



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 17 OCTOBER 2023**, at 6.00 pm, at which you are hereby summoned to attend.

The meeting will be live streamed on YouTube.

[Democratic Meetings - YouTube](#)

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

The following business is proposed to be transacted:-

	Pages
1 Minutes	
To approve and sign the minutes of the Ordinary and Extraordinary meetings held on 18 July 2023 and the Extraordinary meeting on 8 August 2023.	5 - 20
2 Official Communications	
3 Public Questions	
Details of questions should be notified to the Democratic Services Manager at least three working days prior to the meeting - by 10am on Thursday 12 October 2023. Further information and a copy of the procedure are available from Democratic Services (Committees) (Tel: 01392 265115) with details about speaking at Council to be found here: Public Speaking at Meetings .	
To receive minutes of the following Committees and to determine thereon:-	
4 Planning Committee - 31 July 2023	21 - 26
5 Planning Committee - 4 September 2023	27 - 38
6 Licensing Committee - 12 September 2023	39 - 44
7 Strategic Scrutiny Committee - 21 September 2023 - To follow	
8 Customer Focus Scrutiny Committee - 5 October 2023	45 - 66
9 Audit and Governance Committee - 26 July 2023	67 - 74
10 Audit and Governance Committee - 27 September 2023	75 - 82
11 Strata Joint Scrutiny Committee - 27 June 2023	83 - 86
12 Harbour Board - 25 September 2023	87 - 92

15 Notice of Motion by Councillor Ketchin under Standing Order No. 6

This Council notes:

1. That while there is a general downward trend in air pollution Exeter has areas of poor air quality. Air pollution in parts of the city regularly exceed the limits for NO₂ set by both national legislation and the World Health Organisation. Much of this pollution derives from emissions from vehicles.
2. That the Royal College of Physicians estimates that 40,000 deaths a year are linked to air pollution with engine idling contributing to this.^[1]
3. That Government guidance as early as 2018 and reiterated annually since states that: "Poor air quality is the biggest environmental risk to public health in the UK."^[2] That every minute, an idling car produces enough exhaust emissions to fill 150 balloons with harmful chemicals, including cyanide, NO_x and PM_{2.5}. The microscopic pollutants can result in a range of health problems - from heart and lung disease to strokes and cancer and have been shown to be particularly damaging to children.
4. That idling increases the amount of exhaust fumes in the air. These fumes contain a number of harmful gases including carbon dioxide, which is bad for the environment and contributes towards climate change, as well as a range of other harmful gases including nitrogen dioxide, carbon monoxide and hydrocarbons which are linked to asthma and other lung diseases.
5. That the Department of Transport stated in 2019 that « Putting a stop to idling is an easy way to drive down dangerously high levels of pollution, reducing its impact on the environment and our health. »^[3]
6. That Exeter city Council has declared an area of the city to be an Air Quality Management Area, and the Council states it is « taking steps to reduce air pollution. » and that Exeter City Council's Air Quality Action Plan is due for review in 2024 having run since 2018.
7. That air pollution has a very significant impact on health, quality of life and mortality. That air pollution has a disproportionate impact on the health of children, vulnerable adults and the socially disadvantaged. That Public Health England states « Children are particularly vulnerable to the effects of air pollution. Exposure to air pollution in early life can have a long-lasting effect on lung function. There is evidence that the process of normal lung function growth in children is suppressed by long-term exposure to air pollution. »^[4]
8. That the government's health standards body the National Institute for Health and Care Excellence has since 2017 recommended action to reduce idling as a significant measure to improve air quality.^[5] That each incremental improvement in air quality delivers immediate health benefits.
9. That Public Health England recommends that « local authorities, as part of their local Review of interventions to improve outdoor air quality and public health 15 air quality management assessments, consider a range of interventions including working with children and their parents to implement no-idling zones outside schools. »^[6]
10. That research from the RAC has found that 26% of those caught idling are spotted doing so outside schools.^[7]

11. That there are identifiable 'hotspot' idling areas in Exeter where people are regularly parked or informally pulled up. Many of these are in public places where vulnerable groups gather, including schools.
12. That idling initiatives already exist on NHS premises and isolated schools in Exeter, but would benefit from a consistent messaging approach across the city.
13. That vehicle idling has been an offence since 1988, incurring a £20 fine (£40 if not paid promptly) under the Road Traffic (Vehicle Emissions) Regulations 2002.
14. That many Councils in England and the UK of different political persuasions have already put in place non idling measures including media campaigns, signs placed at hotspots and enforcement of fines.

This Council resolves to:

1. Develop and run an anti-idling campaign for Exeter which brings together a range of approaches to tackle known idling hotspots. This will include a range of elements to be explored further including:
 - a. A City Council branded campaign which sends a message about the Council's commitment to reducing air pollution and specifically idling.
 - b. Collaboration with local businesses through the Chamber of Commerce and business bodies and other means to encourage businesses to sign up to an Engines Off pledge or similar.
 - c. Anti-idling signage in known hotspots, including schools, parks, car parks and hotspot streets, requesting location agreement with Devon County Council when necessary.
 - d. An idling reporting tool on the ECC website for members of the public to help identify problem areas.
 - e. An attractive, easy to understand web page providing quality information about idling, to allow members of the public understand the positive rationale and engender engagement in change.
 - f. Links and free downloadable materials that can support businesses, non-commercial premises including schools, care homes, where vulnerable people and children are present, and members of the public whose streets suffer from the impacts of idling.
2. Liaise with Devon County Council Public Health and Devon and Cornwall Police to agree on collaboration to reduce idling.
3. To report back through the Air Quality status reports to assess effectiveness.

Below is a link for further background:

Brent video:

<https://www.brent.gov.uk/environment/air-quality/no-idling-campaign>

^[1] <https://www.rcplondon.ac.uk/guidelines-policy/clean-air-day-2022#:~:text=Prescribing%20clean%20air%20is%20central,every%20year%20in%20the%20UK.>

^[2] <https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution>

^[3] <https://www.gov.uk/government/news/idling-drivers-could-face-higher-fines-under-new-government-crackdown>

^[4]

https://assets.publishing.service.gov.uk/media/5fbf93258fa8f559cbb1add9/Review_of_interventions_to_improve_air_quality_March-2019-2018572.pdf

^[5]

<https://www.nice.org.uk/guidance/ng70/chapter/recommendations#:~:text=Introducing%20fuel%2Defficient%20driving%20initiatives,related%20air%20pollution%20is%20high.>

^[6]

https://assets.publishing.service.gov.uk/media/5fbf93258fa8f559dbb1add9/Review_of_interventions_to_improve_air_quality_March-2019-2018572.pdf

^[7] <https://www.rac.co.uk/drive/advice/emissions/idling/>

16 Questions from Members of the Council under Standing Order No. 8

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

Date: Monday 9 October 2023

Bindu Arjoon
Chief Executive

COUNCIL

Tuesday 18 July 2023

Present:-

The Right Worshipful the Lord Mayor Councillor Kevin Mitchell (Chair)
Councillors Asvachin, Allcock, Atkinson, Begley, Bennett, Bialyk, Branston, Denning, Ellis-Jones, Foale, Fullam, Hannaford, Holland, Jobson, Ketchin, Knott, Leadbetter, Lights, Miller, Mitchell, M, Moore, D, Morse, Parkhouse, Patrick, Pearce, Read, Rees, Sheridan, Snow, Sparling, Vizard, Wardle, Warwick, Williams, R, Wood and Wright

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APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harvey and M Williams.

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MINUTES

The minutes of the Ordinary meeting of the Council held on 18 April 2023, were moved by the Leader, seconded by the Deputy Leader, Councillor Wright, were taken as read, approved and signed as correct subject to the following correction to Minute 29 of the Ordinary minutes in relation to Strategic Scrutiny Committee held on 16 March 2023, when the request should have read that the Local Planning team response to Devon County Council's consultation on the Local Infrastructure Plan be published and not just circulated to Members.

The minutes of the Annual meeting of the Council held on 16 May 2023 were moved by the Leader, seconded by the Deputy Leader, Councillor Wright, taken as read, approved and signed as correct.

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OFFICIAL COMMUNICATIONS

The Lord Mayor reported the death of former City Councillor, Mayor and Honorary Alderman of the city, John Holman. He had known Alderman Holman well and his wife, Pamela and he would be greatly missed by those who knew him. The Council stood and observed a minute's silence in his memory and recognition of his public service.

Following an invitation from the Lord Mayor, Councillor Fullam spoke on John Holman's ever presence in Exeter's politics having been a City Councillor for the Pennsylvania ward. Alderman Holman had been a role model for him in his formative years. He also paid tribute to his wife, Pamela and family at this sad time.

The Lord Mayor said that he would share the details of the funeral once the details were known.

The Lord Mayor advised that he had attended the following:-

- the 75th Flag Raising Ceremony commemorating Windrush at County Hall in the morning with an evening event at the RAMM on 22 June 2023;
- starting the annual Nello Charity Cycle Ride from Topsham Rugby Club, on a 60 or 100 mile route with proceeds in aid of his chosen charity FORCE Cancer Charity on 25 June 2023;
- the University of Exeter's Vice Chancellor's Annual Garden Party on 1 July 2023;

- he had attended the Armed Forces Day which was an excellent event for the city and for the Friends of the City Rifles;
- the unique Lammas Fair which is a great tradition for the city where he read the proclamation of the ancient event;
- he particularly appreciated the opportunity to mark the 75th anniversary of the NHS and a commemorative tree planting followed by a cream tea at the RD&E Hospital;
- meeting many individuals from the city and from around Europe at the Guildhall; and
 - two musical events at the Cathedral with the 30th Anniversary of the Exeter Festival Chorus' Choral Concert- Edward Elgar "The Dream of Gerontius" on 15 July and the unexpected pleasure of meeting the Lord Mayor of Bad Homburg who made a quick visit to the city to attend the concert;
 - the Stan Hacking Charity Concert, in aid of the Lord Mayor's chosen charity FORCE Cancer Charity 16 July 2023;
- and to finish with just a reminder of the forthcoming Coffee morning at the Guildhall on Saturday 22 July between 10am and 2pm in aid of his chosen charity Force and he welcomed all.

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PUBLIC QUESTIONS

The Lord Mayor reported that no public questions had been received.

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PLANNING COMMITTEE - 25 MAY 2023

The minutes of the Planning Committee of 25 May 2023 were presented by the Chair, Councillor Knott, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 25 May 2023 be received.

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PLANNING COMMITTEE - 12 JUNE 2023

The minutes of the Planning Committee of 12 June 2023 were presented by the Chair, Councillor Knott, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 12 June 2023 be received.

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PLANNING COMMITTEE - 19 JUNE 2023

The minutes of the Planning Committee of 19 June 2023 were presented by the Chair, Councillor Knott, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 19 June 2023 be received.

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STRATEGIC SCRUTINY COMMITTEE - 22 JUNE 2023

The minutes of the Strategic Scrutiny Committee of 22 June 2023 were presented by the Chair, Councillor Atkinson, and taken as read.

In respect of **Minute No. 55 (Portfolio Holder)**, the Leader, in response to a Member's question in respect of the City Council's position as a limited shareholder of Exeter City Living (ECL) whether the Business Plan should include social and

affordable housing on all of its sites, and a recent presentation by the Chief Executive had confirmed that a review of ECL was currently taking place.

In respect of **Minute No. 56 (Presentation on the Role of Scrutiny)**, a question was put to the Chair of the Scrutiny Programme Board, whether a list could be published of all the Scrutiny requests for consideration made by Councillors alongside the Scrutiny Work plan. The Chair of the Scrutiny Programme Board would seek advice on any procedural issues relating to the request.

RESOLVED that the minutes of the Strategic Scrutiny Committee held on 22 June 2023 be received.

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CUSTOMER FOCUS SCRUTINY COMMITTEE - 29 JUNE 2023

The minutes of the Customer Focus Scrutiny Committee of 29 June 2023 were presented by the Chair, Councillor Vizard, and taken as read.

In respect of **Minute No. 20 (River Exe)**, the Portfolio Holder for Place and City Management would respond to a Member's questions on the lack of confirmation by the Environment Agency as to whether it was safe to swim in or carry out other leisure activities in the river and Exeter Canal; and of the potentially ten year timeframe by South West Water to install equipment to record real time data on the volume of sewage outlets into the river and canal, being unacceptable and also if a request could be made to deliver this investment much sooner and in a shorter period of three years. The Portfolio Holder for Place and City Management requested the Member to send the full detail of the questions to her and she would ensure an appropriate response was made.

The Chair responded to a further question on South West Water's planning consultation responses, in relation to a matter raised when the Notice of Motion had been discussed at Council in February to request South West Water to advise which treatment works for the management of sewage were being undertaken and whether information on the number and duration, and the impact of sewage discharge into local rivers and the sea might be shared. He quoted the relevant information which was set out in a letter from South West Water on their drainage and waste water management plans, and which had been attached to the Scrutiny Committee agenda. The Member suggested she would seek further information to her question.

RESOLVED that the minutes of the Customer Focus Scrutiny Committee held on 29 June 2023 be received.

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HARBOUR BOARD - 17 APRIL 2023

The minutes of the Exeter Harbour Board of 17 April 2023 were presented by the Chair, Councillor Williams, and taken as read.

In respect of **Minute No. 37 (Harbour Master's Report)**, the Portfolio for Place and City Management, who was also the Chair of the Harbour Board, responded to a question on the duty the Council had to inform canal and river users of any pollution incidents and confirmed that the public were informed of the recent pollution event through the usual channels. She would forward the detail of the communications made reporting the incident.

The Portfolio Holder also responded to a Member in respect of (**Minute No. 39 Harbour Revision Order**) a question whether information on the fee structure

would be included as part of the Harbour Revision Order, and if the consultation would include details of an outline fee structure before the end of the year. The Portfolio Holder confirmed that a consultation process, was part of the application for a Harbour Revision Order.

RESOLVED that the minutes of the Exeter Harbour Board held on 17 April 2023 be received.

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EXECUTIVE - 6 JUNE 2023

The minutes of the Executive of 6 June 2023 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of the list of attendees, Councillor M Mitchell requested the initials be changed to reflect his attendance.

