. The top-down approach creates mistrust in the process, and is ultimately exclusive and divisive.

The city is about to embark on a grand scheme of urban development, with a number of developers bringing their own agendas and allocated budgets for the provision of Public Art. Coplan Estates and Welbeck CP, to name just one current proposal, have a plan to develop the Haven Banks area and have stated they will be ‘*Creating opportunities for new public art to be displayed on the site.*’ But what they mean by this, and who they intend to involve, is unclear. What is clear, however, is that the majority of developers still operate on the assumption that ‘public consultation’ constitutes inviting local residents to view and share opinions on a series of design mock-ups and presentations.

For Public Art to be really effective, there needs to be a shared sense of ownership and involvement. For this to happen, we need to start from a holistic perspective of what we want for the city as a whole, and who is involved along the way. This should focus on being as transparent and inclusive as possible with an understanding that some people require different approaches and resources to feel invited and be able to participate at the same level as others. We need to acknowledge who the guardians and custodians of the future will be and how they are included now.

Throughout the consultation process, time and again the conversations turned to the amount of time it takes to commission work properly, to build trust and confidence: “*It takes a long time of finding a way to be, to build the space to build people’s confidence to say what they think, and then go on to discuss what you might do*” (Consultee). While online surveys may be appropriate for a general consensus, specific communities will require specific approaches. These can range from in-person attendance where people are (community buildings and events) to materials produced in specific languages and long lead-ins with signalling via social and print media. The recent proliferation of Community Builders and cultural infrastructure organisations are networks to be utilised and built upon, they offer the activation of conversations from the perspectives of people who understand those community dynamics.

Exeter’s population is rapidly growing (currently [131,099](#)), with the new developments possibly increasing that figure by 60,000, so it will become even more important to employ appropriate ways of supporting people to contribute to the growing story of place. Cultural organisations such as Theatre Alibi (with its *St Thomas Stories*) and Interwoven (with its resolutely grassroots *Squilometre* projects) are already working with communities to reveal and amplify local histories, but there are opportunities to further unveil hidden histories, and to ensure representation of diverse voices in retelling the story of the city.

There is an opportunity here to rethink our relationship to Public Art so that inclusion is integral, that the process and anticipated outcomes can flex to adapt to what this involvement brings up.

Processes need to start with an understanding of the importance of diversity, equality and inclusion. This means that extra time and specific effort will need to be deployed to ensure people have an equal opportunity to respond and participate in a way that is meaningful to them. Community members will need to be supported to develop critical tools, to be able to participate in commissioning. The potential is to empower groups of people to be able to further input into cultural and urban developments of the future.

*“Urban pedagogy... to create the possibility for inhabitants and local partners to become familiar with and become more active municipal urban planning processes, both in order to make these processes more accessible and to create places and processes through their participation that point towards other possibilities and that test what a city can be.”*

Joanna Zawieja - Public Art Sweden. *Curating Context*, Art and Theory Publishing 2017

The intentions behind each Public Art project - for instance, ‘celebrating local heroes’, ‘promoting sustainable travel’, ‘reflecting cultural identities’ - can shape how people are involved in processes, as well as indicating the appropriate composition of selection panels, participant groups, and so forth. Local Councillors (for instance) are fine ambassadors and should be involved where their local knowledge and community understanding or portfolio can be utilised to the benefit of each project, rather than given automatic seats at decision-making tables.

Messaging about intention needs to be transparent and open to feedback from the start of the project. Why is this work being proposed for this location? If it is about an obligation to spend money, there will be more value in contributing that money to a pot towards more ambitious projects.

**Recommended Actions:** Consider the creation of an [Urban Room](#) in the centre of the city, where creative processes and activities can be conducted as a part of ongoing democratic consultation about the built environment. This type of work is already underway here, now is the time to show that the results are being listened to, not that the exercise has ticked a box.

Ask what people would like the city to *look* and *feel* like. Offer examples and listen to responses. Publish responses and say how the city will use this information in decision-making. Regularly refer to this. Show how developments and new works are responding to what was shared, as both quick wins and deeper outcomes. Encourage other sectors to use this database to ask ‘big’ questions.

Look to stratify the local population according to multiple characteristics (older people, geographic location, ability, hobbies, heritage, diet...) and identify the best ways of communicating with each group of people. Log what has worked well and where a rethink is required. Focus on hard-to-reach citizens. Work across sectors to share data and build a living document. Information like this is already being collected by Community Builders and infrastructure organisations - it is essentially ‘audience data’ but with teeth!

Celebrate what’s here: as a part of modelling what *could be* here, look at what has been - untold stories, hidden histories, local heroes, Working Class history, social history, the Speedway, Black GIs... Collaborate with the cultural organisations already working in these communities (Theatre

Alibi, Interwoven) as well as the networks that connect other diverse communities (Exeter Communities Together, Inclusive Exeter, Hikmat). Working class stories are not felt to be held in high regard here, and yet this is the community with the longest duration in the city. In striving to ride the wave of new development and growth, the city has often overlooked the opportunity to reflect on what is already here.

Trust the process and let go of control: commissioners should have a voice at the start, but should not be guaranteed a veto or say in the final outcomes of a piece of work. Project members, decision-makers and panels should be composed of people as befitting the objectives of the project, not those who think they should be there, who have usually made decisions or feel entitled to be at the table through their elected or salaried position. Experts have their place - in ensuring high-quality outcomes and impactful works. Be prepared to change plans, to adapt and incorporate new perspectives.

## 5.4 Developing the Creative Landscape

**Aim:** Exeter’s cultural ecology thrives, providing opportunities for artists to engage in public realm working, while giving everyone the chance to develop as active participants and audiences in the cultural field.

**Challenges and Opportunities:** As identified in the *Cultural Strategy*, Exeter has ambitions to be a city that recognises the value of creative making and cultural literacy, and yet persists in leaving the big decisions that impact our shared public space to those in civic roles. We have here a number of artists, curators, creative producers, musicians and sonic specialists, dramaturgs and academics with extensive experience in Public Art, some working within institutions, others operating on a freelance/independent basis. We can harness their expertise.

Artists and arts organisations need to be a part of the conversations that shape our city. Not just in terms of arts commissions, but as advisors to developers and design teams, and the planning process; as artists-in-residence; as facilitators for creative engagement. It is important to recognise that artists and curators have deep connections to people and places, with an eye for what *could be*. There is a contemporary malaise where *social experience* has been eclipsed by *social media* and people are reported to be using their imagination less - due to the proliferation of messages about multiple stress-factors, such as the rise of the cost of living, the COVID-19 pandemic, food scarcity and environmental collapse.

As numerous consultees have pointed out, artists are specialists in creating spaces for us to project our imaginations, to look and think together: *“Imagining as a pleasurable activity and as a grappling hook to drag yourself into the future - we cannot achieve change if we cannot imagine it.”* In this post-pandemic world, now more than ever we need new mechanisms for navigating our daily lives:

*“The time for collective dreaming and social imagination is now. We need to grow, rehearse, practice and embody change. This is the work. And we must act as though everything depends on it. Because it does.”*

Amahra Spence, 25 April 2022, Joseph Rowntree Foundation

We want to foster a more vibrant, inclusive cultural ecology that encourages and supports artists to engage in public realm working. We need to consider where there is scope for improving the information, advice and support available for them alongside the opportunity to show (and prove) that this work is integral to the aspirations of the city. A key factor in this is how work is shown - employing and supporting curators and producers for short-term activity and events means that there is a high-quality approach, holding space for encounters and artefacts that can range in scope and impact. The [Superlambanana](#) in Liverpool was just one small part of a programme of works, yet through public adoption became a defining and iconic piece with its own social media profile, website and merchandise range and is referred to as the ‘unofficial mascot of Liverpool’.

*“The knowledge in an art artist's practice is singular - it's not about that common denominator. So I think the role of the curator is still really important for enabling that space for that singular reality.”*

Consultee

A creative environment supports wellbeing through providing creative opportunities, engagement, connection and space to challenge and be challenged. We have educational bodies and arts organisations that all offer routes for community groups and participants into experiencing art and art making, but often this is project-based, short-term and funding-driven. Can we seek to bring everyone along on a journey of discovery and learning, where the outcomes are for a critically-engaged and culturally-literate citizenship and the outputs are Public Artworks that reflect shared values and inclusive practices?

*“The forces of mediocrity are very powerful in middle England, but we must view that as an opportunity. A Public Art Strategy has to steer away from this empty pretence of art, towards something that is actually challenging and interesting. It doesn't have to be unpleasant or upsetting, but it's got to shake things up, these complacent ideas of the mainstream.”*

Consultee

Since the pandemic, and the subsequent increase in online shopping, there has been a (national) decline of the commercial aspect of the High Street. Exeter has the opportunity to change the way we use and view its central spaces, for them to become places for more creative engagement, for experiences. Temporary works such as [Luke Jerram's Park and Slide](#) on Bristol's Park Street, Jeremy Deller's *Sacrilege* in Belmont Park, the brightly coloured pianos for Exeter Street Arts Festivals, [Kurt Perschke's Big Red Ball](#) all activated city spaces in different ways and gave people the opportunity to experience it with a different view. Can we continue to test in this way and move towards more permanent and 'needed' new creative spaces for interaction and being together?