In respect of (**Minute No. 60 Appointment to Outside Bodies**), the Leader, stated that although not an outside body that Councillor Snow had taken the place of Councillor Matthew Williams on the Exeter Harbour Board.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

RESOLVED that the minutes of the Executive held on 6 June 2023 be received and, where appropriate, adopted.

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EXECUTIVE - 27 JUNE 2023

The minutes of the Executive of 27 June 2023 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of the list of attendees, Councillor M Mitchell requested the initials be changed to reflect his attendance.

In respect of **Minute No. 66 (Overview of General Fund Revenue Budget 2022/23)**, the Leader, in response to Members' questions, advised that:-

- a sum of £94,240 was set aside for the roll out of Kerbside recycling in future years and having quickly referred to the Portfolio Holder for Place and City Management, he advised that the intention remained to roll kerbside recycling out and further detail would be forthcoming.
- following a request to use earmarked funds of £143,000 from the affordable housing budget to provide a localised retrofit programme for homes, the Leader referred to other competing commitments, but assured the Member that should any such undertaking be considered, he would share that with Group Leaders prior to consideration at the Executive. The current scheme delivering retrofit to Council property from the Housing Revenue Account (HRA) Fund remained a Council priority.
- a supplementary budget of £59,850 in relation to St Sidwell's Point related to a carryover from last year. He would seek further detail from the Section 151 Officer for the Member. The future plans for the City Point scheme included, the demolition of the former bus station, but identifying a suitable contractor and the challenging economy has resulted in a delay in bringing a scheme forward for the site. He anticipated a further report for an interim plan for the site to the

Executive to come forward, with further discussion with Portfolio Holders, Ward Councillors, the Business Improvement District (BID), businesses and others to consider an appropriate use in the interim meanwhile use, and the creation of more public space to reenergise that part of the city.

The Portfolio Holder for Communities & Homelessness Prevention, in response to a Member, stated that the Exeter Connect programme, despite a review and the final year of the extension of the CIL arrangement, still had a contract with the City Council until March 24. He also updated the Member on the city ward grant scheme. The relaunch of the city's other grant schemes would be first shared with Members at a future meeting of the Grants Panel.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 67 (2022/23 General Fund Capital monitoring 2022/23 and Revised Capital Programme for 2023/24 and future years)**, the Portfolio Holder for Place and City Management responded to a Member's question on the approach to the proposed redevelopment of the Belle Isle Depot and of any further budget identified, confirmed that no detail had been agreed as the work was still in progress. The Leader also stated that no detail had been agreed in relation to the budget for this matter.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 68 (2022/23 HRA Budget Monitoring Report - Outturn)**, the Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 69 (Treasury Management 2022/23)** the Leader agreed to seek further information from the Section 151 Officer on the advice received on sustainable assets and if that had helped to determine the type of investment that could be made as part of this Strategy, the information would be circulated to Members.

The Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried.

In respect of **Minute No. 70 (The Household Support Fund – Scheme 4)**, the Leader, invited the Portfolio Holder for Council Housing Development and Support Services to respond to a Member's question on the separate application process of this and the Economic Vulnerability Fund to assistance funds offered by Devon County Council and if she could work with Devon County Council to create a one stop shop. It was important to get the information out as quickly as possible, particularly as the scheme was targeted at those least likely to engage. The Portfolio Holder Council Housing Development and Support Services advised that two part time outreach posts were being created to assist applicants to access these funds and other schemes. She would look into making the process as joined up as possible.

Members made the following comments that:-

- the Council's support would help with the cost of living crisis and those single parent households who were more likely to be in poverty than other households.

- the funds will enable support for those people who may effectively fall through the cracks.
- the Council tax team and Citizen's Advice should help to protect those available funds to ensure a balanced approach to funding throughout the lifetime of the scheme.

The Portfolio Holder for Communities & Homelessness Prevention also welcomed the collaboration within the Council as well as with the Councils strategic partners including Exeter Connect, Citizens Advice, Wellbeing Exeter and responded to a Member's enquiry that an online language line service could draw on over 127 languages to assist claimants understanding of the funding process. He would arrange to circulate the details of this service.

The Leader said he had every confidence that the Fund would be managed in the proper way to ensure it reached those most in need.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 71 (Economic Vulnerability Fund)**, the Portfolio Holder for Council Housing Development and Support Services also reiterated the commitment to ensure that the Fund would be targeted to those in need.

The Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried unanimously.

In respect of **Minute No. 72 (Review of the Corporate Risk Register)**, the Leader responded to a Member's question and stated that the work on the Corporate Risk Register was still being progressed. He advised that the risks posed by not achieving Net Zero by 2030 would continue to be progressed as part of the Strategic Scrutiny Committee agenda, but there would be an opportunity for further discussion at the Executive.

The Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried.

In respect of **Minute No. 73 (Revised Local Development Scheme)**, the Leader responded to a Member who had sought confirmation that there will be an opportunity for further Member involvement and scrutiny of the Local Plan before it is published. He reassured the Member that there will be further opportunity for debate. The Portfolio Holder for City Development referred to the intention to bring back a report to Scrutiny Committee as well as widespread consultation as part of the timetable for the preparation of Council planning policy documents, which included the emerging Exeter Plan.

In respect of **Minute No. 74 (Water Lane Compulsory Purchase Order)**, the Leader responded to a Member's question and would ask the Section 151 Officer to provide a detailed response for the Member on the nature of the final costs to the Council. He would seek to ensure there were no increased costs to the Council. He also responded to a question on progression of a Transport Strategy for the site and commitment for the west side of the river and stating that whilst highways issues were important, they would be dealt with by the engineers and discussed at the Planning Member Working Group.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations 1 and 2 were carried.

In respect of **Minute No. 75 (Honorary Alderman of the city)**, the Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried unanimously.

The Leader moved and Councillor Wright seconded the recommendation to move into Part II to exclude the press and public and following a vote, the motion was carried unanimously.

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 items Minutes 77 to 79 on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1,2 and 3 of Part 1, Schedule 12A of the Act.

The Ordinary meeting of the Council adjourned at 7.40pm and re-convened at 7.52pm with the Extraordinary meeting of Council of 18 July.

The Ordinary meeting of the Council recommenced at 8.00pm with a continuation of the Minutes of the Executive held on 27 June starting at Minute No.77.

In respect of **Minute No. 77 (Vaughan Road Development Site)**, the Leader invited the Portfolio Holder for Council Housing Development and Support Services to respond to a Member's question, and she suggested that some work would be completed by the end of 2024. The Leader added that further reports to update Members on progress and any further decisions required would be presented to Members.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 78 (Social Housing Development Opportunities Report)**, the Leader confirmed that he would continue to update Members and he moved and Councillor Wright seconded the recommendations and following a vote, the recommendations was carried unanimously.

In respect of **Minute No. 79 (Proposals regarding staffing at RAMM)**, the Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried unanimously.

RESOLVED that the minutes of the Executive held on 27 June 2023 be received and, where appropriate, adopted.

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COMMITTEE APPOINTMENTS

RESOLVED that Councillor Asvachin be appointed Deputy Chair of the Planning Committee.

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

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

Does the Leader agree that the announced plans to close almost all staffed ticket offices in England, totalling nearly 1,000, following changes to the

Government's guidance relating to ticket office opening hours and operation are likely to discourage use of the railways, compromise safe travel and increase road and air congestion and pollution. The plans are very likely to result in the closure of the Central Station and St David's Station ticket offices. Would the Leader agree that the Council should write to the Secretary of State for Transport, expressing the Council's opposition to the possible closure of staffed rail ticket offices, and in particular the offices at St David's and Central. Together with responding to the consultation due to finish on the 26th July 2023.

For information to the question for councillors
(<https://www.rmt.org.uk/campaigns/rail/save-ticket-offices/>)

Read a fuller briefing on why you should oppose ticket office closures here:
<https://www.rmt.org.uk/news/public-document-library/act-now-to-save-your-ticket-offices/>

Response

The Leader thanked the Member for submitting a question relating to the proposed closure of the city's station ticket offices and he encouraged Members to register their views before the end of the consultation on 26 July. Residents used the ticket offices for a variety of reasons, and any withdrawal of this service may have an impact on travel, with some passengers avoiding the trains and travelling by car instead. It was important to make sure the railways and the ticket offices were supported by all, and the new station at Marsh Barton, had showed the importance of investing and not divesting in the railways.

The Leader responded to Councillor Wardle's supplementary question and welcomed the legal challenge being mounted for the appropriate consultation period not being followed under Section 29 of the Railways Act 2005.

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

- 1. Last week an updated Brownfield register was published on the Council's website ([Brownfield Land Register - Exeter City Council](#)) and states that inclusion in this does not confer planning permission. But it does allow permission in principle for residential development. In relation to the area designated BL30 in the St David's Ward, the Council flats Westgate and Southgate are designated as brownfield sites - is this an error? If it is not an error why has it been included?**

Response

The Leader stated that the City Council has decided against identifying any sites in the Register for "permission in principle". Westgate and Southgate are Liveable Exeter brownfield sites and were proposed for redevelopment in the Outline Draft Exeter Plan.

Councillor Moore in asking a supplementary question enquired if the Leader will know when the site will be developed, as in principle planning permission would be for 15 years.

The Leader responded and stated that they had not identified any sites for permission in principle and the site was identified in the Local Plan.

- 2. A number of the Brownfield sites suggest edge of or inclusion within the City Wall - how will the Leader ensure that the City Wall is protected and should a protection zone be included on these areas?**

Response

The Leader stated that the City Wall is a Scheduled Monument and there is no intention to propose development which would cause any harm to these important assets which are of national significance.

Councillor Moore asked a supplementary question and enquired whether a protected zone would be introduced or if further advice could be sought from Heritage England on how to treat the boundary of the base site of the city wall.

The Leader responded and stated that when the sites come forward, the required planning advice from Heritage England would ensure that all works were fully compliant, to protect this asset for the city.

- 3. The area designated BL30 includes St Edmunds Church - does the Leader consider this historic building on the City Wall and its curtilage as a Brownfield site and suitable for redevelopment?**

Response

The Leader stated there is no intention to propose development which would cause any harm to St. Edmunds Church.

Councillor Moore asked a supplementary question that if any development would look to improve on this heritage site, why not include it, as a brownfield site.

The Leader responded and stated that there will be no harm caused to any church on any development. There was a strong planning team at the Council, dealing with in principle planning matters in an efficient way, including heritage sites which are maintained for the benefit of the city. A planning zone had been suggested and he assured the Member there was no intention to cause any harm.

- 4. What are the Leader's aspirations for the proportion of a) affordable homes, b) council homes c) co-living on the Liveable Exeter sites that he will be pushing to inform emerging planning policy?**

Response

The Leader stated that draft policies for the provision of affordable housing and for the tenure mix of homes on Liveable Exeter sites will be included in the next round of public consultation on the Exeter Plan.

- 5. Site BL23 has historically been zoned for employment land. Does this inclusion of Marsh Barton in the Brownfield register now confer permission in principle for residential use, in whole or in part?**

Response

The Leader stated that the Brownfield Register does not include a Part 2 section, therefore none of the sites on the Brownfield Register have been granted permission in principle as a result of being identified on the Register.

Councillor Moore asked a supplementary question and enquired if site BL23 was empty land and included in the Marsh Barton brownfield allowance with permission in whole or part and set out in the Government guidance and not on the Part 2 register.

The Leader responded and stated that the Brownfield Register does not include a Part 2 element as he previously advised.

- 6. Given that the Planning Member Working Group only has the status of a 'sounding board', which Council committee or body has formally approved this new Brownfield Register?**

Response

The Leader stated the Brownfield Register does not require formal approval to publish. However, the detail of this will come to the Executive and Council. In response to the reply, Councillor Moore advised that she had previously raised these issues at meetings of the Planning Member Working Group and brought these questions back to Council for an appropriate response. The Leader referred to the questions and welcomed the opportunity to meet the Member, with the Portfolio Holder for City Development and also the Director of City Development to discuss this important issue.

(The meeting commenced at 6.00 pm and closed at 8.05 pm)

Chair

EXTRAORDINARY MEETING OF THE COUNCIL

Tuesday 18 July 2023

Present:-

The Right Worshipful the Lord Mayor Councillor Kevin Mitchell (Chair)
Councillors Allcock, Asvachin, Atkinson, Begley, Bennett, Bialyk, Branston, Denning, Ellis-Jones, Foale, Fullam, Hannaford, Holland, Jobson, Ketchin, Knott, Leadbetter, Lights, Miller, Mitchell, M, Moore, D, Morse, Parkhouse, Patrick, Pearce, Read, Rees, Sheridan, Snow, Sparling, Vizard, Wardle, Warwick, Williams, R, Wood and Wright

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APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harvey and M Williams.

12

HONORARY ALDERMAN

The Leader moved the recommendation that Mrs Yolonda Anne Cullis Henson be conferred the title of Honorary Alderman, in recognition of her outstanding services to Exeter City Council during her period serving as a Member of the Council.

Councillor Jobson seconded the recommendation and said she had no hesitation in recommending Yolanda Henson as an Honorary Alderman in recognition of the many years of service to the Council and the city's residents, as Mayor, Deputy Lord Mayor and Lord Mayor and in 2015, when she was granted the Freedom of the City. Mrs Henson was well known in Exeter and continued to use her warm and engaging personality with the public.

The Leader added that in moving the recommendation, it was right that this honour was conferred on her.

RESOLVED that, in pursuance of its powers under Section 249(1) of the Local Government Act 1972, the Council do confer on the following the title of Honorary Alderman, in recognition of her eminent services to Exeter City Council during the period she was a Member of the Council.

Yolonda Anne Cullis Henson

[Section 249 of the Local Government Act 1972 provides that the foregoing honour may be conferred by resolution of the Council passed by not less than two thirds of the Members voting thereon at a meeting specially convened for the purpose.]

(The foregoing resolution was passed unanimously)

(The meeting commenced at 7.52 pm and closed at 8.00 pm)

Chair

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EXTRAORDINARY MEETING OF THE COUNCIL

Tuesday 8 August 2023

Present:-

The Right Worshipful the Lord Mayor Councillor Kevin Mitchell (Chair)
Councillors Allcock, Asvachin, Begley, Bennett, Bialyk, Branston, Denning, Foale, Fullam, Harvey, Jobson, Knott, Miller, Mitchell, M, Moore, D, Morse, Parkhouse, Patrick, Pearce, Read, Sheridan, Snow, Sparling, Vizard, Wardle, Warwick, Williams, M, Williams, R, Wood and Wright

13

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Atkinson, Ellis-Jones, Hannaford, Holland, Ketchin, Leadbetter, Lights and Rees.

14

LOCAL AUTHORITY HOUSING FUND (LAHF) ROUND 2 FUNDING

The Leader reported that the Extraordinary Meeting of Council had been called to enable a submission to be made to the Department for Levelling Up, Housing and Communities (DLUHC) by the closing date of 14 August, for an additional £250 million available to Local Authorities for a second round of the Local Authority Housing Fund for the financial year 2023-24. It was intended that the additional funding would be used to purchase housing for those households who have come to the UK from Afghanistan through the Afghan Resettlement Scheme. The additional funding comprised two elements; the Resettlement element and the Temporary Accommodation (TA) element. Exeter City Council had provisionally been identified as eligible for £670,000 capital grant funding to purchase a minimum of five homes, with a minimum of four homes for the resettlement element and a minimum of one home for the TA element.

The homes would be used to relieve some of the pressure in move-on from the bridging hotels (Afghan refugees) and the TA element would be used as temporary accommodation for homeless households in Exeter. Once these resettlement needs had been met, the longer term use of the houses would be for determination by the Council for other housing needs and homelessness relief.

As with other affordable housing provision, there was an expectation that the Council would part fund/finance some of the required capital. In order to secure this capital grant funding, it was estimated that the Council would need to contribute £807,500 which would be available from Section 106 funding. Full details of the purpose of the funding, terms and reporting and monitoring arrangements were set out in the Memorandum of Understanding (MOU) between the Department for Levelling Up, Housing and Communities and Exeter City Council were attached to the report.

Members supported the proposals and made the following comments:-

- the decision to support the funding application was entirely appropriate and the recommendations should be supported in view of the experiences faced by those who have been displaced, be it by war, persecution, atrocity or invasion, and that in making a reasoned judgement for those residents that the Council represent that the decision to support the funding application was appropriate.

- the city has welcomed and offered support to refugees and those individuals and families under the Afghanistan Resettlement Scheme. The Member acknowledged those people had put their lives at risk in supporting the British Forces in Afghanistan, and it was important to support these families who were now at risk of becoming homeless due to the loss of their temporary hotel accommodation.
- the scheme will provide much needed safe and secure homes for those refugees who have experienced great trauma.

The Portfolio Holder for Council Housing Development and Support Services supported the application and responded to a Member's comment confirming that the accommodation would be offered with a standard tenancy agreement that would ensure equality with other tenants in the area. She agreed with the Member that she hoped that those moving from bridging hotel accommodation would become long term tenants.

The Portfolio Holder for Communities and Homelessness Prevention also welcomed the report and urged Members to vote for the proposals for the Council to make an application for this funding. In boosting the Council's housing stock, it would also have short as well as longer term benefits. It was right to offer such support as was necessary to those families from Afghanistan that had placed themselves at risk.

The Portfolio Holder responded to the following Members' comments:-

- he was confident that the Council was on track to carry out the statutory duty to make sure these families as part of the Afghanistan Resettlement Scheme would not be made homeless. He added that many who have come to the city have also been able to secure their own homes through work or family connections.
- funding achieved for the previous scheme, approved in March, had been put to good use and the Director City Development and his team had worked hard through their negotiations to achieve the best value and maximise the number of properties acquired and would do so again.

The Leader welcomed the informative debate and was proud that such schemes would allow Exeter to continue its proud heritage as a city of sanctuary. He moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried unanimously.

RESOLVED that:-

- (1) acceptance of the full allocation of £670,000 in Department for Levelling Up, Housing and Communities (DLUHC) grant funding;
- (2) the purchase of (five) properties to be held in the Housing Revenue Account;
- (3) the funding of the Council's Capital contribution through £807,500 of available Section 106 funds;
- (4) the identification and purchase of suitable properties to let to eligible households using introductory tenancies for the first year and fixed term tenancies for up to five years;
- (5) the rents being set at affordable rates in accordance with the provisions of the Memorandum of Understanding between DLUHC and Exeter City Council and the DLUHC recommended rental funding model Rent Standard - April 2023;
- (6) the MOU (Appendix 1) be signed for return to DLUHC by the 14 August 2023 confirming the Council's participation in the programme; and
- (7) the Director of City Development and Housing and the relevant Portfolio Holder be given delegated authority to proceed with the acquisitions and to

amend the number of properties purchased in line with the agreement above and including where additional Government grant may become available (provided that no further capital contribution is required from Exeter City Council).

15

PUBLIC QUESTIONS

It was noted that no public questions had been received.

16

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

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

1. In its draft report to the Devon County Council Cabinet proposing £1,454,478.48 cuts to its Homeless Prevention budget only the following risk is especially highlighted “that the multi-occupancy hostels may close because of insufficient staffing levels.”

If this Devon County cut is implemented as proposed, what assessment of capacity and risk has the City Council made for this financial year and the medium term financial plan?

- a) of potential closure or impact on third sector services serving Exeter?
- b) the City Council’s own ability to deliver services to meet its statutory duties to prevent and relieve homelessness?; and
- c) the financial implications on this City Council service in general, and the budget for temporary accommodation, in particular?

Response

The Leader requested the Portfolio Holder for Communities and Homelessness Prevention to respond to the questions.

- a) Negotiations over the future funding with the Council’s partners, including Devon County Council have continued since February and have largely been very positive. The Exeter Homelessness Forum had taken on the mantle of the former Exeter Homelessness Partnership which now brought together statutory partners in the city to tackle the issues of housing need together. It has been suggested that an additional £1.45 million, as direct cost to Exeter City Council would be required for rehousing people in hostels, which mirrored the sum required for the whole of the Devon County Council contract. There would be similar costs associated with such provision by other local District Authorities. He added that, with the increasing dialogue, he was able to report that Devon County Council had just confirmed that an announcement was imminent regarding the continuation of funding until the end of this financial year. The Director City Development and the Service Lead Housing Needs and Homelessness and his team had been working to come up with alternatives before the Autumn and would be relieved that there was some respite in the deadline.

- b) the City Council's ability to deliver under the Homelessness Prevention Act would not change, and if all negotiations should fail and despite the increased cost of delivery to the Council, there was still a duty to deliver.

Councillor Moore thanked the Portfolio Holder for the reply and sought a response for information on the last part of her question and the financial impact on this City Council service.

The Portfolio Holder would provide a written response.

Councillor Moore asked a supplementary question on future funding and whether support for the agencies who remain as providers of exempt accommodation would be able to bill their housing benefit directly through the Government and not the Council, and also if there was any discussion with other District Councils on this matter.

The Portfolio Holder also responded to the supplementary question on exempt accommodation and advised there was no change in this financial year and that further negotiations would take place, but that the City Council was reliant on information from Devon County Council which was tied to the County's budget setting process. Contact will be maintained with the County Council to obtain as much information as possible on what they would be prepared to fund. Exempt accommodation was linked to support accommodation and, as the detail was very technical, he would provide a written response.

- 2. With regard to the proposed cut of £270,000 by Devon County Council to the Wellbeing Exeter Partnership Fund, which funds the Community Builders' work in Exeter:-
 - a) what progress has been made to prepare a fundraising plan by the City Council led partnership?;
 - b) how many funding bids have been prepared and submitted to date - and what was the outcome?; and
 - c) how many bids are to be submitted in the next two months?

Response

The Leader requested the Portfolio Holder for Communities and Homelessness Prevention to respond to the questions.

It was not anticipated that there would be any impact in this financial year, as funding was in place until the end of March 2024. No future core funder had been identified apart from the commitment of the City Council, Devon County Council, and Sport England in Exeter to take next year's funding forward which would be part of the Council's budget setting process in February.

In terms of specific grant applications, the Council was currently working to secure funding for the future. A Case for Support was enveloped in partner organisations including Sport England, and all opportunities would continue to be explored with a number of public sector bodies, private sector organisations and philanthropic investors to secure more sustainable long term funding. The success of the Sport England project has had a huge impact on the residents of the city.

(The meeting commenced at 6.00 pm and closed at 6.27 pm)

Chair

PLANNING COMMITTEE

Monday 31 July 2023

Present:-

Councillor Paul Knott (Chair)

Councillors Asvachin, Bennett, Jobson, Ketchin, Miller, Mitchell, M, Sheridan, Warwick and Williams, M.

Also Present

Service Lead City Development, Principal Project Manager (Development) (HS), Planning Solicitor and Democratic Services Officer (HB)

57

MINUTES

The minutes of the meetings held on 12 and 19 June 2023 were taken as read, approved and signed by the Chair as correct.

58

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

59

PLANNING APPLICATION NO. 23/0321/FUL - LAND ON THE WEST SIDE OF BELLE VUE ROAD, EXETER

The Principal Project Manager (Development Management) (HS) presented the application for the erection of a fixed ground mounted Solar Photovoltaic array with an expected capacity of no less than 1.07MWp of generating capacity, a transformer substation, cable run, associated access, fencing, biodiversity measures and ancillary works.

The Principal Project Manager (Development Management) (HS) described the location of the site through a site plan, an aerial view, photos of different views, including those from across the city, landscape and biodiversity enhancements, an illustrative site layout plan and drawings of site sections and construction details, the report also setting out the following key elements:-

- the principle of development;
- scale, design, impact on character and appearance;
- impact on residential amenity;
- access;
- wildlife, ecology and biodiversity;
- impact on landscape setting of the city and the Duryard Valley Park; and
- net zero and renewable energy generation.

The Principal Project Manager (Development Management) (HS) provided further detail of the application:-

- the site comprised a field sloping down towards the south and west where it is bounded by established treed landscape. The proposed development would extend to two to three hectares with one hectare being the solar array. The remainder of the application site was required to accommodate the construction of a temporary access track and associated landscaping as well as biodiversity mitigation and enhancement measures;
- the angles of the solar panels would vary, being 10 degrees at the top of the site and 30 degrees at the bottom;
- the site fell within the Duryard Valley Park and was designated a Site of Nature Conservation Importance and County Wildlife Site. The site of the solar array was Grade 3 agricultural land;
- a temporary construction access with a crossing of the brook was also proposed with a construction compound on an existing University Duryard Residences hardstanding car park; and
- the applicant had confirmed that permission for the temporary construction access had been agreed with Avanti Hall School (Thomas Hall) which would involve a construction access route that was less harmful to the landscape and tree belt. Approval of details of the construction access would be secured by condition.

The Principal Project Manager (Development Management) (HS) drew Members attention to the update sheet and that the revised construction access would be included in the presentation slides. He also advised that a further objection had been received regarding urbanising impact, recovery time for temporary access, impact on County Wildlife Site, alternative sites, Policy EN6 and consultations.

In conclusion, the Principal Project Manager (Development Management) (HS) advised that the harms identified through landscape impact on the setting of the city and the rural character and appearance of the Duryard Valley Park meant that the scheme conflicted with Policies L1 and LS1 of the Exeter Local Plan First Review. However, substantial weight was given to the benefits of the scheme in terms of renewable energy generation, and it was therefore considered that it complied with Policy EN6. On balance, it was therefore concluded that the benefits of the scheme in terms of renewable energy generation outweighed the visual and landscape harm and harm to the Duryard Valley Park, and the proposal was therefore considered to be in conformity with the development plan taken as a whole.

The application was recommended for approval, subject to the conditions set out in the report.

The Principal Project Manager (Development Management) (HS), in response to Members' queries, advised that:-

- the site was identified in the application as Grade 3 agricultural land and that, on a precautionary basis, it should be regard as Grade 3a;
- whilst the area was private and not public open space, it was used informally and a formalised access would be provided enabling public access to the retained open space;
- there was no record of the site being contaminated or a landfill site; and
- the proposed landscaping and biodiversity enhancement scheme would enhance that part of the existing degraded area of the site and, together with tree planting, would enhance the biodiversity value of the area.

Councillor Pearce, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- the value of a solar array in general was not disputed but it was a question of balance and the loss of amenity to the local population greatly outweighed the benefits of renewable energy;

- the University should follow the example of the City Council in providing solar panels on its buildings and car parks;
- it was unclear whether the Grade 3 agricultural land was defined as either 3a or 3b. The former was defined as high quality and was therefore more appropriate for agriculture rather than solar panels. There was also uncertainty as to whether the site was contaminated;
- whilst it was laudable that the University had formalised the access provision and would provide an access construction route that was less harmful to the landscape and tree belt, the loss of amenity remained greater than solar energy provision. Furthermore, the formalised access was an access only and access to a larger area was still not available;
- the land was an important green lung both on the edge of the city and not a great distance from the city centre; and
- the new Local Plan and supplementary planning documents on renewable energy were yet to be adopted and, if permitted, the application would set an unacceptable precedent.

He responded as follows to Members' queries:-

- there were other options of providing a similar amount of energy such as a solar panel canopy over some 1,000 car parking spaces;
- the loss of the open space would impact on visual amenity; and
- because of restricted access, residents would look to cars for transport to schools etc. which was counter to carbon reduction through clean energy generation.