*“Artworks can create cultural connections to a place, places we know can change and people get re-attached to the place they live.”*

Consultee

The Creative Arc initiative is championing collaboration between the University and the Museum, with smaller partnerships for the delivery of pilots and involvement in 'sandpit' conversations. Could this almost oxymoronic *heritage innovation* approach include business and commerce - where the white-heat of new ideas meets the gravitas of the old structures? The previous attempt to include both commerce and sport in the Exeter Cultural Partnership didn't offer those partners a way in that they valued, but creativity and innovation are the lifeblood of business - now might be the time to open those doors to new conversations. The fact that the University offers an MA in Curation and Business means there is a thirst for this type of knowledge and thinking in the corporate world - can we offer 'internships' for business people in our cultural institutions and organisations?

**Recommended Actions:** Encourage arts education 'in its broadest sense' through partnership, throughout the range of providers. Investigate broader, joined-up programmes where communities

of people can learn and contribute in an informed way to conversations about our relics and The Commons.

If bringing in high-profile artists for ‘big-ticket’ commissions, look to provide learning, mentoring or shadowing opportunities for early-career artists wanting to gain experience. This could take the shape of workshops and talks. Investigate ways of providing ‘shadow’ work experience across projects, where emerging cultural practitioners are given paid opportunities to learn about the work and sector that they might like to enter.

Invert the position where artists are offered ‘exposure’ for their work as payment, by offering businesses caché for being a part of innovative creative networks on a pay-to-play basis.

## 5.5 Quality & Impact

**Aim:** Exeter's Public Art is championed and celebrated for its quality and ambition, enhancing the city's reputation as a cultural destination and vibrant place to live.

**Challenges & Opportunities:** A lot is made of Exeter's unique position (two coasts within reach, countryside visible from the heart of the city) but the city centre experience ([New Economics Foundation 2005 Clone High Street](#)) and suburban living ("*Why do I need to go into town? We've got all I need here.*" Wonford resident) don't necessarily reflect this. The growth of independent business areas (Fore St, Gandy St, Sidwell & Paris Sts/Eastgate) offer high-quality products and services with a progressive and positive entrepreneurial spirit that the other parts of the city benefit from, but they rely on a middle class flow of finance and circular economy approach, plus infrastructural support (InExeter, Exeter Markets) to survive.

Exeter is a city steeped in history, albeit somewhat hidden. The recent E-Universities delegation spent time talking about the city's mediaeval Underground Passages as an asset that needed to be 'signposted above ground'. We also heard from historians interested in seeing the Roman heritage of the city as a 'leaping off point' for new contemporary art in the public realm, so that the city's history isn't seen as a stuck/stuffy scholarly affair. One consultee was amazed by the lack of representation of so many of the historical stories here "*William the Conqueror built that castle, what those Roman and Mediaeval city walls have seen, and the buried Roman bath house - this is the city's inheritance, this stuff is free! Why aren't we shouting about it? Where is the big sexy book of Exeter's history?*"

Individual heritage locations have their own agendas and campaigns which coalesce once a year during the national Heritage Open Days, and have more recently started regular talking events together, as a sector, but Exeter remains a hazy patchwork of Roman infrastructure remains, politico-philanthropist-related place names, Blitz-vandalised urban layout and mid-century sub-brutalism.

The loss of the Tourist Information Centre was mentioned repeatedly during our conversations. How do visitors navigate the city without this vital resource? The Custom House on the Quay hosts a small selection of brochures, but a city centre location is much missed. Could the small ticket office in the Corn Exchange at the top of Fore Street become a *What's On* information centre for *all* of the city's cultural activity, if not a TIC?

In considering how we might better hold the city's assets, we create the opportunity to create a more compelling, cohesive narrative about the city and its heritage, its place in the contemporary world, and its vision for the future.

**Recommended Actions:** Assess the options around maintaining current works in the public realm on the basis of Review, Repair, Replace. This addresses not only the need to improve the management of the existing portfolio of Public Art in Exeter, but to think holistically about what is considered when commissioning new work.

Review: Conduct a mapping exercise of the current conditions of existing works and relics to assess what work is needed. Are the original artists still around? Does this require specialist conservators and craftspeople to attend?

Conduct a mapping exercise on the context of existing works. Are they relevant - do they need recontextualising as our understanding of history and heritage shifts?

Recontextualising work could be conducted as live engagement scenarios with relevant communities, so that the process itself becomes an engagement opportunity as well as an end in itself.

Repair: Where works require restoration, repair or conservation, seek to include them in a programme of activity that looks to enhance local skills and knowledge. Conservators as workshop leaders, where the participants are encouraged to learn more about conservation techniques and the possibility of a volunteer team for low-level works can be formed.

Replace: Opening up existing spaces for new stories. Building on the culturally rich heritage of the city in a way that grows Exeter's reputation as a forward-thinking city for the 21<sup>st</sup> century.

Create a map of all the examples across the city (Exeter Culture have a map function embedded in their website that they have offered for this use) to support tours (in collaboration with the Red Coats) and trails that residents and visitors alike can engage with. An online resource could include anecdotal stories and perspectives, from works' genesis to current opinion - all collected as a part of the mapping exercise (a 'soft' volunteering campaign). Give people an easy way in - suggest routes and trails, based on stories and lives of people in and from the city, architecture and landmarks, recent and far historical happenings.

Link with all heritage, culture and tourist sites and resources. Create opportunities to engage with maps and trails during festivals and events. Create educational resources (in partnership with educators) and deliver them to all schools, then invite pupils and students to create their own readings and resources.

Be ambitious - and prepared to take risks: Consider pooling money until there is a sizable amount to be spent and commission a large-scale consultation-driven engagement to discover how ambitious we can be. Look elsewhere for inspiration, ask for ambitious proposals. Find 'big' partners (energy providers, infrastructure companies, large-scale employers) to support the funding and delivery of larger-scale works and activities.

Prioritise high-quality, impactful projects – for wellbeing, for value, for engagement, for communities, for civic pride, for raising Exeter's profile as a culturally relevant city. The involvement of experts, artists and curators is vital. Creative practitioners and professionals should be involved at the very start of any plans; their expertise in delivering multiple high-quality outcomes and outputs alongside structuring engagements for meaningful impact is invaluable. The ratio between development time and final commissioning spend is a changing formula that contemporary thinking says should err towards longer engagement and wider involvement - the higher budget = longer development time.

Larger-budget projects should necessarily look to a national call-out for internationally recognised artists with experience in delivering high-quality outputs. Producers, production companies and arts organisations with greater experience than those with local scope should also be considered and invited to tender for partnership, commissioning and delivering works alongside the creatives of the city.

## 5.6 Environmental Sustainability

**Aim:** New Public Artwork and the activity around it acknowledges the climate emergency and the necessity to reflect environmentally sensitive approaches at all stages.

**Challenges & Opportunities:** Exeter has the largest concentration of climate scientists in the UK, situated across the University and the Met Office. In conjunction with the Environment Agency, the city has reviewed its topographic position and installed flood defences. The city has a CIC - Exeter City Futures - with a board containing representatives from the main large-scale employers in the city, leading its Net Zero ambitions. A Climate Emergency has been declared, but the city still hosts an airport, has diesel buses and has periods and places of noticeably high air pollution.

Public Art is often outdoors, in the public realm, where a connection with the climate is unavoidable. Works and artists that embrace this are pertinent and necessary now. Devon has organisations across sectors, including ECC ([Executive](#), 9th July 2019), that have declared a Climate Emergency and signed up to the Devon Climate Declaration, which details a series of actions, in particular 4: *We will lead in the global response to climate change through our collective action, innovation and influence.*

It is worth noting that 83% of respondents surveyed about *what is important to them, their family and neighbourhood* said ‘*The Environment*’: *“Outdoor Public Art is important - you become more aware about the weather and nature, it reminds people that they are a part of something bigger, not just in an urban context but critical to us responding to climate and environmental emergency.”*

An ambition stated by several consultees and survey respondents was to remove buses from the High Street (and was also reflected by 100s of participants in a city-centre RAMM engagement project that ran simultaneously to this consultation): *“it would improve everyone’s health and wellbeing. We could grass over the whole high street, people could sit, there could be temporary performances, temporary art, it would have a festival feel.”*

Exeter has beautiful green spaces all around and yet lacks many easy routes out into them. The Green Circle is a popular natural resource that has been shaped and defined by the people who use it and is currently the subject of an interactive Public Art performance-exploration, *The Imaginarium of Us* by [Burn the Curtain](#).

As an internationally connected city - through the University, and the global UNESCO Creative Cities network - there is the opportunity to look outwards for inspiration. As referenced in the Blind Ditch report, [The Biophilic Cities](#) network connects cities internationally that are embracing natureful design in order to share methods, approaches and successes.

**Recommended Actions:** In alignment with its carbon-neutral ambitions, Exeter must position sustainability, reuse/recycling and bio-diverse outputs as core themes across the arts.

Integration of new artworks into development, infrastructure, architecture and the very materiality of developments should be considered foremost, as an integral part of the design process. Materials and processes proposed should reflect a harmony with the carbon-neutral agenda. Scoping the

impact of manufacturing, travel and installation should be fundamental factors of any new construction and would do well to dovetail with the [Net-Zero 2030](#) themes of *Sustainability* (Regenerative Design) and *Capability* (Collective Action towards carbon neutrality).