Joanna Chamberlain, Director of Sustainability at the University of Exeter, speaking in support of the application, raised the following points:-

- permission is sought to deliver a scheme that aligns with National and Local energy policies and provides community and environmental benefits;
- as a source of renewable energy, solar power has a vital role to play in mitigating the climate crisis by reducing reliance on fossil fuels and associated carbon emissions, providing energy security and meeting energy demands;
- the University is a contributor to the Net Zero Exeter 2030 Plan and is working on reducing its own carbon footprint and were collaborating with the Council and other local organisations towards the collective goal of a Net Zero Exeter;
- this application, for over 1 MW generating capacity, would be the second ground mounted PV installation within Exeter and would contribute to this challenging target;
- the University has 1.36MW of building mounted PV across 12 buildings on its campuses, with plans to expand this by a further 2-3 MW on suitable buildings over the next three to five years. PV arrays are currently being installed on three additional buildings and all new buildings have PV installations as standard;
- the proposal will achieve a biodiversity net gain in excess of the forthcoming national requirements through additional landscaping and planting of wildflower meadows and reinstated orchard;
- the community involvement in this application has taken place through in person meetings and online;
- the University is content to provide a permissive pedestrian route as shown;
- panels closest to the dwellings along the northern boundary are to be tilted at a lesser (10 degrees) angle to improve visual amenity;
- an access licence has been agreed with Thomas Hall School so that the installation will no longer need to create a new stream crossing; and
- if the development is approved work will commence in the autumn.

She responded as follows to Members' queries:-

- the solar panels would deliver 3% of the electricity needs of the campus;
- there had been significant progress since the inception of the University's 2012 Building De-carbonisation Master Plan. There was an evolving programme to increase renewable energy following a carbon hierarchy including a reduction in energy production through reducing reliance on electricity and gas, lighting improvements, introducing heat pumps, fabric upgrades, reducing the intensity of electric use, improved construction methods, refurbishments and policies around equipment use and IT. There was also a wind turbine project being examined for its Penryn campus;
- the public were able to access Hoopern Valley but not this site;
- solar panels had not been provided on the East Park student accommodation site;
- the University was seeking to both introduce solar panels on this site and provide panels elsewhere on campus for example on Car Park B. There were no panels currently on Car Park D as it was a development site; and
- the proposal would include over 10% net biodiversity gain which could be more after an analyses of the new construction access.

Members made the following comments:-

- there are two conflicting issues - the development of solar farms to move away from fossil fuel and the current proposal;
- the policy should be 'roof spaces before green space' for PV developments. The University application however does not follow on from the maximisation of suitable roof spaces, instead this application runs in tandem;
- the report suggests a balanced approach yet numerous issues have been raised against this development by outside bodies and local residents.
- the on balance in favour approach related to Local Plan EN6 allowing renewable energy development;
- the issues raised by the objectors relate to all the core issues identified in a recent House of Commons Debate Pack from the House of Commons Library dated 18 July 2022 on Planning and solar farms and a debate pack dated 7 June 2022 - Planning for solar farms and battery storage solutions;
- with regard to the impact on local amenity and landscape, the need for renewable energy does not automatically override environment protection;
- the siting, size, colour and design of solar panel systems are all important considerations as is the visual impact of solar farms, in particular their impact on the local landscape in terms of glint/glare;
- there are no hard and fast rules for Local Planning Authorities (LPA's) to identify suitable sites but LPA's should take into account the potential impacts of solar farms on the local environment;
- the Council is re drafting the Local Plan and National Planning policy is also being currently updated. All references in the literature implies solar farm developments whether large or small are taking place on existing agricultural land in a rural setting not on semi green field park land within a city environment.;
- the University of Exeter earlier this month submitted a document to the Planning Member Working Group regarding – A Non-technical Overview of Energy and Carbon Standards for New Buildings – para 26 covered Ground mounted PV -*Emerging evidence suggests that Exeter does have some*

*potential for ground mounted solar arrays (Wind and PV report, SWEEG 2023)
A criteria-based policy, indicating where ground mounted PV could be acceptable would help direct potential developers to the most appropriate areas.
A ground mounted PV policy could be considered;*

- how many other sites did the University consider before selecting this one? Their Building Decarbonisation Master Plan dated December 2021 refers only to a possible site in Duryard. This site couldn't be any closer to local residents and further away from University buildings.
- local residents are concerned about the siting of this solar farm and the setting of a precedent in relation to proximity of such farms to large scale housing;
- there are potential safety and security issues relating to this development;
- there are concerns about the wildlife, ecology and biodiversity impact of this development and no trees should be harmed if this development goes ahead;
- the development impacts negatively on the landscape quality and the character of the area;
- if agreed, conditions should state what happens at the end life of this equipment.
- the site and its infrastructure will need ongoing maintenance and safety checks which will require permanent road access;
- as well as providing solar powered energy the impact on wildlife is potentially neutral. Solar panels have a life cycle of approximately 25 years after which the land would revert to its natural state. A condition could be added to preserve wildlife. The provision of solar panels on other buildings, as well as the use of a green field site, are not mutually exclusive;
- greater weight should be given to the provision of renewable energy;
- the proposal conflicts with Policies L1 and LS1 and fails to justify that the need outweighs harm. There had been no solar panel provision on the East Park development and, until solar panels are provided on campus buildings and car parks, there is no identifiable need for developing a green field site. There is potential harm to the biodiversity of the site and there will be long term harm to the local amenity; and
- the proposal goes against Council policies of protecting green spaces and encouraging rewilding and biodiversity.

The Principal Project Manager (Development Management) (HS) responding to further queries raised by Members, advised that:-

- the definition of Grade 3a Agricultural Land did not mean it could not be developed on but would be given more weight as an area of greater value for agricultural quality. It was however a small area of land, steeply sloping and, in that way, of limited agricultural use;
- there was no evidence or record that it was contaminated or had been land fill. It was a steep hill in an apparently natural land form with no evidence that it had been worked in such a way;
- glint and glare had been taken into consideration and there had been no objection from Exeter Airport who had no safeguarding concerns. There would be some glint/glare towards houses but one of the factors that reduced glare was the angles of the panels and that not all were in the same alignment which reduced problems of glare;
- the nature of energy requirements at the end life of these panels could not be anticipated and there was a condition requiring the return to its original form on the cessation of the use of the panels;
- the panels were off the ground presenting opportunities for animals; and
- there was opportunities for enhancements across a wider area than the panels themselves; and

- stock fencing of an agricultural nature was proposed and can be secured by condition and not therefore of high security tight mesh design.

The Principal Project Manager (Development Management) (HS) responding to further Member queries, advised that:-

- responding to the reference in the National Planning Policy Supplementary Planning Guidance that poorer rather than quality agricultural land should be used and the lack of clarity as to whether the land was Grade 3a or 3b, it was not known if the University had undertaken an analyses of other agricultural sites suitable for solar panels. The advice was that poorer land should be examined first and that, in this case, it was a small area of sloping land that had not been in active agricultural use;
- there was no prohibition of solar panels being close to houses but issues of noise from a transformer and glint and glare were important considerations in determining the application; and
- there were studies on glint and glare and Exeter Airport had no objections.

The Principal Project Manager (Development Management) (HS) summarised the application and the debate.

The recommendation was moved, seconded, voted upon and CARRIED.

RESOLVED that the application for planning permission the erection of a fixed ground mounted Solar Photovoltaic array with an expected capacity of no less than 1.07MWp of generating capacity, a transformer substation, cable run, associated access, fencing, biodiversity measures and ancillary works be **APPROVED**, subject to the conditions as set out in the report with condition 11 amended to clarify the nature of the boundary fencing.

60

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Director City Development was submitted.

RESOLVED that the report be noted.

61

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(The meeting commenced at 5.30 pm and closed at 6.40 pm)

Chair

PLANNING COMMITTEE

Monday 4 September 2023

Present:-

Councillor Paul Knott (Chair)

Councillors Asvachin, Bennett, Jobson, Ketchin, Mitchell, M, Sheridan, Wardle, Warwick and Williams, M

Apologies for absence

These were received from Councillors Branston, Hannaford, Lights and Miller

Also Present

Service Lead City Development, Principal Project Manager, (Development Management) (CC), Planning Solicitor and Democratic Services Officer (HB)

Councillors Moore and Pearce attended under Standing Order No 44.

62

MINUTES

The minutes of the meeting held on 31 July 2023 were taken as read, approved and signed by the Chair as correct.

63

DECLARATIONS OF INTEREST

Councillor M. Mitchell declared an interest in Min. No. 64 and did not participate in the debate or vote on this matter. He spoke on this matter from the floor as a member of the public.

64

PLANNING APPLICATION NO. 23/0583/OUT - 68-72 HOWELL ROAD, EXETER

Councillor M. Mitchell declared an interest and did not participate in the debate or vote on this matter. He spoke on this matter from the floor as a member of the public.

The Principal Project Manager (Development Management) (CC) presented the application for outline permission for block of flats following the demolition of the garage workshop (all matters reserved).

Members were provided with a description of the site location through a site plan, site photos, an aerial view, an indicative site plan, indicative elevations and parameter plans, the report also setting out the following key elements:-

- the principle of development;
- description changes, site history and outline consent;
- heritage, design and amenity;
- highway considerations
- contamination and ecology;
- sustainability;

- waste audit; and
- financial considerations.

The Principal Project Manager (Development Management) (CC) provided further detail of the application:-

- the current lawful use was as a MOT station and garage, although it had ceased operations;
- there had been a recent refusal at Planning Committee for redevelopment for Purpose Built Student Accommodation (PBSA), which had been refused solely on the grounds of community imbalance and an appeal had been submitted against it;
- the outline application was for a maximum of nine market flats with all matters reserved;
- due to the previous refusal reason being community imbalance because of student occupation and the current application being for market housing, it was not considered that any approval of this scheme would weaken the Council's position in reference to the appeal;
- there had been 19 objections and four mixed comments on the proposal, with the majority of these relating to the use of the property by students, parking issues and community imbalance;
- the principle of redevelopment of this site was acceptable for the following reasons:-
 - the site was not allocated for development and was considered to be a windfall site. The delivery of flats on this previously developed land would therefore meet Policies H1 and H2 of the Local Plan and CP1 of the Core Strategy;
 - the St. James Neighbourhood Forum Policy SD3 supported proposals on windfall sites providing affordable homes for local people and good quality private residential development;
 - the application was below the 10 dwelling threshold for affordable housing, but would provide private residential development supporting this policy. Details relating to the final design of it would be at reserved matters stage and would need to be of good quality to meet the policy requirements;
 - the existing site is mentioned in the Longbrook Conservation Area Appraisal as not making a positive contribution;
 - the indicative plans were subject to change. Due to the nature of surrounding built form, two parameter plans were agreed which set out the maximum height and positioning of the new building to ensure that the reserved matters which would have suitable restrictions in place;
 - the Highway Authority had no objection to the proposal. The site was within a sustainable location and within a Controlled Parking Zone that would allow car-free development to occur at this site. Any future dwellings on the site would be excluded from obtaining permits by the County Council;
 - the application was not for PBSA but for market housing and had to be assessed as such. All dwellings would be approved as Class C3 market dwellings and would be suitable for occupation. Once built, if any three or more bedroom flats (Class C4) wanted to have three or more unrelated people in them, then a new planning permission would be required in line with the Article 4 Direction; and
 - preventing students occupying the property was not considered to be a reasonable restriction as there was not a suitable justification due to other planning restrictions on use of the flats as Class C4 shared properties.

In conclusion, Members were advised that, overall it was considered that market housing in this location was acceptable and supported Local Plan, Core Strategy and St James Neighbourhood Plan policies. The restriction on height and positioning were considered to ensure that a suitably scaled scheme could come forward. Reserved matters would consist of appearance, access, landscaping, layout and scale subject to parameter details of maximum height of that of neighbouring properties.

It was considered that redevelopment of this site for open residential use would see a negative aspect of the Conservation Area removed with the potential to create an enhancement. A parameter plan has been agreed to ensure the building design was of an appropriate size and position to prevent dominance of the street scene. It was a windfall site to provide up to nine Class C3 dwellings, which met Local Plan, Core Strategy and Neighbourhood Plan policies.

There were no identified reasons for refusal of this scheme in principle and it was considered that the constraints of the surrounding built form and policy requirements would allow a suitable development to come forward at reserved matters.

The application was recommended for approval, subject to the conditions set out in the report.

The Principal Project Manager (Development Management) (CC), in response to Members' queries, advised that:-

- the flat designs met the national minimum space standards policy and therefore it was not necessary to add a condition to this effect and that an informative was on the decision notice to advise of the requirement at Reserved Matters stage; and
- Section 73 of the Town and Country Planning Act 1990 prevented the amendment of the description.

Councillor Pearce, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- whilst additional badly needed housing was welcome there were concerns that, subject to the applicant winning the appeal on PBSA, the student flats would be built instead. If the applicant was genuine in respect of this application the appeal should be withdrawn;
- the day after the PBSA application was refused by the Committee the site was covered in graffiti creating a negative impact on the area;
- the applicant did not sufficiently engage with the community in bringing forward these applications;
- there were some 30,000 students in the city who required short term accommodation at the expense of the wider population. It was a sustainable location close to shops, places of work and the rail station and is therefore ideal for the latter cohort;
- the application for nine units fell under the requirement to provide affordable housing by one unit; and
- if approved, conditions should be included at reserved matters to control height, massing etc.

Ms Connett, speaking against the application, made the following points:-

- a key remaining concern was the potential for this permission to lead to HMO flats;
- the report implied that Article 4 Direction (A4D) provided the protection needed but this is not the case in Exeter and the recent Futura consultant's Houses in Multiple Occupation (HMO) review document stated that properties of three to five unrelated people were described only as 'private rentals', as distinct from HMOs, a term the review reserves for licensed HMOs of six or more people. This was not in line with planning law which defines an HMO as a shared property let to three or more unrelated people. Those for three to six people comprise Use Class C4. In practice, the City Council has been turning a blind eye since 2012 to C3 to C4 conversions ignoring the protection Article 4 Direction should provide;
- not one enforcement of A4D had ever been carried out in this area despite the growth in unlicensed, exempt properties in A4D streets;
- the applicant was appealing the refusal of the PBSA application and was determined to develop student accommodation. Despite the report's assurance that A4D would prevent C3 to C4 conversion, the applicant was aware that it would be possible to rearrange the flats to let as HMOs. This could lead to a block, housing up to 30 students despite refusal of a 26 bed PBSA;
- as well as investigation of alleged breaches, taking action where appropriate, the National Planning Policy Framework states that a Local Planning Authority's Enforcement Plan should set out how they would monitor the implementation of planning permissions, but this was not mentioned in the Local Plan. Planning Authorities had a statutory responsibility to ensure planning law is upheld; and
- if in the future, the flats became C4, enforcement action must be taken.