Partnership working with nature and climate-focussed groups and organisations, on a national and international scale will support ambitions to be and show that we are a part of the response to climate change and help build a coherent message that can resonate with and through communities and the way these issues are reflected in the city's cultural offer.

The budget for any new Public Artwork should include provision for a review in the future - this may lead to repairs, conservation, remodelling, re-siting or even removal. It is recommended that any permanent work is 'revisited' every 5 years, against agreed criteria, to ensure that it is still relevant and appropriate to its location. This decommissioning policy should be reflected in the brief and contract. The decision to decommission would be based on: work no longer being fit for purpose - its condition/aesthetics no longer matching original intentions; work becoming irrelevant to its location and context; accessibility issues; it is no longer economically viable to repair or maintain.

# APPENDIX 1: TOOLKIT

## A1.1 Public Art Advisory Group (PAAG) Structure

As the group providing high-level strategy advice and guidance to those seeking to commission Public Artwork, PAAG should comprise:

- Group Leads: 3 individuals with direct experience of commissioning, delivering and/or producing Public Art (such as, curators, lead artists, commissioners from arts institutions/organisations)

An individual representing the following:

- Youth Panel (Liveable Exeter is due to establish a Youth Panel; RAMM already has one)
- Exeter Civic Society
- Exeter Communities Together/Inclusive Exeter
- Community Builders
- Exeter City Council Arts & Events Team
- The Portfolio Holder for Arts & Culture and Elected Representatives
- A Disability-focussed arts organisation

We do not expect the lead/director of these groups to attend, but a representative - to keep the group fresh and flexible.

The Values, as outlined in the Best Practice section of this strategy document, should form part of the basis for evaluating proposals, along with the engagement plans and environmental concerns.

## **A1.2 Site-Based Commissioning Guidelines**

### **1. Preparation**

- a. Identify site/location
- b. Establish Advisory Group
- c. Define vision/intention
- d. Secure funding
- e. Develop artist's brief

### **2. Artist Selection**

- a. Open Call / Limited Call / Direct Invitation
- b. Selection Panel
- c. Issue Contract

### **3. Proposal Development**

- a. R&D (consultation/engagement etc)
- b. Outline Proposal
- c. Detailed Design/spec
- d. Approvals

### **4. Delivery**

- a. Production & Fabrication
- b. Installation or rehearsal

### **5. Completion**

- a. Sign off and Handover
- b. Maintenance Arrangements where applicable
- c. Promotion & Launch or Performance
- d. Monitoring & Evaluation

## A1.3 Writing an Artist's Brief

An Artist's Brief sets the vision, direction and scope of a commission. Rather than being a prescriptive document that seeks to fix outcomes, it can be open to allow for possibilities to emerge; it can be a point from which to explore and develop ideas, and encourage and facilitate ambition.

We recommend that the Advisory Group for each project is involved in contributing to thinking around the Brief. A Brief might include some or all of the following:

- Vision, aims and objectives of the commission
- Context: location/site, architectural context, geographic or social dimensions, background to the project
- Information about the commissioner, including Values
- Role of the Artist: project scope and deliverables; any partners or teams the Artist will be working with; permissions and insurances
- Consultation and community engagement requirements
- Opportunities and challenges, including physical or technical constraints
- The budget for fees, design, fabrication or production and installation
- Copyright and ownership
- Project management structure
- Timeframe
- Maintenance requirements
- Life expectancy of the final work
- Decommissioning requirements
- Selection process
- Submission: closing dates, address and contacts (for addressing queries)
- Appendices: maps, drawings, photographs and other useful material for artists
- Contract outline and requirements

## **A1.4 Budgets**

Project Budgets should cover:

- Project management fees
- Recruitment costs
- Shortlisted artists' fees
- Commission budget to include: artists fees and VAT if applicable, design, fabrication, transportation and installation
- Permission fees and technical needs e.g. structural assessments
- Contract costs
- Site works and preparation
- Consultation costs
- Documentation
- Launch
- PR/Media
- Evaluation
- Ongoing Maintenance
- Contingency

## A1.5 Maintenance Checklist

- Consider maintenance and health and safety requirements at brief setting stage
- Set aside a sum from the overall budget for maintenance. Investigate whether this can be a commuted sum, negotiate with maintenance officers to maintain for a period of x years in return for the sum
- Enquire as to whether the commission can become part of the general maintenance for that area
- Determine who will be the eventual owner and that they are prepared and equipped to deal with maintenance issues
- Consult with engineers, technical and maintenance officers as you write the brief
- Negotiate with the commissioned artist on the maintenance schedule
- Require a costed maintenance schedule from the artist in draft at shortlist stage and in full following commission
- Will the commissioned work have to go on the special maintenance requirement list?  
Arrange this if necessary
- Encourage a liaison meeting between the artist, contractor and any maintenance or technical officers prior to fabrication if possible and certainly before installation. (Write this into the project manager's brief if appropriate)
- Is there a clause, which contracts the artist to maintain the work for a specified period? If so then identify the appropriate officer and timetable mechanism for putting this into action
- Monitor maintenance, wear and tear and appropriateness of the work at least every two years

# APPENDIX 2: ADDITIONAL QUOTES

The consultation process was so rich, with conversations demonstrating the depth and breadth of people's knowledge - and emotional investment in contributing to a more inclusive, ambitious and generous cultural landscape - that we felt it important to include as much of the material as possible. What follows is a selection of quotes from consultees and survey respondents:

*"Public art should represent the people, represent the place."*

*"If you are celebrating something that refers to the place itself, for me it's about drawing out the history that's not celebrated and not in the museums. It's the working class. People's history. It's women's history."*

*"In a sense it's subversive to celebrate working class people publicly."*

*"A lot of the debates relate to the instrumentalization of art in service of other purposes, which are social, political or environmental."*

*"I think it's possible for public art to be more political. But in a way, opening up a street space for new possibilities does have a politics to it. It allows you to reimagine the everyday, which is a powerful thing."*

*"Sense of community, welcoming, brightening up the city... When it's done well it is: collaborative, it increases participation (in other things), people are encouraged to stretch their ideas, capacity and ability. It brings revenue for tourism, it becomes a city of interest for other people."*

*"I'm not sure what I think about the Angel of the North in artistic terms, but it undoubtedly does something amazing. And when you make things that are really huge, they do something amazing. And that is going to affect place making, ambition, and pride. And I can see the value of that."*

*"What I'd like to see is something that functions like a biennial; getting the funds in place to bring in some really exciting and interesting stuff on a temporary basis, with the scope for work from international artists through to local grassroots activity. With a bit of a legacy and, ideally, the ability for it to build, and with the possibility - as probably happens every Liverpool Biennial - for something to become part of the fabric of the city. And that might be a piece of art, or it might be a community relationship, or it might be a way of doing things. I think that would be wonderful for Exeter."*

*"Public Art (performance) is important in how it can bring people together, connecting without barriers."*

*"I don't think public should be a sticking plaster for health and social inequality, it should be in addition. Once we're well educated, and our health is good, and we have equality all over the*

*country, art is there to make our life worth living and worth engaging with, but it shouldn't be there to fix social inequalities. But that's what they expect us to do!"*

*"Public Art should act as a catalyst for other activity."*

*"Whether it's a tree planting scheme, a beach clean we've stimulated, it's about engagement in your environment. The storytelling of the past is only relevant if it makes people do something in the future, otherwise we keep repeating the same stuff over and again."*

*"Public Art has the opportunity to explore that territory where there's this slippery shifting dynamic between the people that occupy public spaces and how we chose to create stories and narratives around them."*

*"Usually when [Public Art is] being contested is actually when our sense of community is being contested."*

*"If public art is about maintaining this fixed old majority, or dominant narrative, that's totally useless. I'm not saying that we should just automatically throw away the old narrative, but we should engage in a constant process of renegotiating. Restorative place through public art."*

*"Foucault talks about the apparatus - the museum, the family, the school, all of these kind of machineries - as reproducing dominant narratives, and it just shows how important public art is."*

*"Identity and its relationship to placemaking is not just seeing reflections of ourselves in the places we live. We should be reflecting on how the public sphere is shifting and changing, with multiple perspectives, not saying that it is fixed (in a monument) - 'this is us' for the next however many years. Try not to be too fixed about it."*

*"Now what everybody says is that you have to have community participation, community involvement, and that's great. But you have to be very careful: You don't pay lip service to that. It's easy for councils to come up with things or to come up with this idea that gets ticked off, but isn't really embedded in the actual making of the art."*

*"You have to have faith in your artists. If you get a good artist in place who knows what they're doing and has experience, if that's the way you are going, then you should leave them to do it. And they should have direct contact with the stakeholders. The more middle management you have, the more it just gets lost in the mix."*

*"If you are bringing in artists from somewhere else, say from London or from wherever, the process must have them connect with artists locally or groups locally, or that they're represented, or they're asked in the mix."*

*"[Communities] should be involved in the decision making, perhaps to do with the design or to have ideas about what was going to be represented. I try to make sure that they have that kind of civic agency. They have some kind of connection to it. That's not always appropriate to all public arts, but I think if you are trying to make it embedded into a community and have it accepted and make it part of the community, then that really does help."*

*"The idea of celebrating the unsung heroes, the everyday, the normal, is extremely beneficial."*

*“I believe in making public art popular because it's public. We are bombarded all the time by the visual pollution of advertising. It's in our faces all the time. And yet somehow they want public art to be abstract or high brow or it's got to represent something. People need a degree in fine art to understand it. No, it's public space, for the public. Let's celebrate what they wanna celebrate. And they'll also love the idea of their own history being told.”*

*“People love trails. I think there is something innate in wanting to go on trails and find things and discover things. You can relate it to history. If you're gonna spend money on public art, you've gotta make sure it's easy and accessible for people to find interesting. And for them to find. Trails allow people to go on a journey, and the whole point of new art is to navigate through the city differently.”*

*“For me, it's about facilitating the local communities' needs and desires and wants. There was a lovely quote by Platform, the art group: ‘communities of interest, communities of the dead and communities of the unborn as well.’ It's about trying to understand what all those aspirations and needs and desires are, and then producing a brief for an artist as part of that process.”*

*“There's a distinction between process and product. Some things are very product-led and that's usually down to the money that's involved and where it's come from and how it's supposed to be spent. And that's usually what's driving the process. So, we want an object over here, or we need something to be part of a building or other physical things that we're hoping for. And then there's the process, which is how we engage people in that or how we understand what people want. And there are practically infinite permutations of the two things together. And that's what constitutes public art.”*

*“I also see a role though for antagonistic processes as well as consensual ones. So I think, perhaps controversially, that you need a combination of the two.”*

*“I think the processes that you go through are actually what makes the art really fascinating.”*

*“It really amuses me when you get these socially engaged practitioners who say, ‘we don't wanna take that person's money’. And I think that's just completely instrumentalizing what we do. If you're interested in public space, if you're interested in this highly negotiated dance that takes place, then what are you talking about? For me, that's the really interesting political space that you are working within. I think that's incredibly interesting and people who just want a simple life should be doing something completely different.”*

*“A level of knowledge and expertise in curating art is essential to open up possibilities that might not be obvious to someone who doesn't have a very wide frame of reference in that field. Ideally, a panel with representatives of council, curators/artists, and residents, possibly funders, depending on the situation. But the weighting of this might vary.”*

*“The city needs some art that reflects its heritage - the Roman history, what celebrates it? Could these be the subject of new commissions of contemporary art? Maybe ECC needs to stop pushing the model of development as progress and take time to reflect and celebrate what we have already?”*

*“In Lyme Regis there’s a converted beach hut which is now a sauna, and it’s hugely popular.” (As an example of modelling/ testing/ showing people what could be through a pop-up initiative).*

<https://shorelinesauna.co.uk/about>

*“The process of deciding and the processes of model making need to be accessible so that people can see how things are made. The object is just an object, but it has a story of its making - it's about letting people into this, so that they can share in the story. You never know what will captivate someone, but the story is a way in. So, if there’s no story, there’s nothing to connect to. ‘We’ as culturally literate and educated people have ways of connecting with work, so what about the people who don't?”*

*Context: “It's interesting in relation to what's going on with monuments to people with sketchy, colonial pasts, and one of the responses is that we need plaques and information. I think it's really important that those resources are available at that time [of commissioning and installation], but how long do those resources need to be around? Because if it's successful it beds into the world and becomes part of it.”*

*“Exeter wants to be seen as a cultural place, in terms of tourism, as a cultural destination, and if you're going to do some interesting public art as part of that, you can be really ambitious and it can be really interesting. I understand why it's political, but all the things that are problematic about public art tend to do with politics.”*

*“Who should be involved in commissioning: arts professionals with a national/international horizon, who can see beyond the walls of their own city. A brave, risk-taking, conscientious troublemaker without political skin in the game.”*

*“I think the idea that work can be temporary, and become more permanent if it feels successful is good. Because if everyone hates it, then that’s fine, we were always going to remove it. Wasn't that an interesting conversation to have? We've learned something about what people like.”*

*“To me, that's a more interesting framework to think about art that happens in relation to the public, rather than thinking about the circumstance in which public art happens because somebody wants to build a shopping centre or block of flats. And then, if you're lucky you get a bit of art and if you're unlucky, you get a funky bench.”*

*“In order to support or complement public art, the city needs to own it with pride. I think people are quite scared of it because it's a difficult thing to articulate, but if they want to have public art, it requires bravery to own it and own its whole problematic nature. And by its very nature it is likely to be sometimes problematic or controversial. And to say that's part of why it's really important as part of the fabric of our society, our culture. And by doing that, to feel all right about letting go of the control. I think that's what the city needs to do: to absorb that into its identity as a cultural city council. I know the city believes in culture, and I know they work really hard to protect culture in spite of the crushingly hard deal they get from central Government.”*

*“An advisory group that is devolvable to each project - devolving where possible to people who are going to be experiencing the work (regularly). It retains expertise, destabilises the ‘they know best’ factor and retains high quality. There aren’t any great models for this yet.”*

*“Rotating group, energy and alive in thinking, 3 yr cycles. Keep moving, people who enjoy thinking about what makes good art/ engagement. Skills + competency over time.”*

*“Currently there are gatekeepers with public money, the funding process is time-consuming and draining without any real exchange. A decision is made and you find out later. It would be better if there was trust in - longer term relationship building and maintaining.”*

*“The arts has visionaries, they should be being helped to get that vision offered to the public with the option to move things forward, with evolution and conversation. Rather than ‘tick these boxes to access funding’.”*

*“Maybe there needs to be more people in decision making roles [in the council], people invested in culture, not a post-holder/ employee. Something like an Exeter Art Organisations Committee.”*

*“Often commissioning some Public Art is viewed as a quick fix, so the timing is too short for proper engagement. It is about the opportunity ‘to equip communities with some thinking tools’ - not just asking what they want. ‘Providing tools and broadening horizons’.”*

*“It should all flow from the project intentions. A period of upskilling/ raising critical capacity before the brief stage (opportunities that sometimes need to be grasped).”*

*“A budget should ‘travel’ with the artwork, this is about future work/ updating/ replacing.”*

*“A commissioning group should be set up to track alongside developments.”*

*WHO: “When agree to give permission [to developers], there should be some public art that runs alongside it. There should be expectations [for that] from builders. It can’t all be on the local authority. The private sector has to be engaged. What percentage of the money is set aside for it? Then it’s about asking councillors to support it in their wards and communities, to advocate for the necessity for it.”*

*“Have the community involved after the work is commissioned. We shouldn’t be asking people who have no expertise or experience. I don’t know why we’ve decided that people in arts and humanities aren’t experts. Once work is commissioned then you can work directly with the community to see that the work is meaningful, and has relevance to that community. Some communities don’t want things foisted on them, but the first thing to ask is the location, which should be agreed beforehand.”*

*“The first thing is to identify the site, then find out who owns it, who has shared ownership, if there’s a community that engages with it. So you need a team of people experienced in working with public art. You need an expert to start the process - you need a project - who will lead on identifying the appropriate location, then seeking the relevant artists. Starts with a location.”*

*“If you want immediate success, go for temporary work. And I don’t think work has to be entirely socially engaged, I’ve been a specialist in that practice, and I feel that a lot of artists miss out because they don’t have a socially engaged practice and yet they make great public art.”*

*“Flying things in is another issue. It’s difficult, because you want high quality and profile, but you also want to support the makers in the city and the region.”*

*“It is important to emphasise the vital role of creative producers, skills of which would not be present in the city council.”*

*“You need an experienced artist and creative producers with local knowledge. Don’t make it for a community, create a community. Then that community of people continues to build/grow.”*

*“I like the mash-up of artists and non-artists. We mentored the non-artists, and we didn’t want to parachute in with work as we didn’t know the city, but we had the expertise to mentor in the framing, content and delivery of tours, and that’s what we did. Call on different disciplines to become mentors.”*

*“Building trust is important. Once you build a relationship with people, you can make something that they might not like but it will be stimulating for them. You can’t do it the other way around. Confidence building.... Trust building. Eventually some people rise out of that community who are excited by the prospect, then they become the group that brings the thing forward.”*

*“People in charge of public money are often trying to be responsible in having to justify its use... it’s hard to say, ‘we tried something that was a failure’. But it’s better to admit to that risk of failure.”*

*“In developing a project, is there someone local who can be involved, get work in kind, expanding it out into the communities who don’t think they’re involved, and suddenly they get interested... High-quality objects means that after that first process has taken place, the thing is on the ground, if it’s quality it catalyses other activity.”*

*“Bad quality is often to do with budgets surrounding public art – the less of it made would be better.”*

*“The process must encompass all of these possibilities for failure, and accepting that not everything is good because ambition is high, so has to be allowed. There are ways of the thing evolving from one stage into another; a lot of them are put down, artist or funder has no relationship to the community, and it falls into disrepair that it has to be taken away, or is so inert that it becomes an obstacle.”*

*“First question: why are you putting it there? So the percentage for art scheme, which is good on one hand, the majority of the work is rubbish, on a new housing development in which there’s no community. Or it’s an appeasement of some local narrative. That might be a way that a thing develops, but it’s not the right criteria in the first place.”*

*“Let’s think about why it’s here and what it tells us; art should look like and the relationships between communities and those making decisions.”*

*“Local engagement is really important. Longer embedded relationships. People who understand the dynamics of the communities within which that work is emerging, people who understand how to hold that conversation and open that space up. A certain sort of expertise - also about understanding what commissioning means, engagement process that can lead to an informed understanding of the dynamics and relationships.”*