She responded as follows to Members' queries:-

- the concern remained that even if permission was granted, occupation by students was still likely and the City Council would be unable to enforce the conditions of the application; and
- she did not object to the design but to the impact on community balance if the units become occupied by students. The St. James Ward could not sustain additional student occupants.

The Service Lead City Development advised that a full time enforcement officer had been recruited, greatly increasing the capacity to respond to breaches of planning conditions. He also referred to an example where enforcement had been undertaken in an Article 4 area and a property being used to accommodate students had been changed back to its lawful use.

Mr Williams, speaking in support of the application, raised the following points:-

- he had been a resident of the area since 1998;
- the site was a blight on the area and would be developed;
- lengthy discussions had been held with planning officers with costs incurred in bringing forward two applications for the site;
- the current application was a residential scheme and not student housing and accepted that any change to accommodate students would lead to enforcement action; and
- other, much larger scale housing schemes, had received planning permission and this is for only nine units on a derelict site close to the city centre.

He responded as follows to Members' queries:-

- even if permission was to be granted, the appeal would not be withdrawn; and
- the appeal could take a number of months and if it is dismissed this scheme for residential homes will proceed instead.

Councillor M. Mitchell, speaking as a member of the public raised the following points:-

- the previous application by the same developer was refused on the basis of Policy H5b in the Local Plan as it created imbalance in the local community as it was a specific type of accommodation;
- the community was concerned about the eventual users of this accommodation. If the units were occupied by one or two unrelated persons they were not a house in multiple occupation and Article 4 would not be applicable;
- if the units were occupied by students, the community would feel let down by the planning authority;
- local authorities had the powers to introduce a policy requiring developers to sell/rent to people who have a local connection;
- policies regarding local connection or principal residence could be included in Local Plans, Neighbourhood Plans or supplementary planning documents. The report stated that, currently there were no powers to restrict this type of accommodation on sites in Exeter;
- the St. James Neighbourhood Plan stated that development of such sites should be for affordable housing for local people or good quality private residential development. The applicant would argue that the development is of good quality; and
- this issue will become urgent as more applications are received for co-living accommodation.

The Service Lead City Development and the Principal Project Manager (Development Management) (CC) responding to further queries raised by Members, advised that:-

- the decision on this application would not have an impact on the appeal; and
- the flats could be occupied by two unrelated people, that is students, which would be lawful.

Members made the following comments:-

- the applicant was unwilling to withdraw the appeal which, if successful, would further impact adversely on an area already accommodating excessive number of students;
- the current application could mean occupation of units by two adults with children, which was a potential for 28 individuals;
- the application design was poor with limited amenity space and should be refused; and
- as residential accommodation was proposed with this application it should be supported.

The recommendation was moved, seconded, voted upon and CARRIED.

RESOLVED that the application for outline permission for block of flats following the demolition of the garage workshop (all matters reserved) be **APPROVED**, subject to the conditions as set out in the report.

The Principal Project Manager (Development Management) (CC) presented the application for the variation of Condition 2 (approved drawings) of approval 12/1426/FUL (Alterations and roof level redevelopment to provide 13 flats with associated access and communal facilities) to alter the height and internal layouts.

Members were provided with a description of the location of the site through a site plan, an aerial view, photos of different views including from nearby residential properties, existing and approved elevations, floor plans and 3D visuals, the report also setting out the following key elements:-

- the principle of development;
- details of each floor;
- historic setting and visual impacts; and
- highway considerations.

The Principal Project Manager (Development Management) (CC) provided further detail of the application:-

- the application was for a variation of conditions of a 2012 approval at 130 Fore Street, St. Davids. The 2012 approval was for an upwards extension and conversion of the West Street fronting aspects to residential with the current proposal seeking to vary the approved plans and amend the upper floors through the additional storey and alterations to the basement level (fronting West Street) to provide three commercial units. It was proposed to retain the same number of 13 flats;
- as it was a variation to an existing approval, the assessment was limited to the amendments proposed and their material impacts, rather than the entire scheme;
- there had been 139 objections to the proposal, primarily focussed on the changes to the basement retail unit, currently Crankhouse Coffee, and the impact of the increase in height on properties opposite in terms of daylight and privacy and the impacts on the wider street scene;
- basement levels fronting West Street - this was currently in commercial use but to be removed entirely and three flats created with three commercial units instead at the lower floor levels which would support the wider Fore Street shopping area. There was a dwelling at this level and this would remain as previously approved. There were also bin store alterations, with the creation of a new commercial bin store adjacent to one of the units;
- the ground floor, lower-first floor, upper-first floor and the commercial unit fronting Fore Street were remaining as previously approved;
- there would be three flats on the ground floor, three flats on the lower-first floor and two flats on the upper-first floor and a communal garden;
- the second floor upward extension had been approved as one flat with a private roof terrace which it was proposed to extend to allow two flats on this floor with no separate roof garden;
- the third floor upward extension was a new addition to create a one, two bed dwelling with a private balcony and roof terrace;
- all of the revised flats met the Nationally Described Space Standards;
- the Council's Urban Designer considered that, whilst there would be a level of impact from the proposal, the majority of impacts, such as any overlooking or dominance for properties opposite would be from the previously approved upward extensions and conversions;

- in terms of wider views of the site, the upward extension would not exceed the ridgeline of the existing building fronting 130 Fore Street and has a stepped approach to take into account the downward slope of West Street and the stepping down of buildings. The additional storey would be screened from a lot of views by the surrounding built form;
- the primary impacts on neighbours were from that of the existing approval; and
- the principle of development was established through the previous approval and it was considered that the addition of commercial units at lower ground floor level was a betterment to it. Whilst there were impacts on neighbouring properties it was considered that these were primarily through the existing approved scheme rather than through these proposed amendments.

The application was recommended for approval, subject to the conditions set out in the report.

The Principal Project Manager (Development Management) (CC), in response to Members' queries, advised that:-

- works had started on site within three years of the decision date in relation to a bin store in the basement level which was considered to be enough works to be a formal commencement; and
- if the application was refused, the original application could still proceed although there was no deadline for completion.

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

- that she was also speaking on behalf of Councillors Read and Sparling as Ward Councillors;
- there would be a significant detriment to the community of this variation to a planning application that residents and local businesses were objecting;
- approval would have significant implications for the community in the Fore Street area which was an important shopping and residential area as set out in Policies S3 of the Local Plan and CP8 of the Core Strategy. Many of the buildings were high and deep, with many flats above shops, along one of Exeter's iconic streets;
- if the application was rejected it would reduce the size of the commercial unit on Fore Street used by Langhams for many years and remove the much valued business units and associated business on West Street;
- a net loss of floor space and smaller units would make the operation of two businesses unviable - a seven square metre loss down to 152.35 square metres;
- there would be an adverse impact on the residential properties on West Street. The second floor would see the southern elevation extended further south than previously approved by 1.25 metres. This was closer to dwellings across the road on West Street which were three stories in height and would directly face towards the ground and lower-first floor elements previously approved;
- the proposals do not have regard to the principle that they should be of similar scale to surrounding buildings and possess an articulated form, which would further break down massing;
- nothing had changed in that area to warrant such a change and there would be an adverse impact on an important Conservation Area with significant Grade I, II* and II Listed buildings, including St. Mary Steps Church and the House that Moved;

- there would be an impact on the residential properties opposite from loss of light and overlooking. The south side of West Street already bears the negative impact of the student halls that replaced the old Radmore and Tuckers site on Lower Racklose Lane. Despite reassurances during the planning process that privacy would be maintained, residents' properties had been overlooked and were seen by, as well as could see into, every bedroom that faces the rear of West Street;
- there was significant loss of daylight, privacy and other amenity impacts for many residents;
- the new application increases the height and bulk of the property significantly;
- the report on loss of light only considered the properties on West Street but the developers have not considered the neighbours in Fore Street; and
- it was a concern that in a city centre redevelopment that there were no affordable properties proposed as the Affordable Housing SPD is a material consideration in the determination of planning applications.

She responded as follows to Members' queries:-

- Policy CP7 of the Affordable Housing Supplementary Planning Document (SPD) stated that, on sites capable of providing three or more additional dwellings, irrespective of the number of dwellings proposed, 35% of the total housing provision should be made available as affordable housing for households whose housing needs were not met by the market. This SPD had been introduced in 2014 and this application was not a minor non-material amendment but was a significant variation to alter the nature of the development that had been permitted;
- retail space was welcome, but the overall provision had been diminished with a reduction of seven square metres limiting the type of operation such as a training kitchen proposed for the cafe; and
- whilst there was a concern that additional student accommodation would be provided, the provision of luxury flats reduced the ability to provide affordable accommodation greatly.

George Barron, speaking against the application, made the following points:-

- he advised that he had been a resident of Exeter for over 20 years and was the owner of 6 West Street who was representing the voices of the 139 written objections;
- the changes to the existing plan, would have a hugely detrimental effect on this historically interesting part of Exeter. As a resident, his primary concern was the new height of the proposed building to him and his neighbours, which impacted on their privacy by being overlooked, a loss of light and a lack of privacy;
- the site visit to see the effect on the area was welcomed, especially after the development of student accommodation behind West Street when, during the consultation, reassurance were given that residents would not be overlooked. Residents, in fact, were seen by the student occupiers and could see them clearly. Every bedroom that faced the rear of West Street looked into residential properties;
- the proposed plans for the new application did not fit the planning rules of a minimum distance of 22 metres between habitable room windows backing onto one another. The new residential flats would look directly into the ground, first, and second floor of residential properties;
- there would be the loss of three thriving, independent businesses. The proposed new retail units to replace the current ones had substantially reduced square footage and were not fit for purpose. Fore Street and the surrounding area of the West Quarter had smaller retail and office spaces which were

currently unoccupied. Therefore, there was a need to protect these larger retail spaces in this area;

- from a heritage point of view, the scale of the proposed additional building height on West Street would look out of place. The new levels did not align with the current heights of opposite-listed buildings on West Street and would negatively dominate the skyline in one of the most historically interesting parts of Exeter, particularly as this was a Conservation Area;
- other issues were on waste disposal and fly tipping which would be increased by additional properties and the environmental issues this would cause, the lack of parking, no space for loading, the proposed tiny bike store and tiny bin store, and the increase in congestion on such a small one-way street;
- none of these flats would be affordable housing;
- building works would cause disruption in a congested and densely populated area; and
- an alternative outcome was required to retain the thriving local community businesses and protect the iconic and historic Exeter views of West Street and Stepcote Hill.

He responded as follows to Members' queries:-

- the distance from the property to neighbouring residential properties was in some places significantly below the 22 metre standard – and was even 6.3 metres in certain places; and
- the architectural drawings were considered to be misleading and failed to show the true imposing impact of the proposal.

David Burley, speaking in support of the application, raised the following points:-

- the application allowed for the retention of commercial use at West Street level and relocated the two displaced flats to the second floor, with the original inset rooftop flat raised by one storey;
- it made no alteration over that originally approved and West Street commercial use would continue. The objections were a misunderstanding of the application;
- of the buildings opposite the site, only no. 6 West Street was impacted by the proposals - the adjacent West Street/Fore Street shop having blanked upper floor windows and the lower West St residential uses overlapping the existing end building which was unchanged from the extant approval. Due to no 6 facing north, there was no impact on sunlight;
- the extant approval, already caused loss of daylight and privacy. Because of the angle of windows and buildings, the bulk of such impact is from the current, existing building;
- the amendments would not cause any material further losses;
- the proposals would allow commercial activity on West Street to continue whilst the same number of much needed city centre flats as the extant approvals were provided, without material loss of privacy or daylight to adjoin premises; and
- it was a reasonable and overall, beneficial revision to the original approval.

He responded as follows to Members' queries:-

- the property owner had changed since the original planning approval was given, the new owner wished to retain the existing commercial uses;
- the additional floor was put forward largely on economic grounds but commercial uses remained an important part of the equation;
- the property would be retained for rental purposes by the owner; and
- the proposed building would remain lower than the heights of other Fore Street properties and the visual impact from Western Way is minimal.

Members made the following comments:-

- the necessity for an additional floor was not evident and the proposal exacerbated the impact of the original approval on an historical area of Exeter;
- the rear facing properties of Fore Street were also affected as some had terraces and roof gardens on which there would be an adverse visual impact;
- both the original and current applications lead to the disruption of businesses;
- it was not evident that the stepped down nature of the street reduced the impact of the additional floor; and
- the excessive massing impacts adversely on this iconic area of Exeter.

The Service Lead City Development and the Principal Project Manager (Development Management) (CC), in response to Members' queries, advised that:-

- it was not a new full application and there was no requirement for further detail, or to require additional Section 106 obligations unless directly related to the changes;
- a key consideration was that approval had already been granted and that the Council's Urban Designer considered that the additional impact would be minimal and it would be difficult to justify refusal;
- the overall commercial space would increase; and
- the commercial uses would supplement those existing in Fore Street although alternative uses could come forward in the future suitable for this retail area.

A motion to refuse the application on the following grounds was seconded, voted upon and CARRIED:-

- the adverse impact of the scale and massing of the development and on the built character of the area;
- detrimental impact on the amenity of neighbours in residences in close proximity; and
- the adverse impact on the heritage and historical nature of the area.

RESOLVED that the application for the variation of Condition 2 (approved drawings) of approval 12/1426/FUL (Alterations and roof level redevelopment to provide 13 flats with associated access and communal facilities) to alter the height and internal layouts be **REFUSED**, for the following reasons:-

- the adverse impact of the scale and massing of the development and on the built character of the area;
- detrimental impact on the amenity of neighbours in residences in close proximity; and
- the adverse impact on the heritage and historical nature of the area.

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Director City Development was submitted.

RESOLVED that the report be noted.

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(The meeting commenced at 5.30 pm and closed at 7.20 pm)

Chair

DRAFT

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LICENSING COMMITTEE

12 September 2023

Present:

Councillor Marina Asvachin (Chair)
Councillors Warwick, Begley, Bennett, Ellis-Jones, Fullam, Foale, Holland, Parkhouse,
Rees, Sheridan, Snow and Vizard

Apologies:

Councillor Wood

Also present:

Service Lead Legal Services, Service Lead - Environmental Health & Community Safety,
Legal Advisor, Principal Licensing Officer and Democratic Services Officer (SLS)

20 **Minutes**

The minutes of the meeting held on 11 July 2023 were taken as read, approved and signed by the Chair as correct.

21 **Declarations of Interest**

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

22 **Local Government (Miscellaneous Provisions) Act 1982 - Application for the Grant of a Sex Entertainment Venue Licence - The Monkey Suit, Exeter**

The Legal Advisor introduced the proceedings and outlined the procedure for the meeting.

The Principal Licensing Officer advised the Licensing Committee that three late objections had been received in respect of the Application. The Applicant was asked to submit any objections to the Licensing Committee considering the late objections and those objectors addressing the Licensing Committee. The Applicant did not object and the Licensing Committee resolved unanimously to allow the late objections.

The Principal Licensing Officer presented the report, in respect of the application to licence a sexual entertainment venue at The Monkey Suit, 161 Sidwell Street, Exeter.

The objectors to the application in attendance addressed the Licensing Committee and answered questions from members and the Applicant.

The Applicant spoke in support of the application and answered questions submitted in respect of the Application.

RESOLVED that, the application for a sexual entertainment venue ('SEV') licence in respect of The Monkey Suit, was refused for the reasons set out in the Notice of Determination attached.

The meeting commenced at 5.30 pm and closed at 7.55 pm

Chair

DRAFT

**EXETER CITY COUNCIL (Licensing Authority)
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, Schedule 3**

NOTICE OF DETERMINATION

Application under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3 for a Sex Establishment Licence for a Sexual Entertainment Venue in respect of the premises known as The Monkey Suit 161 Sidwell Street, Exeter, EX4 6RH ('the Premises').

Decision of the Licensing Committee sitting at the Civic Centre, Exeter on Tuesday 12th September 2023 at 1730hrs to 1955hrs.

In attendance:

Councillors Asvachin (Chair), Warwick (Deputy Chair), Begley, Bennett, Ellis-Jones, Fullam, Foale, Holland, Parkhouse, Rees, Sheridan, Snow, Vizard.

Service Lead Environmental Health and Community Safety Simon Lane, Principal Licensing Officer Nigel Marston, Service Lead Legal Services Simon Copper, Team Lead ECL Contracts and Licensing Matthew Hall, Democratic Services Officer (Committees) Sharon Sissons.

The hearing commenced at 1730hrs and closed at 1955hrs.

In attendance for the Applicant was Mark Sherman the Director of Bar Dynamics Limited and manager of the Premises.

In attendance objecting to the application were Katherine Dawson, Cllr Yvonne Atkinson and Cllr Laura Wright.

The Decision

In determining this application, the Licensing Committee considered all the relevant evidence and information presented to it both written and oral, and took account of all the matters it is bound to take account of, in particular the following:-

- . Local Government (Miscellaneous Provisions) Act 1982
- . Exeter City Council Sex Establishment Policy July 2013 (the Policy)
- . Sexual Entertainment Venue Home Office Guidance
- . The Human Rights Act 1998
- . any equality and diversity considerations

The Licensing Committee refused the application unanimously on the following discretionary grounds set out in Schedule 3 Paragraph 12 of the Local Government (Miscellaneous Provisions) Act 1982.

Paragraph 12(3)(c) that the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality.

And paragraph 12(3)(d) that the grant or renewal of the licence would be inappropriate having regard

- i. to the character of the relevant locality; or

- ii. to the use to which any premises in the vicinity are put; or
- iii. to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Reasons

The Licensing Committee applied paragraph 12(3)(c) of the Act and Policy 7 of the Council's Sex Establishment Licensing Policy headed 'The Number of Sex Establishments'. Policy 7 states that there is no locality within Exeter in which it would be appropriate to licence a Sex Entertainment Venue. Accordingly the appropriate number of this category of sex establishment for each and every locality within Exeter is nil. The Applicant's proposal that the Premises would not be operated as a traditional strip club attracting a largely heterosexual male audience was not a sufficient reason to depart from the Council's policy of nil Sex Entertainment Venues in the City.

The Licensing Committee applied paragraph 12(3)(d)(i) of the Act and Policy 8 of the Council's Sex Establishment Licensing Policy headed 'Character of Locality'. Policy 8 states that sex establishments are unsuitable uses in localities whose character is or is significantly one or more of the following: educational, residential, religious, family leisure, late night entertainment and shopping. The Applicant's submissions that the Premises would not operate until 2100hrs and would not be visible from outside of the Premises were considered inadequate reasons to grant the licence given the character of the locality and were therefore insufficient to depart from this policy. The Licensing Committee determined as a matter of fact that the character of the locality included educational, residential, religious, family leisure, late night entertainment and shops and that residential (flats on Sidwell Street and nearby student accommodation), family leisure (St Sidwells Point leisure centre) and late night entertainment (restaurants on Sidwell Street) did not close at 2100hrs. In addition, Sidwell Street is a busy pedestrian route for visitors, residents and workers with a number of Bus stops and the central Bus Station nearby. The Licensing Committee considered that the existence of a Sex Entertainment Venue would be inappropriate having regard to the character of the locality.

The Licensing Committee applied paragraph 12(3)(d)(ii) of the Act and Policy 9 of the Council's Sex Establishment Licensing Policy headed 'Vicinity'. Policy 9 states that the Council will not normally grant a licence where any premises within the vicinity are used for the following: School, place of worship, family leisure, domestic residential buildings, important historic buildings, youth facilities and important cultural facilities. The Applicant's submissions that there would be no external signage at the Premises and entertainment would only operate from 2100hrs did not provide any basis to grant the licence given the use to which premises in the vicinity are put. The Licensing Committee determined as a matter of fact that residential, (flats on Sidwell Street and nearby student accommodation), place of worship (nearby Mosque), family leisure (St Sidwells Point) and a Community Centre (St Sidwell's Community Centre) uses were all in the Vicinity of the Premises.

The Licensing Committee applied ground 12(3)(d)(iii) of the Act and Policy 10 of the Council's Sex Establishment Licensing Policy headed 'Layout Character and Condition'. Policy 10 states that the Council expects all parts of the premises to be fully accessible to disabled people. The Licensing Committee considered that the proposed accessibility for disabled people to the sex entertainment venue did not make it fully accessible to all disabled people. Notably there were no measures in place to provide access to the first floor of the premises for individuals with physical disabilities.

The Application was therefore refused on the grounds that a sexual entertainment venue at the Premises would be inappropriate having regard to the Council's nil policy, the character of the relevant locality and the use to which other premises in the vicinity are put.

Right of Appeal

The applicant may appeal against this decision in accordance with Paragraph 27, Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

21st September 2023

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CUSTOMER FOCUS SCRUTINY COMMITTEE

5 October 2023

Present:

Councillor Matthew Vizard (Chair)
Councillors Rees, Begley, Fullam, Hannaford, Holland, Miller, Patrick, Sparling, Wardle and Warwick

Apologies:

Councillors Atkinson, Ellis-Jones and Harvey

Also present:

Director Net Zero Exeter & City Management, Service Lead Housing Needs & Homelessness and Democratic Services Officer (HB)

In attendance:

Councillor Denning	Portfolio Holder for Council Housing Development and Support Services
Councillor Pearce	Portfolio Holder for Communities and Homelessness Prevention
Councillor Williams	Portfolio Holder for Place and City Management
Councillor Foale	Portfolio Holder for Corporate and Democratic Services and Environmental Health

24 **Minutes**

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 29 June 2023 were taken as read, approved and signed by the Chair as correct.

25 **Declarations of Interest**

No declarations of interest were made by Members.

26 **Questions from the Public under Standing Order No. 19**

No questions from members of the public were received.

27 **Questions from Members of the Council under Standing Order No 20**

In accordance with Standing Order No. 20, the questions below to the Portfolio Holder for Council Housing Development and Support Services - Councillor Denning, the Portfolio Holder for Communities and Homelessness Prevention - Councillor Pearce and the Portfolio Holder for Place and City Management - Councillor Williams, had been submitted by Councillors Atkinson, Moore, Miller and Rees and had been circulated in advance to Members of the Committee. In the absence of Councillor Atkinson, her questions were read out by the Chair. The responses of the Portfolio Holders are set out in italics.

Question to the Portfolio Holder for Council Housing Development and Support Services - Councillor Denning

Councillor Atkinson

In July 2023, the Social Housing (Regulation) Act 2023 became law. This Act updates the Regulator of Social Housing's responsibilities and powers. Presently the Regulator can only investigate landlords such as the City Council when someone refers a complaint that passes a threshold that the conduct complained of "seriously harms (or could seriously harm) tenants."

The Act means that, starting in April 2024, the Regulator can more routinely and proactively, take action in a wider range of circumstances under the consumer standards.

Proposals for amending the standards registered providers must meet so tenants live in safe, quality homes, have choice and protection, and can hold landlords to account are currently being consulted. This consultation closes at 6:00pm on 17 October 2023.

Has the City Council responded to the consultation and what is our view about whether the proposed new standard will improve healthy living in Exeter's Council Homes?

Has the Regulator investigated a complaint that a landlord has breached the consumer regulation requirement that the conduct harms or could seriously harm tenants?

Response

The Council housing team are aware of the consultation from the Regulator for Social Housing and have been preparing a response to the consultation which has yet to be completed and agreed. As stated this consultation has to be submitted by the 17 October and will be agreed by the Portfolio Holder before being dispatched.

The regulation is welcome by the Council as it will ensure all social landlords in the city have a clear set of standards which they must comply with in a number of areas including complaints and the quality of homes. With regards to the council housing the Council has a fully costed Housing Revenue Account (HRA) Business Plan which includes works and maintenance in relation to health and safety and compliance priorities. These standards are already part of our programme and service delivery and will be continually monitored to ensure we comply in all areas.

The Regulator has not investigated any complaints in relation to the consumer standard for the housing service and their main powers in relation to Local Authorities with retained stock come into power in April 2024.

In the period leading up to the new regulation the housing team are working on a review to ensure full compliance with the new consumer standards which will be considered by the Council Housing and Development Advisory Board once completed.

From Councillor Moore

The all parliamentary group for Council Housing is conducting an Inquiry and is looking for views on some or all of the following:-

- How important is council housing in addressing local/general housing need?;
- Does your area still have directly-own council housing? If not, do you think new/acquired council homes are needed? Please say why?;
- If your area has council housing, what condition is it in, what investment is needed, and what is stopping that investment?;
- What is your experience of stock transfer, Private Finance Initiative (PFI), Arm's Length Management Organisation (ALMO), Special Purchase Vehicle (SPV)s or other alternative mechanisms to build and manage council (or former council) housing?; and
- What do you think we need to do to secure a new generation of good-quality council homes?

Would the Portfolio Holder consider coordinating a response on behalf of the Council by the deadline?

Response

The following is the response the Council gave to the Inquiry.

Re: All-Parliamentary Group for Council Housing

Thank you for your correspondence asking for our views in relation to Council Housing which we welcome the opportunity to provide.

Exeter City Council is proud to have retained the council housing stock with approximately 4,800 homes provided at a social rent. As the largest social landlord in the city we believe it has a critical role in the provision of affordable housing to its residents. Council housing makes up 10% of the homes in the city and therefore also plays a key role in delivering great neighbourhoods and communities for residents to live in.

In terms of the stock condition of the Council's properties, we have a costed Housing Revenue Account (HRA) Business Plan and will seek to address all maintenance priorities during that period. This will include an ambitious retrofit programme which, to date, has seen us complete full retrofit works to over 700 properties and a resulting carbon reduction of the properties and energy efficiencies of between 40% and 60% for the respective tenants. Given our dependence upon rental income for delivering our service, and the fact that our costs are generally driven by a CPI increase, there has to be a close link between the two. Where there is a gap, as in the rent cap this year that gives us an ongoing shortfall and reduces the base figure that we apply future a percentage increases to.

In order to demonstrate how important council housing is in addressing local general housing need we would offer the following local information:

- *According to our housing needs survey (2020) the average house price in Exeter is £249,000*
- *The ratio of income to house prices for lower quartile incomes and lower quartile house prices in Exeter is 9.27 (i.e. to buy a house a lower quartile home requires almost 10 times the average gross annual wages).*

- *The median monthly private sector rent is £802 (higher than the rest of the south west). The highest monthly social rent in Exeter is £326.*
- *The median incomes in Exeter are £29,749*
- *Based on 25% of income being for renting and 3.5 x income multiple for buying the income required to access different tenures is as follows*
 - *Social rent £15,648*
 - *Affordable rent £29,040*
 - *Market rent £38,496*
 - *Market sale (10% deposit) £64,029*
 - *Shared ownership (50%) £47,389*
- *There are over 2,600 applicants on the housing register (which is a Devon-wide choice based letting scheme).*
- *Approximately 500 properties become available to let each year of which over 320 are from the council's own stock.*
- *Of the properties let over 30% were allocated to homeless applicants.*

In order to deliver a new generation of good quality council homes we believe that there needs to be an ambitious build programme across all tenures that will allow for all tenures to be grown.

Exeter has an ambitious Council own build programme to deliver 500 new homes by 2030. This programme focusses on brownfield regeneration of sites in the Councils ownership, including garage sites and the regeneration of non-traditional stock. This brownfield regeneration approach comes with the additional costs associated with this type of development; demolition and associated asbestos removals; services redirections; land contamination; substation requirements; water attenuation; and existing tenant decants/home loss payments. This makes the development of these types of sites considerably more expensive than greenfield development, and coupled with material and labour cost increases across the industry the viability to deliver this much needed housing is very challenging.

Grant availability does assist (Homes England and Brownfield Land Release Fund), but does not by itself make these sites viable or deliverable. The biggest challenge to the viability of these schemes is the current interest rates, if the government's interest rates for borrowing were reduced this would ensure that these sites were viable again and would facilitate the delivery of these schemes.