*“There is a complementarity to different strategies for producing - grassroots engagement processes take a long time, they involve a huge amount of energy and personal investment and many people, and there is also a value in making quick decisions for short-life span/ high impact work. You can't do the bigger stuff without the engagement.”*

*“Identity and its relationship to placemaking is not just seeing reflections of ourselves in the places we live. We should be reflecting on how the public sphere is shifting and changing, with multiple perspectives, not saying that it is fixed (in a monument) - ‘this is us’ for the next however many years. Try not to be too fixed about it.”*

*“How do you reinvent a formal commissioning practice when developer-led agendas are increasingly crucial in the visibility and practicality of that commissioning strategy? How do you redefine that practice? How do you get beyond paying the piper and figure out relationships to development agendas - not just tokenistic community art - that can create really valuable outcomes through an interesting and valuable process?”*

*“Micro-commissions that can lead to bigger works - bringing on artists’ ideas (this is something that the University’s Arts & Culture team excel at).”*

*“The thing I really like about an artist is their complete singularity. The knowledge in an artist's practice is singular. It's not about that common denominator. So I think the role of the curator is still really important for enabling that space for that singular reality. The trouble with Exeter is it's very ‘common denominator’. It's kind of the capital of middle England, and they don't want any singularity, they're absolutely completely terrified of it.”*

*“If Public Art is about a process, a conversation, you need a temporary rolling program, a program of temporary commissions.”*

*“If public art is about maintaining this fixed old majority, or dominant narrative, that's totally useless. I'm not saying that we should just automatically throw away the old narrative, but we should engage in a constant process of renegotiating. Restorative place through public art.”*

*“But it's a very particular old set of knowledge to be able to make an interesting, challenging conversation in a public context. So it should be a combination of communities and experts, but not necessarily the institutional blocking type of experts. You probably want artists, curators and communities.”*

*“There's been a bit of talk around critical tools and the experts could actually be the people who deliver or educate on critical thinking, critical tools for communities so that a community is formed around the subject. So around the commission, as it were, and the experts are brought in to support that community of people, to have the critical tools to be able to engage with the commissioning process.”*

*“Curating is a creative practice. But it's also about being able to talk and make relationships with lots of different contradictory agendas, and talking to a local council and getting permission to do something.”*

*“Because it's about making meaning in the public context, you have to engage all those different communities in the conversation; you have to really co-create. Because meaning comes out of that*

*dialogue. You don't ask them to do something that they have no experience in doing, which is leading an arts project. You work with them and an artist to develop a really meaningful project together. And everyone comes out surprised rather than going into it basically knowing what's going to come out at the end, and just ticking the boxes as you go along. So obviously the process has to be a big consultation with everyone who's involved in our public realm, but it also means critiquing what is this public realm and whose interests are at stake? So you have to have a bit of that too. You have to be a bit Marxist at the same time."*

*"It's got to be about process and relationships. That's ultimately what curating is."*

*"You've got to go into the unknown with the process. You don't know what's going to come out of it. But because you've got an artist in there it's like taking their subjectivity on that journey is what's gonna produce something of real quality."*

*"There's always this sort of safe pyramid where people are allowed to do stuff, but the thing that's going to be really distinctive is allowing the free radicals to bring their connections."*

# APPENDIX 3: CONSULTATION LIST

Positive Lights Project  
East Devon District Council  
Exeter Phoenix  
University of Exeter  
Blind Ditch  
Exeter Canal & Quay Trust Board  
Exeter Civic Society  
RAMM  
MIDI/Exeter Street Arts Festival  
Wrights & Sites, and University of Exeter  
InExeter Board

Royal Devon & Exeter Hospital Trust  
Preston Street Union  
Exeter Cathedral  
Carpet Arts for Health  
Dreadnought South West  
University of Exeter  
Members of Ubuntu and Exeter Communities  
Together  
Community Builders  
Exeter Malayalee Association

# APPENDIX 4: FURTHER INFORMATION

## **Place-making**

<https://reimagineplace.ie/resources/>

<https://landezine.com/book-project-process-park-by-mareld/>

<https://homebaked.org.uk/>

<https://www.citiesforum.org/news/superblock-superilla-barcelona-a-city-redefined/>

<https://architecturefoundation.ie/>

## **Public Art**

<https://uprojects.com/current/>

<https://www.situations.org.uk/>

<https://ixia-info.org/>

<https://www.orielmyrddingallery.co.uk/pillars-of-society>

<https://www.furtherfield.org/>

<https://we-are-low-profile.com/>

<https://www.power.film/>

## **About Us**

Art Work Exeter was formed in 2016, to deliver the first Art Week Exeter. The team for the Public Art Strategy was led by Creative Director, Stuart Crewes, who has been engaged in art commissioning in the city since 2012. The team also included Professor John Butler - former Head of Exeter School of Art and a founding member of Spacex gallery; and received consultation from Suzanne Heath - independent producer and member of ixia; artist-consultant Patricia Dixon, a specialist in learning, participation and strategy development; and was supported by Belinda Dillon, writer and editor - seconded from Exeter Culture.

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## Equality Impact Assessment: *A Public Art Strategy for Exeter*

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:
Executive 4 October 2022	A Public Art Strategy for Exeter	That Members acknowledge and implement where feasible the Public Art Strategy for Exeter and support the work of <b>the Liveable Place Board, Exeter Culture, the cultural sector, local</b>	Race and Ethnicity Disability Sex/Gender Age

<b>Committee name and date:</b>	<b>Report Title</b>	<b>Decisions being recommended:</b>	<b>People with protected characteristics potentially impacted by the decisions to be made:</b>
		<b>businesses and key stakeholders</b> in delivering it.	

**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 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

<b>Protected characteristic/ area of interest</b>	<b>Positive or Negative Impact</b>	<b>High, Medium or Low Impact</b>	<b>Reason</b>
<b>Race and ethnicity</b> (including Gypsies and Travellers; migrant workers; asylum seekers).	<b>Positive</b>	<b>High</b>	The recommendations set out in the Public Art Strategy aim to ensure that for any proposed activity all citizens from across all communities of geography, interest and need are involved, and their voices heard and valued.  As part of the consultation process that formulated the Strategy - Art Work Exeter worked closely with specific organisations and groups to ensure their voices were heard and feedback collated.  The survey was also translated into several languages.
<b>Disability:</b> as defined by the Equality Act – a person has a	<b>Positive</b>	<b>High</b>	An easy read version of the survey plus an in-person feedback session was arranged.

<b>Protected characteristic/ area of interest</b>	<b>Positive or Negative Impact</b>	<b>High, Medium or Low Impact</b>	<b>Reason</b>
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.			Any future Public Art Commission would take into consideration disabilities.
<b>Sex/Gender</b>	<b>Positive</b>	<b>High</b>	There is recognition in the Strategy that if we are celebrating something that refers to the place itself, it's about drawing out the history that's not celebrated and not in the museums. It's the working class, People's history, its women's history. Further work needs to be done through Public Art to ensure the voices of under-represented groups are heard.
<b>Gender reassignment &amp; Sexual Orientation</b> (including heterosexual, lesbian, gay, bisexual) & <b>Marriage and civil partnership status</b>	<b>Neutral</b>	<b>Low</b>	We don't anticipate the Public Art Strategy to have a negative impact on this protected characteristic.
<b>Religion and belief</b> (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	<b>Positive</b>	<b>Medium</b>	As per above - The recommendations set out in the Public Art Strategy aim to ensure that for any proposed activity all citizens from across all communities of geography, interest and need are involved, and their voices heard and valued.
<b>Age</b> (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).	<b>Neutral</b>	<b>Medium</b>	The Strategy is for all citizens of all ages.  Delivering or supporting Public Art Projects across the city is likely to be embraced by younger people who live, study, work and socialise in Exeter depending on the nature of the project.
<b>Pregnancy and maternity</b> including new and breast feeding mothers	<b>Positive/Neutral</b>	<b>Medium</b>	Public Art Commissions/Projects by Partners may have a focus on activities for families and early years.

**Actions identified that will mitigate any negative impacts and/or promote inclusion**

- For each Public Art Project that is developed, commissioned or led by ECC, an EQIA will be undertaken to ensure no project discriminates against any characteristic.
- The Arts & Events team will consult with the Policy team on each project.

**Officer: Sophie Constant**

**Date: 8 September 2022**

## **REPORT TO EXECUTIVE**

Date of Meeting: 4 October 2022

Report of: Director Net Zero and City Management

Title: Request for a variation of Hackney Carriage Fares

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Executive

### **1. What is the report about?**

1.1 The purpose of this report is to inform the Executive Committee that a request has been made via the Chair of Exeter St Davids Hackney Carriage Association, for an increase to the Hackney Carriage Fare Tariff.

1.2 The Executive is asked to consider a request for the variation of the table of fares for the hire of hackney carriages and to determine whether to proceed to public consultation.

### **2. Recommendations:**

2.1 That the Executive approves:

(1) That the proposals are put out to public consultation to run from 5 October 2022 until 2 November 2022 (4 weeks);

(2) That a public notice containing the proposed variation table is published in one local newspaper during the above period; and

(3) The matter is brought back to Executive on 29 November 2022 for determination.

### **3. Reasons for the recommendation:**

3.1 When considering the proposal, members are reminded that the tariff that is set should be regarded as the maximum fares that can be charged. Taxi proprietors are not tied to charging the maximum fare, but are not permitted to charge more than the tariff price shown on the meter. Market forces are known to come into play, and for instance because of the level of competition in Exeter, the driver/ proprietor may decide to charge less than the maximum tariff.