Whilst we welcome the introduction of greater regulation in the sector to ensure quality, safe services and homes are provided to tenants this has brought with it additional costs implication that will impact on our ability to build additional homes. For example the regulator has just advised us that there will be a fee payable for their services which will equate to £35,000 to £40,000 of additional money being taken out of our new build or planned works budgets. We are also considering our resourcing levels in order to ensure we meet the regulatory requires which may adversely impact on our ability to deliver on other projects.

Whilst you have not asked the specific question we welcomed the self-financing changes at the time of introduction and do believe it is a fairer system than previously used. However it was significantly hampered by the introduction of the 5 year 1% rent reduction at the same time which impacted significantly on our HRA business plan anticipated income levels.

I hope this information is useful and if you require more information or detail from Exeter City Council we would be happy to assist with the final report or hosting an event in the south west.

Councillor Denning advised that a date was being arranged for representative of the All Party Parliamentary Group to meet locally with tenants.

Supplementary question and answer.

Do rent levels match the Council's policy on convergence rent levels and do funds from Right To Buy contribute to wider Council housing policies.

Answer

A written answer will be provided on statistics relating to convergence rent levels. Whilst there are commendable aspects to Right To Buy, the Council loses some 40 properties a year, effectively losing as many as can be built.

Customer Focus Scrutiny Committee agreed that a further submission be made to the Inquiry on the points raised from the supplementary questions.

Questions to the Portfolio Holder for Communities and Homelessness Prevention - Councillor Pearce

From Councillor Atkinson

Local authorities like Exeter in England do not have a duty to secure accommodation for all homeless people.

Rough sleepers are one of the most vulnerable groups in society. Studies have found strong correlations between homelessness and a multiplicity, and increased severity, of both physical and mental health conditions.

Despite the Government's [Housing First](#) strategy and present 2022 Ending Rough Sleeping for Good policy to end Rough Sleeping by 2024, the incidents of rough sleeping seems to be increasing.

How effective does the Portfolio Holder believe this strategy and support for Councils is in meeting this target. What needs to change?

Response

Whilst both of the cited strategies have undoubtedly promoted positive changes in practice towards supporting rough sleepers to come off the streets they ultimately have limited reach in light of wider issues such as underperforming house-building targets and the steady erosion of health and social care services. The ongoing cost of living pressures including record rising rent levels is registering a significant impact on affordability of homes, especially for lower income households including single person renters and those on benefits.

The HF and ERS strategies have been backed by funding to help Councils and local areas to add much needed capacity in terms of units of accommodation dedicated for homelessness including emergency "off-the-streets" accommodation for rough sleepers through the RSI initiative. Resettlement capacity has also been boosted by the Next Steps and Rough Sleeper Accommodation Programme funding streams. However in many areas these recent additions to the local area supported accommodation for rough sleepers has only partially replaced the supported

accommodation units lost over the last 13 years following the wind-down of the national Supporting People programme.

In terms of change some of the key significant factors could include changing the Local Housing Allowance rates, i.e. the rate of housing benefit assistance for households on lower incomes. The current rates paid to either UC or HB claimants remain set on the lower quartile of the local average rent figure which means for most claimants there is a significant and growing "top-up" required to be paid from personal benefits income. For example a person aged 25+ renting a room in a shared house in Exeter will typically need to find a weekly top-up of £45 from a personal benefit of £85. When adding significantly increased utility bills this leaves basically no disposable income for food and other essentials.

Arguably a major investment in social housing development is also needed in order to provide more affordable housing to help meet the growing waiting lists whilst also preserving the current capacity from continual erosion due to policies such as right to buy. An equally significant level of investment in early help, family mediation, social care and child-to-adult transition services would conceivably help support a reduction in future risk of homelessness as would investment in accommodation step-down services from institutions such as prisons and offender institutions, hospitals and mental health institutions.

A further point of change, as recommended following last year's local homelessness scrutiny assessment, is for homelessness funding to be less short-term (typically 3 year funding cycles or less). Longer term funding packages to housing authorities, registered social landlords and third sector housing and support agencies would arguably drive better investment into the provision of dedicated and specialist housing and tenancy-related support services for homeless people including rough sleepers.

From Councillor Moore

Please can the Portfolio Holder set out how the Council's homeless support service reviews and responds to Inquest findings of people who have died while rough sleeping or while in the care of any service in the city offering support to people who are homeless? Please can examples of any changes as a result be given?

Please can someone give me a ring about the Healthy Homes email - I am not clear about the request.

The Director subsequently contacted the Councillor.

Response

The Council reports all deaths in service (including street-based) to Public Health (Devon); the details of which are databased and assessed when Public Health and the Devon County Council Safeguarding assess fatalities and incidents (including suicides and near misses) for serious case review purposes. The City Council actively takes a prevention role for high risk cases by holding multi-agency meetings with providers and Devon County Council. The work is to set up support and engagement pathways for people who are most at risk, often from near miss overdoses, and to put appropriate service interventions in place to address associated problems and to engage with addiction and or therapy services. Public Health (Devon) has recently devised and implemented a suicide prevention model policy and approach with city and countywide partner agencies.

The Council's Housing Needs and Homelessness service also has its own death in accommodation policy and procedures which incorporates review of each case/serious incident including a multi-agency approach to review and learning points. Although the statutory responsibility does not sit with the City Council, it remains the Council's ambition to work with statutory and voluntary partners to better formally review preventable deaths, The Council is continuing conversations with Devon County Council and Adult Safeguarding to agree on a way forward via advocating formal serious case reviews in homelessness. There have been no serious case reviews in homelessness as the details are normally assessed by the Coroner's office. To date, no practice changes have been identified or recommended as services have been able to demonstrate clear understanding of risk, recording of reasonable interventions (given available resource capacity in the sector) and application of due diligence in their respective duty of care for individuals.

Supplementary question and answer.

Has there been a review of Inquiry findings of any specific cases of individuals dying as a result of rough sleeping?

Answer

The Council works closely with Devon County Council, Adult Safeguarding and the Coroner's Office and information can be provided if notified of the detail of any specific case.

Question to the Portfolio Holder for Place and City Management - Councillor Williams

Councillor Atkinson

The Government said it plans to make it mandatory for local authorities to collect dry mixed recycling segregated by household. Is this still being progressed?

Has it published a monetised costs of "main affected group"? Such as the costs of transition ongoing costs to households and businesses of sorting waste for new collection requirements and the wider impacts on the recycling and waste industry?

Response

The Government consultation on 'Consistency in Household and Business Recycling in England' finished in June 2021. This followed on from an earlier consultation in 2019. The results of this, together with a number of related waste consultations, including a deposit return scheme and a producer responsibility scheme, have not been published or their implementation has consistently been pushed back.

Whilst this consultation did not specify how recycling would be collected from residents, it did indicate that food waste collection would eventually be mandatory. Recent announcements by the Government indicate that no direct announcement on statutory guidance for any of the revised waste proposals, or how they are to be funded, will be released anytime soon. Concerns regarding the delays were also expressed at a meeting of the Devon Authorities Strategic Waste Committee.

Councillor Moore

How long is the average current waiting time for residents to receive new bins, including garden waste, and what has the trend been over the last six months?

Since January 2023 the Council has experienced exceptionally high demand with respect to bin deliveries as a result of new housing developments being occupied and the roll out of food waste in parts of the city. In total, the Council has delivered 35,513 waste receptacles to households which include 32,672 food waste caddies. At present, the Council is seeing a three to four week delivery time for new bins, with this being up to eight weeks on a Monday due to the level of new build properties in this delivery day area. Whilst additional resource has been allocated with additional Saturdays worked to bring delivery times down, demand is higher than resource capacity at present.

Supplementary question and answer.

When will the request for new bins be met?

Answer

As soon as possible, subject to available resources, sickness etc.

What is the current level of reports and complainants, and the service performance trends over the last six months for each of the following areas:-

- Assisted bin service. The Council has conducted 3,283 assisted waste collections per week. Since January 2023 there have been 552 reports of missed collections (excluding food) out of the 128,037 scheduled collections which equate to 0.43% of the overall collection rate;
- Food waste collections The Council is currently conducting 21,000 food collections per week and had 1,598 reports of missed collections since January 2023;
- New bins, including garden waste – since January 2023, the Council had 762 enquiries from customers regarding their bin delivery order and;
- The collection of sharps – since January 2023, the Council had 792 enquiries from customers regarding their sharps collection. It must be noted that doorstep sharps collections are a discretionary service provided by the Council which is not provided by all Council's nationally.

Supplementary questions and answers.

Is the Council prioritising the collection of missed assisted bin collections?

Can bin stickers be provided on what can and cannot be disposed?

What is the average length of time to respond to requests for removal of sharps?

Answer

There are occasions when residents miscalculate the collection times of assisted bins and other times where crews make mistakes but all incidents are individually investigated and resolved.

Residents were notified when the new food waste collections service was introduced for their area and advised on the appropriate disposal of waste. Information is also available on the Council's website.

A written response will be provided in respect of sharps.

Bromhams Field re-establishment - please outline the problems with the topsoil and other issues that has led to the long delays to the re-establishment of Bromhams Field and how much has this cost the Council?

At the end of the Environment Agency (EA) flood alleviation works the EA contractors failed to reinstate the Bromhams pitches to playing field standards, as per its former status. The initial delay to the progression of investigations and works was as a result of the EA considering undertaking the work in house. Subsequently the EA agreed to fund the works but for the City Council to manage and deliver the project to its satisfaction. The main issues identified with the topsoil were as follows;

*Natural debris (stones and rocks);
Soil compaction;
Undulating terrain;
Inappropriate vegetation; and
Poor drainage.*

As a result, a remedial works package was agreed with a view to removing the topsoil, screening it, burying/sorting any stones, and re-establishing the topsoil with appropriately designed drainage and gradients. Additional clean topsoil, seeding, and fertilisation will then be used to ensure the site meets a minimum playing field quality. The EA is funding the remedial works at Bromhams fields with no current financial impact to the City Council.

Supplementary question and answer.

When will the reinstatement works commence?

Answer

A written answer will be provided.

Post meeting Note : The answer to the supplementary question regarding the time scale for Bromhams Field was already included in the Portfolio Holder's report on Page 17 item 3 where it states "Public and Green Space anticipates the contract for works will be awarded mid to late January 2024. Operations permitting, site development will take place from Spring 2024 with an anticipated opening date Spring/Summer 2025 subject to change.

Rougemont footpath: does this work include reopening the gate in the City wall between the two parks?

Response

The Rougemont footpath works, once complete, will allow residents and visitors to move freely between Northernhay and Rougemont Gardens. This however, will be through the tower access route not the lower archway. The Archway repairs continue to be investigated by the City Council's Heritage Officer and the Corporate Property team, and will take place at a later date when funding and resources allow.

Supplementary question and answer.

Has the investigation been completed and when will the works commence?

Answer

The Corporate Property Team and the Council's Heritage Officer have completed the investigation and are considering solutions in light of the quotes for the repair works on other sections of the city wall, vastly exceeding available funding.

Councillor Miller

In your report you mention that over the summer there has been a difficulty in releasing members of the grass team to carry out other work across the city such as maintaining shrubbery. Please can you go into a bit more detail about whether this has impacted any particular areas of the city, and how this compares to last year?

Historically we have a dry summer period which considerably slows grass growth and allows grass cutting staff to be diverted onto other activities. For the last two years, the warm, wet conditions have extended the grass season over the full course of the spring and summer period. This prevented grass teams being diverted onto those alternative activities such as shrub maintenance for six weeks mid-season. The impacts for the last two years had been the same and would have been noticeable city wide as shrubs became encased in bindweed and other growth, starting to encroach onto footways. The lack of resource meant that rather than a proactive programme of maintenance, the Council was forced to take a reactive approach, and only maintain beds where encroachment compromised access or safety.

The service establishment is fixed year round, based on the ability to offset operations seasonally i.e. shrubs/hedges are usually maintained over winter and grass is spring/summer work. Every year, operational teams take on two additional staff to inflate resource over the spring/summer to meet peak demand, however this additional resource is not enough if the Council can-not release the grass teams during the season. Should these weather patterns continue the Council will be forced to take on additional summer/spring resources to meet demand?

You mention in your report a struggle to recruit waste delivery drivers, and that you and the team have taken steps to address this. Please can you go into a bit more detail about what you see as the causes of this, and whether there is anything more as a Council we can be doing?

Over the last two years there has been a national shortage of Large Goods Vehicle (LGV) drivers which has impacted not only local authorities but also the private sector. As a result of this shortage, the private sector offered lucrative hourly rates which local authorities were unable to match. This resulted in qualified drivers leaving for better pay settlements. In addition, locally the Council has a very loyal but aging workforce. A number of drivers reached retirement age and are now happily enjoying their retirement. This led to a perfect storm which meant that the Council struggled for a period of time to recruit. However a development pathway was set up for staff, which, whilst was not an instant fix led to the Council developing members of the loyal workforce becoming drivers and thus creating a more long term sustainable solution to the workforce programme. This resulted in seven staff becoming drivers with a further two currently undertaking the training. In addition, over the last few weeks, recruitment agencies are reporting an increased amount of driver availability looking for work.

The Council has also struggled recently with the recruitment of loaders and MRF operatives. It is hoped that this is just a seasonal issue due to high vacancies in other sectors over the summer months, but should this not improve it will cause operational

issues. The Council regularly undertakes recruitment drives to fulfil positions that become vacant but this can be difficult finding the right person for the role.

Supplementary question and answer.

Is there potential within existing budgets to recruit additional drivers?

Answer

Recruitment would need to be considered in light of the ongoing cuts to services required as part of the Medium Term Financial Plan. The Cleansing team is very resourceful in identifying solutions to this problem.

The Portfolio Holder congratulated the Service Manager Public and Green Space and team for the progress made on the internal development programme giving staff within the service the opportunity to qualify as drivers.

Councillor Rees

1. What are the City Council plans for reducing our reliance on temporary and agency staff?

Over the last 12 months we have been reducing the Council's reliance on temporary and agency staff. This has been achieved through the adoption of a career progression pathway where loaders and MRF operative have been given the opportunity to progress onto driver training and roles. This has helped ease the issues with respect to driver recruitment which has enable the service to deliver all doorstep collection services over the last 12 months as planned. However, we do regular recruitment drives when staff leave the service. The service still requires the use of agency staff to fill for unexpected absence and vacancies to maintain service delivery, which is factored into the service budget.