3.2 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 sets out the public notice requirements, but it is for the Executive Committee to determine whether or not such a consultation should be undertaken based on the proposed tariff table.

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

4.1 There will be a cost in the public consultation of the proposed tariff table as we would be required to place an advert in a local newspaper, and also propose to put signs on the taxi rank notice boards, and to email all dual Hackney Carriage Private Hire drivers and local disability support groups.

4.2 The associated newspaper advert costs (in the region of £500), as well as the staff costs from the additional work generated by the consultation are additional costs not budgeted for within the last fees and charges report, and as such these additional costs will need to be considered at the next fees and charges review to avoid Licensing costs impacting on the Council's general fund.

#### **5. Section 151 Officer comments:**

5.1 The costs of vehicle licensing are managed separately to the General Fund of the Council, with the intention that the General Fund does not benefit or suffer as a result of the scheme. To that end, any surplus or deficit is managed via an earmarked reserve, and therefore, as noted above, the fees and charges are expected to be set to ensure that all costs are covered.

#### **6. What are the legal aspects?**

6.1 Section 65 Local Government (Miscellaneous Provisions) Act 1976 gives the Executive Committee power to determine hackney carriage fares. The power is not delegated to officers.

6.2 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 also sets out the public notice requirements, but it is for the Executive Committee to determine whether or not such a consultation should be undertaken based on the proposed tariff table.

6.3 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 also sets out the formal statutory procedure for varying the fares requires. The Council is required to publish a notice containing the proposed variation table in at least one local newspaper and specify a period of not less than 14 days from the first publication of the notice during which time objections to the variation can be made.

6.4 It is for the Executive Committee to determine whether or not such a consultation should be undertaken based on the proposed tariff table. It is also for the Executive Committee to determine the length of any consultation.

6.5 Section 17 Crime and Disorder Act 1998 places the council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

6.6 The Human Rights Act 1998 requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the council that could have an effect upon another person's Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the

community as a whole. Any action taken by the council which affect another's' rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

## **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

## **8. Report details:**

8.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 permits Licensing Authorities to set the fares tariff for Hackney carriages (taxis) licensed in the district. The tariff sets the maximum fares that taxis can charge the public when using their vehicles.

8.2 Exeter City Council, in common with most other Councils, have used this power for many years and the last tariff increase was agreed in June 2013. A copy of the proposed tariff table calculated on a per mile basis is found at Table D of Appendix A to this report. To aid comparison the existing 2013 fare table is also calculated at Table B of Appendix A.

8.3 Since the 2013 tariff change the subject of fare increases has been regularly discussed at Taxi Forum meetings. Throughout this time, the taxi trade's opinion was generally divided in view of the economic situation that some did not wish to see a fare increase as the costs for fares are met by the public using taxis.

8.4 A request was submitted to the Licensing Authority on 8 January 2022 by the Chair of the St Davids Hackney Carriage Association and follow correspondence was clarified in a letter dated 23 February 2022. A copy of the clarification letter detailing the revised proposals can be found at Appendix B. Accompanying that request is a survey results prepared by the St Davids Hackney Carriage Association listing that 51 individuals participated in the survey. At the time of writing this report there were 82 Licensed Hackney Carriage vehicles, some of which have multiple drivers. A copy of the survey results provided by the Chair of the St David Hackney Carriage Association appears at Appendix C to this report.

8.5 The Exeter St Davids Hackney Carriage Association in their proposal are requesting:

- An increase the daytime tariff – Tariff 1 – from the current price.
- An increased flag price for Tariff 2.
- Similar mileage rates for Tariff 2 and 3.
- A reduction in the price of Tariff 4, at Christmas and New Year.
- Retention of the current charge for additional passengers above the first one.
- The introduction of charges for items of heavy luggage, based on the total number of passengers.
- A new surcharge for additional passengers above 4 in “multi – seater” vehicles – to be agreed in advance before the journey commences.
- A new surcharge for the use of taxis as a substitute for removal vans – to be agreed in advance before the journey commences.

8.6 The Taxi Forum, comprising of representatives from the Hackney Carriage Associations, Members and officers met on the 2 August 2022. At the meeting officers presented a proposed tariff table that was welcomed by the Hackney Carriage Associations as it went further than the proposal that they had originally submitted. The Associations were asked to consult their members on this proposal. The proposal documents sent to the trade are included as Appendix B to this report.

8.7 A response was received from the Hackney Carriage Associations on the 30<sup>th</sup> August 2022. The response indicated that 100% of the 59 respondents' were in favour of the new tariff proposed by officers. This response is included as Appendix C to this report.

8.8 Officers have researched and produced a comparison table of current fares set by this and other authorities in Devon (Table E of Appendix A) The comparison takes into account the position of highest to lowest fares set by all 358 licensing authorities in England and Wales based upon costs of the first two miles journey prepared by the national Private Hire and Taxi Monthly magazine. The present Exeter Tariff 1 cost for a two mile journey is £6.60.

8.9 The table confirms that Exeter currently has the joint fourth most expensive 2 mile fare level in Devon and is the 145<sup>th</sup> most expensive fare in England and Wales over that distance. If the proposed increases are implemented then Exeter would have the most expensive 2 mile fare level in Devon and would move to approx. 54<sup>th</sup> position in the national list.

8.10 This Council has not reset its fares since 2013, and is now the only authority in the comparison group that has not had a fare increase. The other authorities have increased fares in 2021 and 2022. Other factors that are evident from the comparison include;

- Plymouth reset their taxi fares in 2022 and now match the current Exeter tariff 1;
- South Hams Councils reset their taxi fares in 2022 and are currently 6p more than Exeter's current 2 mile fare;
- East Devon DC increased their tariff fare in 2020 and again in 2022 to £7.15, 55p more than Exeter's current two mile fare;
- Teignbridge DC also raised their fares in 2022, to £7.26, some 66p more than Exeter for a two mile fare.

8.11 Members may find it useful for an explanation of the tariff structure operated in this district and there are four Tariff levels

- Tariff 1: Applies to any hiring begun between 0700 and 1900 on any day other than Sunday, Public Holidays or Bank Holidays;
- Tariff 2: Applies to any hiring begun on any day (other than Easter Sunday and Public and Bank Holidays) between 1900 and 0700 the following day AND for any hiring on a Sunday from Midnight. This tariff also applies between 0700 and 1900 on Christmas Eve and New Year's Eve;
- Tariff Three: Applies to any hiring begun on Christmas Eve & New Year's Eve from 19.00 until 00.00 AND from Midnight until 07.00 New Year's Day; Good Friday; Easter Sunday; Easter Monday; Mayday; Spring & August Bank Holidays; Christmas Day, Boxing Day.

- **Tariff Four:** Applies on Christmas day (24 hours) and New Year's Day from midnight to 7am.

8.12 Given that only 59 drivers are included in the Hackney Carriage Association's submission, which means that a significant number of licensed Hackney Carriage drivers have not given comment at this stage, it is prudent to consider going beyond the minimum legal standard to ensure that all opinions from the trade are heard. In addition hackney carriage users and other stakeholders may have representations to the proposal which the Executive may wish to consider.

8.13 The consultation period to take place between 5 October 2022 and 2 November 2022. A public notice will be published on our website and a public notice will be published in a local newspaper as required by statute. Those wishing to engage in the consultation we be able to do so in writing either by email to the [Licensing Team](#) or by post to Licensing Team, Civic Centre, Paris Street, Exeter EX1 1RQ.

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

9.1 The appropriate setting of a taxi tariff table will contribute to a healthy and safe city, and lend support to a robust, business friendly economy.

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

10.1 The publication of a proposal to increase taxi fare levels may lead to criticism by members of the public who rely on such services and are adverse to such changes.

10.2 However, the proposed tariff table has been developed by the taxi trade rather than the Licensing Authority, and in the event of adverse consultation responses this matter would be referred back to the Executive Committee for further consideration.

## **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 at Appendix E for Member's attention.

## **12. Carbon Footprint (Environmental) Implications:**

12.1 It was estimated in March 2021 that the transport sector accounted for 29% of the UK's net greenhouse gas emissions (Source: 2020 UK Greenhouse Gas Emissions). The Council has previously set ambitious emissions targets for the Exeter Hackney carriage fleet, making it amongst the greenest Hackney carriage fleets in the country. The most recent emissions standards from our taxi policy fully came into effect on 1 January 2020.

12.2 With further reductions in greenhouse gas emissions from transport in mind, it is highly likely that the Council will wish to consider introducing further more ambitious emissions targets for Exeter Hackney carriages in the future, and having an appropriate fare table would contribute considerably to the financial viability of any such changes for the Hackney carriage trade.

## **13. Are there any other options?**

13.1 The Executive Committee may reject the request for consultation on the proposed tariff and instead maintain the existing tariff table. However, this may lead to the taxi trade in Exeter becoming economically unattractive to new taxi drivers/ proprietors and hence effect the trade as a public transport service.

### **Director Net Zero and City Management, David Bartram**

Author: Simon Lane, Service Lead – Environmental Health and Community Safety

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

Background papers used in compiling this report:-

- Department for Business, Energy and Industrial Strategy: 2020 UK Greenhouse Gas Emissions, provisional figures.
- Private Hire and Taxi Monthly National hackney Fares table (February 2022).
- Local Government (Miscellaneous Provisions) Act 1976

Contact for enquires:  
Democratic Services (Committees)  
Room 4.36  
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## **LIST OF APPENDICIES:**

APPENDIX A: Taxi Working Group Existing and Proposed Tariff Tables  
APPENDIX B: Proposal for Consultation sent to Hackney Carriage Associations 02.08.22.  
APPENDIX C: Response received from Hackney Carriage Associations 30.08.2022  
APPENDIX D: Equalities Impact Assessment.

Since the last fees were set in 2013, the method of calculating the fees has changed. This has happened because a high court case taken by taxi drivers in Guildford against the Council over the setting of tariffs. The result was that Guildford won the case after the High Court approved the way the Council had set the tariff. The spreadsheet used by Guildford has become best practice for setting tariffs amongst many authorities and is advocated as legally compliant by many specialist taxi solicitors and barristers.

This means our process for fee setting must be robust and capable of being subject to scrutiny should it be necessary.

An example of the Guildford model spreadsheet with Exeter figures is presented below in Table A

**Table A**

Exeter Hackney Carriage Fares Calculator 2022									
ITEM	Average Running Costs Per Vehicle			Flag Drop	ITEM	Enter Variable Data in Pink Boxes on this sheet and "Calc for running costs"			
1	Annual Salary (A)	£25,971.00		T1 2.70	A	Average Salary	£25,971.00		
2	Average Running Costs (B X E)+(C + D + G + H + I)	£17,245.07		T2 3.20	B	Costs of Running Diesel Car (per mile)	£0.55 (From "Calc for running costs")		
3	Total Running Costs (1 + 2)	£43,216.07		T3 4.00	C	Additional Allowance for Insurance	£1,700.00		
4	Average Live Mileage (E - F)	13,428.25		T4 4.00	D	Annual cost of Hackney Carriage Licence	£360.00		
5	Cost per mile 3 ÷ 4	£3.22			E	Annual Average Mileage	24,415.00		
6	Total Charge per Mile (3 - K x T1) ÷ 4	£2.14	£2.67		F	Dead Mileage	45%	10,987	
	Charge for each Distance Unit is: (incorporating flag drop)	Tariff 1	Tariff 2		G	Annual Station Rank Fee	£672.40		
	82 yards (L) =	10.00 pence	10.00		H	Annual Cost of Driver's Licence (Pro-Rata)	£115.00		
	(6 ÷ M)				I	Average annual cost of Livery, Roof Sign and Meter	£1,030.00		
7	Round to nearest 10 pence	10 pence	10		J	Average Journey Distance (Miles)	2.5		
	Rounded Charge per Mile	£2.15	£2.65		K	Average number of journeys	5371.30		
	Charge for time per unit	0	0				Tariff 1	Tariff 2	
	Charge for time. One mile or and	minutes			L	Distance unit = Unit charge x (1760/charge per mile)	82 yards	66 yards	
		seconds			M	Units per mile (1760/Unit Distance)	21.38	26.73	
	Date fare chart effective from	Day	Month	Year	N	Charge per unit (input values from 7)	10.00 pence	10.00 pence	
		1	8	2022	O	For each passenger in excess of one (pence)	50 pence		
					P	Selling the carriage leaving it unfit (pounds)	£100		
							(As agreed by officers in consultation with trade)		
							(As agreed by officers in consultation with trade)		

Table A has two parts to it. The figures on the right (and in pink) are all variables. Most of these are known or can be calculated e.g. annual average mileage. The average salary comes from the Office of National Statistics and is the median value for annual pay for all employees in the United Kingdom for 2021. The other value is dead mileage figure which is mileage the taxi covers when it does not have a paying passenger. The figure used by Guildford is 45%. We believe that an accurate reflection for Exeter is 50%.

In Guildford the second “night time” tariff is set as a proportion of the daytime tariff. This increase is to compensate for working anti-social hours. We have used 1.25 of the daytime tariff to calculate the night time tariff.

The existing fares within Exeter are shown in the Table B below

**Table B**

Fare Calculation for Exeter – Current Tariff							
	Flag Drop	Distance Unit	First Mile	Running Mile	2 miles	3 miles	5 miles
Tariff 1	£2.20	80 yards	£4.30	£2.20	£6.50	£8.70	£13.10
Tariff 2	£2.70	62.8 yards	£5.40	£2.80	£8.20	£11.00	£16.60
Tariff 3	£3.40	55 yards	£6.50	£3.20	£9.70	£12.90	£19.30

The Taxi Trade Associations have requested the fares shown in Table C below

**Table C**

Fare Calculation for Exeter – Exeter Taxi Association Request							
	Flag Drop	Distance Unit	First Mile	Running Mile	2 miles	3 miles	5 miles
Tariff 1	£2.70	80 yards	£4.80	£2.20	£7.00	£9.20	£13.60
Tariff 2	£3.20	62.8 yards	£5.90	£2.80	£8.70	£11.50	£17.10
Tariff 3	£3.40	55 yards	£6.50	£3.20	£9.70	£12.90	£19.30

Exeter City Council have proposed the fares shown in Table D below

**Table D**

Fare Calculation for Exeter – Guildford Model 50% dead mileage and £25,971 salary							
	Flag Drop	Distance Unit	First Mile	Running Mile	2 miles	3 miles	5 miles
Tariff 1	£2.70	72 yards	£5.10	£2.50	£7.60	£10.10	£15.10
Tariff 2	£3.20	57 yards	£6.20	£3.10	£9.30	£12.40	£18.60
Tariff 3	£4.00	46 yards	£8.50	£3.80	£12.30	£16.10	£23.70

At the moment the tariffs charged by other Councils (at the 2 mile point) are shown below in Table E below.

**Table E**

Council	2 mile Tariff	Position in National League Table
North Devon	£7.30	47 – Increase in 2022
East Devon	£7.15	61 – Increase in 2022
South Hams	£6.66	125 – Increase in 2022
Teignbridge	£6.60	144 – Increase in 2020
Plymouth	£6.60	139 – Increase in 2022
Bristol	£6.40	160 – Increase in 2013
Mid Devon	£6.80	100 – Increase in 2021

***If the fare proposal which the Council is recommending is adopted, then the 2 mile fare would be £7.60 and the highest in our region. This proposal would place us 37<sup>th</sup> in the national fare table.***

### **The Process**

In accordance with the legislative requirements, once the Hackney Carriage Trade Representatives have had time to discuss with their members and come back to the Licensing Team with an agree association comments in writing, the matter will then be considered for writing a report to go through the Committee process.

In doing so, the following process will be followed.

1. A report will go to the Licensing Committee to make recommendations to Executive for a consultation on the fees.
2. The report will be considered at Executive, which if agreed will start a 6 week consultation period.

3. During the consultation period, a notice must be displayed in a local newspaper, stating the proposed fees and make comments
4. Once the consultation period of 6 weeks has expired, any comments made will be considered and a report will be drawn up for Executive to consider.
5. The matter will be presented to Executive in which the council then sets a date, which when the new fares will come into force.

Briefing note – Taxi tariffs

The table below provides example fare costs for various “typical” Exeter Journeys.

Fare calculation for Exeter						park & ride	Airport	Crediton
			first mile	per mile thereafter	2 miles	3 miles	5 miles	8.5 miles
Exeter current	£2.20 & 80yds		<b>£4.30</b>	£2.20	<b>£6.50</b>	<b>£8.70</b>	<b>£13.10</b>	<b>£20.80</b>
Exeter Current night time	£2.70 & 62.8yds		<b>£5.40</b>	£2.80	<b>£8.21</b>	<b>£11.01</b>	<b>£16.61</b>	<b>£26.42</b>
Exeter taxi request	£2.70 & 80yds	2.7	<b>£4.80</b>	£2.20	<b>£7.00</b>	<b>£9.20</b>	<b>£13.60</b>	<b>£21.30</b>
Exeter taxi request	£3.20 & 62.8yds	3.2	<b>£5.90</b>	£2.80	<b>£8.71</b>	<b>£11.51</b>	<b>£17.11</b>	<b>£26.92</b>
Revised income changed flagdrop								
	£2.70	82 yds	<b>£4.74</b>	£2.14	<b>£6.88</b>	<b>£9.01</b>	<b>£13.29</b>	<b>£20.78</b>
	£3.20	66 yds	<b>£5.77</b>	£2.67	<b>£8.45</b>	<b>£11.12</b>	<b>£16.46</b>	<b>£25.82</b>
With 50% dead mileage								
Revised income changed flagdrop								
	£2.70	72 yds	<b>£5.06</b>	£2.46	<b>£7.52</b>	<b>£9.98</b>	<b>£14.90</b>	<b>£23.51</b>
	£3.20	57 yds	<b>£6.18</b>	£3.08	<b>£9.25</b>	<b>£12.33</b>	<b>£18.48</b>	<b>£29.24</b>

The orange highlighted figures are those requested by the Taxi trade. The green highlighted figures are those produced by the fare setting formula spreadsheet. The table highlighted in blue illustrates the same fees using a 50% dead mileage rather than the recommended 45%. The blue figures are the suggested fares to be adopted.

At the moment the tariffs charged by other Councils (at the 2 mile point) are as follows;

Council	2 mile Tariff	Position in National League Table
North Devon	£7.30	47 – Increase in 2022
East Devon	£7.15	61 – Increase in 2022
South Hams	£6.66	125 – Increase in 2022
Teignbridge	£6.60	144 – Increase in 2020
Plymouth	£6.60	139 – Increase in 2022
Bristol	£6.40	160 – Increase in 2013
Mid Devon	£6.80	100 – Increase in 2021

Using the above examples for Exeter City. If the orange proposal was implemented as requested by the Exeter trade then the 2 mile fare as £7 would be the second highest when compared to our regional partners and 72<sup>nd</sup> in the national fare tables.

If the green fare proposal was adopted then the 2 mile fare would be £6.88 and the third highest within our region and 88<sup>th</sup> in the national fare table.

If the blue fare proposal was adopted then the 2 mile fare would be £7.52 and the highest in our region. This proposal would place us 37<sup>th</sup> in the national fare table.

The agreement of a fare setting formula would ensure that the Exeter City taxi tariffs can be reviewed annually to ensure that the tariffs are fair to both drivers' and the fare paying public.

### The Procedure

In accordance with the legislative requirements, once the proposed fees have been agreed by all parties and have been to Committee. Then the following process must be followed.

1. A notice must be displayed in a local newspaper, stating the proposed fees.
2. The notice to specify a date, not less than 14 days from the date of publication, the date has two functions;
  - (a) It is the date by which any objections must be lodged; and
  - (b) It is the date on which the revised fees will come into effect if either-
    - (i) no objections are received; or
    - (ii) any objections received have been withdrawn by that specified date.
3. It must also state where objections should be addressed, and how they can be made.
4. A copy of the notice must be available at the council offices for inspection, free of charge at all reasonable times.
5. Once the objection period (usually 28 days) has expired, if there have been no objections received or those that have been received have subsequently been withdrawn, then the fees take effect, either at the end of the objection period, or when the last objection is withdrawn.
6. If objections are made and not withdrawn, then the council must consider the objections.
7. In the light of objections (although they must be considered, the council does not have to vary the proposals as a result of them) the council then sets a second date, which cannot be more than 2 months after the first date specified, when the new fares will come into force.

No	Plate No.	Table chosen	Extra passenger	Luggage	other tems Remain	Sat & Sunday Tariff 2	Multi seater	suggestion
1	H002	D	50 p	50 p	yes			
2	H003	D	50 P	50 p	yes	yes		
3	H004	D						
	H005	D			yes	yes		
4	H006	D				yes		
5	H008	D			yes	yes		
6	H009	D			yes	yes		
7	H010	D						
8	H014	D						
9	H015	D	50 P			YES		
10	H017	D	50 p		yes	yes		
11	H019	D				Yes		
12	H020	D	50 p	50 p				
13	H022	D			Yes	Yes		
14	H023	D						
15	H024	D	50 p	50 p		yes		
16	H025							
17	H0 26	D					differen Tariff	
18	H027	D						
19	H028	D	50 p	50 p		yes		
20	H029	D		50 p		yes		
21	H030	D			yes	yes		
22	H031	D				yes		
23	H032	D	50 p	50 p		yes		
24	H033	D			yes	yes	25% extra	
25	H035	D						
26	H036	D	50 p	50 p		yes		
27	H036	D	50 p	50 p		yes		
28	H039	D	50 p	50 p		yes		
29	H040	D	50 p	50 p		yes		
30	H043	D						
31	H042	D				yes		
32	H047	D	50 p	50 p		yes		
33	H044	D		50 p		yes		
34	H045	D				Yes		
35	H046	D				Yes		
36	H048	D				yes		T1 £30,T2 £3.50
37	H049	D	50 p	50 p		yes		£25 huse removal
38	H050	D		50 p				
39	H051	D	50 p	50 p		yes		
40	H052	D						
41	H053	D				Yes		
42	H054	D				yes		
43	H054	D	50 p	50 p		yes	25% extra	
44	H055	D	50 p			yes		
45	H056	D		50 p				1 luggage free
46	H057	D	50 p	50 p		yes		
47	H059	D		50 p			25% Extra	1 luggage free
48	H061	D	50 p	50p				
49	H062	D						
50	H063	D				yes		
51	H064	D	50 p	50 p		yes		
52	H067	D	50 p	50 p		yes		
53	H069	D	50 p	50 p	yes	yes		

54	H071	D	50 p	50 p	yes	yes		
55	H75	D	50 p	50 p	yes	yes		
56	H078	D	50 p	50 p	yes	yes		
	H079	D					25% Extra	
	H086	D						
57	H087	D						
58	H089	D						
59	H090	D						
60								
61								
62								
63								
64								
65								
66								
67								
68								
69								
70								
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74								
75								

## **Equality Impact Assessment:** Proposed Hackney Carriage (Taxi) Fare Tariff Changes

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.

### **1. Key recommendations:**

The report outlines a proposal to consider changes to the current taxi tariff table.

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 permits Licensing Authorities to set the fares tariff for Hackney carriages (taxis) licensed in the district. The tariff sets the maximum fares that taxis can charge the public when using their vehicles. Exeter City Council, in common with most other Councils, have used this power for many years and the last tariff increase was agreed in June 2013.

All changes to the hackney carriage tariff table in use in Exeter must be approved by the Executive. The legislation requires that before any alteration to the tariff table can take effect a public notice explaining the changes must be placed in a local newspaper. The public then must be provided with a period of at least 14 days to make comment on the proposals. If no adverse comment/objection is received the approved changes must take effect. Alternatively if adverse comment/objection is received then the matter must be returned to allow the Executive to consider the representation(s).

Research conducted by the Licensing Authority confirms that Exeter currently has the fourth most expensive 2 mile fare level in Devon and is the 145th most expensive fare in the UK over that distance. If the proposed increases are implemented then Exeter would have the most expensive 2 mile fare level in Devon, and would move to approx. 54th position in the national list.

It is recommended that the Executive give consideration to the draft tariff table to be consulted upon as attached and agree:

- (1) That the proposals are put out to public consultation to run from 5 October 2022 until 2 November 2022 (4 weeks);
- (2) That a public notice containing the proposed variation table is published in one local newspaper during the above period; and
- (3) The matter is brought back to Executive on 29 November 2022 for determination.

2. **Committee name and date:** Executive 01 October 2022
3. **Stakeholders:** Residents, Elected Members, Visitors to the City and Hackney Carriage Trade
4. **Main beneficiaries are:** The Hackney carriage trade. Residents, Elected Members and Visitors to the City through a properly funded Hackney carriage trade providing a high quality service.
5. **Consultation:** Minimum 14 day consultation following newspaper advert required by Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, but in this instance we have proposed a 33 day consultation.
6. **Factors to consider in the assessment:** For each of the groups below, an assessment has been made on whether the proposed recommendation 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
<b>Race and ethnicity</b> (including Gypsies and Travellers; migrant workers; asylum seekers).	There is no evidence to suggest that the proposed policy amendment would have a potential impact on this characteristic.		
<b>Disability:</b> 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.	Negative	Medium	<p><b>POSITIVE</b> A properly resourced taxi trade with an appropriate tariff table would mean that the taxi trade remains economically stable, thereby attracting new drivers into the trade to continue and improve this vital public transport.</p> <p><b>NEGATIVE</b> Wheelchair users and disabled persons are statistically more likely to use taxis than persons who do not identify themselves as disabled. As such a rise in the tariff table would impact this group more economically. Significant price rises may lead to taxis becoming less affordable and as such increase the risk of social exclusion amongst those who rely on taxis for their transport needs.</p> <p>Some potential mitigation may be provided by including relevant local disability groups in the consultation process. Should adverse consultation responses be received then the matter would be referred back to the Licensing Committee for further consideration.</p>

<b>Sex/Gender</b>	There is no evidence to suggest that the proposed policy amendment would have a potential impact on this characteristic.		
<b>Gender reassignment</b>	There is no evidence to suggest that the action plan would have a potential impact on this characteristic.		
<b>Religion and belief</b> (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	There is no evidence to suggest that the action plan would have a potential impact on this characteristic.		
<b>Sexual orientation</b> (including heterosexual, lesbian, gay, bisexual).	There is no evidence to suggest that the action plan would have a potential impact on this characteristic.		

<p><b>Age</b> (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).</p>	Negative	Medium	<p><b>POSITIVE</b> A properly resourced taxi trade with an appropriate tariff table would mean that the taxi trade remains economically stable, thereby attracting new drivers into the trade to continue and improve this vital public transport.</p> <p><b>NEGATIVE</b> Surveys by the DFT have identified that young adults and elderly persons are more likely than other age groups to use taxis on a regular basis. As such a rise in the tariff table would impact these age groups more economically, particularly the elderly who are more likely to have a fixed income. Significant price rises may lead to taxis becoming less affordable and as such increase the risk of social exclusion amongst those who rely on taxis for their transport needs.</p> <p>Some potential mitigation may be provided by including relevant local age awareness groups in the consultation process. Should adverse consultation responses be received then the matter would be referred back to the Licensing Committee for further consideration.</p>
<p><b><u>Actions identified that will mitigate any negative impacts and/or promote inclusion</u></b></p> <ul style="list-style-type: none"> <li>• <b>Promotion of the consultation to local age and disability awareness groups to ensure that their views are taken into consideration, with any negative comments triggering a referral back to the Licensing Committee for further consideration.</b></li> </ul>			

**Officer:** Simon Lane  
**Date:** 08.09.2022

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