Supplementary question and answer.

What lessons can be learnt from other authorities to reduce reliance on agency staff?

Answer

The team examines how other organisations retain staff. Although the private sector can offer higher wages, the remuneration relates to longer working hours. The latest pay award will assist in staff retention.

2. How much money is required for the Canal Gate and bank repairs?

The Exeter Canal was the first canal to be built in the UK since Roman times and therefore requires a great deal of ongoing maintenance and inspection. Estimates are being worked up at the moment for the more urgent works and those of a health and safety related nature. These are likely to be all that we can afford with the current financial pressures.

3. You mention teething problems with the initial food waste collection, which is to be expected. Please could you summarise the key learning from this initial phase, and how this will help to shape the future roll out.

Unfortunately whilst the Council was able to expand food waste roll out during the course of the year, new staff delivering the service coupled with unexpected

absences meant that we were not able to maintain crew continuity as much as was planned. This had led to some early missed bins and an inconsistent service at times. We have invested in training more crew members on the food collections rounds to have better continuity when there is absence to cover. Other learning points have been:-

- *to encourage residents to place their food caddy in a prominent position and not hidden behind other larger bins;*
- *collecting details of local arrangements that the refuse and recycling crews have been operating to but that were not recorded on the waste collection system; and*
- *trailing communal bin facilities in areas where individual caddies are not feasible.*

Initially, the Council was not able to return for missed collections due to capacity, but this has now changed due to settled teams on the two food waste vehicles. Crews now have to return to any genuine collections that they miss, thus enforcing the correct collection point for the crews.

Supplementary question and answer.

Have any further measures been introduced to improve collection?

Answer

The ability for residents to now log missed food waste bins on line will lead to an improved service.

4. Please could you share the time line/targets for the roll out to the different regions of the city?

As explained at the scrutiny presentation earlier in the year the Council is now at its capacity to accept food waste at Exton Road under the terms of our Environment Agency permit. It will not be able to commit to a timetable for further food waste roll out until the improvements to the Exton Road depot are completed and the limits on our permit lifted.

5. Are there any additional challenges or barriers might we face with the roll out to all areas of the city?

Recruitment of drivers and loaders is always a challenge but there has been more success with driver training lately as mentioned before. The uncertainty over central government policy on waste and recycling and the possibility of associated funding for new burdens also does not help with investment decisions.

Supplementary question and answer.

Are the problems associated with the collection of communal caddies being addressed?

Answer

Collections from houses in multiple occupation are less straight forward.

The Government's delay in providing guidance on household and business recycling, such as a deposit return scheme for glass collection, remains an issue. However, the team continues to seek improvements, such as identifying additional collection capacity as the rounds settle down. Members will be kept advised of progress.

6. Please could we have an update on the refurbishments of the MRF and the expected timeline for the completion of this work?

The investment in the MRF, which also includes the regulatory work required to alter the Environmental Permit, has been tendered and, like many tenders, at the moment has come back significantly higher than the estimate. With the Council's ongoing financial pressures this is currently unaffordable and alternative options are being explored via an options appraisal. The results of this work and any additional funding requirements will be brought to members via the usual committee process.

Role of questions and answers under Standing Order 20

Given the length of the time taken to respond to the questions received, the Chair invited suggestions for streamlining the system.

Suggestions included incorporating the relevant questions into the regular Portfolio Holder updates and the circulation of both questions and answers in advance of the meeting. Whilst the timing of the receipt of questions might require fine tuning prior circulation of the answers, this was considered an acceptable solution and would be put to the next meeting of the Scrutiny Programme Board.

It was recognised that a question and answer session helped inform the public of important issues and Members also referred to the need to focus more on the in depth scrutiny of issues/individual areas with an emphasis on outcomes as discussed at the recent scrutiny training exercise led by Bethan Evans.

28 **Update from the Portfolio Holder for Place and City Management - Councillor Williams**

Councillor Williams reported on the Place and City Management areas of her Portfolio, detailing the issues relating to achieving the Council's published priorities, major ongoing programmes of work, issues impacting delivery, financial performance and budget requirements and potential changes being considered. She referred to her shadowing of various services in recent months including bin collection including food waste, the Materials Re-cycling Facility, Car Park Enforcement, litter bin emptying and road sweeping.

She highlighted the following:-

- following the introduction of food waste collection, 700,000 kg of waste had been diverted from black bins since April;
- the acceptance of the Harbour Revision Order application prior to the deadline after which the cost would have increased;
- a successful Heritage Harbour Festival on 23-24 September 2023;
- the first phase of the food waste collection which had been well received.

In respect of the litter bin review and the removal of a number of bins, the Service Manager Public and Green Space had carried out one to one briefings with Members as part of street cleaning optimisations. The changes had been introduced as part of a vital savings exercise, including the decision not to fill existing vacancies. Delivery schedules for both deep clean and litter vans would be optimised and an update on the overall cleansing regime would be provided in the New Year after the evaluation had been completed. Section 106 contributions were utilised as far as possible from new developments to enhance litter bin provision and liaison was taking place with

businesses with view to possible sponsorship/involvement for the provision/retention of litter bins. Further feedback from Members on locating litter bins was welcome.

Members were advised that Ash Die Back was spreading more slowly than expected although it was still anticipated that over 90% of trees would be lost and, consequently, the budget for remedial works would be rolled over

29 **Homelessness Strategy - six month progress report**

The Service Lead, Housing Needs and Homelessness presented the report providing an update on the recommendations of the Homelessness Task and Finish Working Group. The update covered the key Issues in the last six months and progress under the new Homelessness Strategy which included actions to progress the recommendations of the Working Group which had met in the Autumn of 2022 with a number of key stakeholders and statutory providers. Members were also advised that key data reporting demand, outcomes and trends would be circulated via the new Housing Needs quarterly newsletter and that further reports would be submitted on progress with the actions within the Strategy. He emphasised that it was not simply a City Council policy document, but a strategy to be owned by the whole of Exeter.

He enlarged on progress made on the action points 1 to 19 below.

Action points 1 to 8 involved lobbying of Government and external bodies, in particular seeking an overhaul of the Local Housing Allowance (LHA) Scheme to more accurately reflect Exeter's circumstances in order to help individuals afford new homes or sustain tenancies. He advised that this was one of the areas to be raised for consideration by the Devon Housing Commission chaired by Lord Best and that the City Council would be submitting evidence to the Commission. Other areas being examined by the Commission included second home ownership and house building. A key ask was for central funding to extend beyond a one to three year support period to provide for long term planning and commitment.

Action points 9 to 12 involved system changes through working with local statutory partners and stakeholders to maximise current resources and identify new resources and strengthen partnership working.

Action points 13 to 19 related to the City Council's own processes including developing a more formalised partnership with statutory bodies and local accommodation and support providers through the Homelessness Housing Forum. Prioritising budgets to maximise capacity was also important and the Council had committed capital match funding through the Local Authority Housing Fund to purchase housing for those households who had come to the UK from Ukraine and Afghanistan through the Ukraine Family Scheme, the Homes for Ukraine Scheme and the Afghan Resettlement Scheme. Exeter was the only area where no one had become homeless after leaving Afghanistan Bridging hotels. A further initiative was the recent leasing of 16 units to provide additional temporary accommodation housing.

Responding to a Member who raised issues around Children's services highlighting a case where a young person felt safer sleeping in a tent rather than facing anti-social behaviour/drug taking etc. in shared accommodation, the Service Lead, Housing Needs and Homelessness referred to the Council and partners targeting funds for new supported housing units for homeless young persons including care leavers. Gap analyses had been co-designed with partners and completed for both Rough Sleeping needs and high needs Young Persons services. It was a key partnership

milestone in preparation for a November bid for capital and revenue to the Supported Housing Accommodation Programme (SHAP).

In response to a Member asking what is needed to end rough sleeping, the Service Lead, Housing Needs and Homelessness estimated that there was a requirement for 100 supported units which was costly to implement. The provision of safe, welcoming accommodation was vital to assist the street attached to progress into recovery and would also help address issues around sofa surfing, county lines and sexual exploitation. However, the 100 units would not necessarily be sufficient added capacity to address future flow onto the street from loss of supported accommodation and from institutional settings.

The Portfolio Holder for Communities and Homelessness Prevention referenced the importance of statutory partners and others working collaboratively across Devon and that it was not solely a District Council responsibility. Increasing the capacity and funding around mental health services, substance misuse, care of younger persons and care-leavers was crucial with, for example, 151 care leavers currently across the County.

The Chair invited Councillor M. Mitchell, the Chair of the Task and Finish Working Group, to address the Committee. Councillor Mitchell thanked the Service Lead, Housing Needs and Homelessness for the report and Councillor Denning who had first submitted the request for a review of regarding the impact of any increase in homelessness in Exeter as a result of benefit cuts and increases in the cost of living. He re-iterated the need to seek a review of the Local Housing Allowance which impacted on the homeless, those in rented accommodation as well as the employed. He stated that the average rent for a two bed property outside London was £1,278. Exeter was not below this average but was below the Local Housing Allowance rate.

Councillor Denning, the Portfolio Holder for Council Housing Development and Support Services, also thanked the Service Lead, Housing Needs and Homelessness for the report, stating that she worked closely with the Portfolio Holder for Communities and Homelessness Prevention on this area. She particularly praised the work in rehousing refugees which had received much praise through social media.

Responding to a Member's query, the Service Lead, Housing Needs and Homelessness confirmed that homelessness and street attached was not necessarily linked to anti-social behaviour. He advised that the City Council and the Police were drafting an action plan to challenge and unpick social connections to the street and which could also reduce enforcement solutions which ultimately fall short when reaching the Crown Prosecution Service. A report would be submitted to the Community Safety Partnership. He also referred to ethnographical studies undertaken with those who had experienced rough sleeping to help provide a better understanding of the problem.

Other initiatives included the availability of basic hygiene (showers and toilet facilities) which partners are still investigating and the identification of alternative venues such as drinking-permitted space in the city.

A Member moved that the Council seek to lobby the Government to provide additional funding to ensure the provision of 100 units of supported accommodation for ending rough sleeping including for young people and to change the Local Housing Allowance.

The motion was moved, seconded and carried unanimously.

RECOMMENDED that Council:-

- (1) be requested to agree to lobbying the City's MP's and prospective MP's, the Secretary of State for Levelling Up, Housing and Communities and the Local Government Association to:-
 - secure sufficient funding to provide for 100 units of supported accommodation for rough sleepers and young people; and
 - change the Local Housing Allowance by restoring the link to the lower quartile of the rental market; and
- (2) note the progress on the following 19 action points which were divided into those relating to Government/external bodies and those more within the Council's sphere of influence. Progress was reported in italics:-

Government/External Bodies:

-

- (1) To seek via the City's two MP's and the Local Government Association a fundamental review and overhaul of the Local Housing Allowance (LHA) Scheme with consideration to be given to the Allowance reflecting Exeter's circumstances as an urban area in its own right and not averaged with neighbouring authorities in the assessment of the allowance

The fundamental affordability issue resulting from the gap between market rents and LHA rates has been a repeated theme arising the Afghan bridging hotel resettlement programme work. Housing authorities up and down the country have repeatedly raised LHA as the key barrier to affordability and homelessness reduction with key ministers and in the presence of lead Home Office and DLUHC personnel. ECC council officers have lent support to this message to Government during webinars and seminars. The response has been that the Government is listening.

It was hoped that the high profile of the Afghan programme amidst the wider refugee resettlement challenges could be the vehicle that finally levers an uplift in LHA rates. However whilst this has not yet materialised the local action to propose a review of the Broad Market Rental Are via local MP offices is outstanding and will now be followed up by officers.

- (2) To lobby Central Government to increase the ability for local authorities to build social housing

Specific lobbying action has not yet been initiated due to other priorities. Elements of specific activity relating to this agenda remain in play through Planning and the HRA development programme. It is proposed that the Council feeds this and other nationally / regionally relevant lobbying actions via its engagement with the Devon Housing Commission.

- (3) To lobby Central Government for the funding of local authorities and agencies to be for a minimum of three years for projects relating to housing provision, as opposed to short term support
- (4) To lobby Central Government to support changes to the planning system to control/limit short term lets and holiday homes

- (5) To lobby Central Government to support the abolition of Section 21 evictions
- (6) To lobby Central Government to support the reform of the Business Tax and Council Tax regimes for an equitable contribution in respect of all properties
- (7) To seek a Government review of the current operation of the deposit system for private rented properties for mediation to get an agreement to last no longer than 28 days after which the full deposit is returned. This will assist the tenant to obtain a further deposit for an alternative property.

For actions 3 to 7 it is proposed that the Council also feeds these through the Devon Housing Commission.

- (8) To seek the support of the Crown and Magistrate Courts for the use of Plain English regarding paperwork relating to court proceedings

Not yet actioned.

- (9) To align with the County Council webpages to ensure linkage on information and advice that helps people to find early help and prevent people from becoming at risk of homelessness wherever possible

Focus on this action has to date been joint working with DCC Children's Services and Corporate Parenting directorate to finalise the working protocols between County and District / City housing authorities in homelessness 16-17 year olds and Care Leavers aged 18-25. The Care Leaver protocol has been approved by the leading District officers (including Legal teams) as at w/b 11.09.23. This is a key milestone in establishing an improved robust joint prevention approach across both authority tiers. Alignment of communication and marketing of the protocol alongside key information to young persons and representing agencies has been agreed by all partners. The expectation is that revised information will go live by the end of the calendar year.

Alignment of wider homelessness advice and help information including website content and format is outstanding and to be agreed once the local homelessness funding position is finalised post-December.

- (10) To work with Devon County Council's Children's Services, to ensure the Homelessness Prevention Worker function is able to help young people earlier and prevent them becoming at risk of homelessness wherever possible including young people leaving care and making better use of existing tools like Positive Pathways to improve supporting young people earlier on)

This action is part of the overall work with Corporate Parenting and to be developed within the new best practice Champion model due for Cabinet sign off this September. It is proposed that County and Districts will review the homelessness prevention resources under the "Care For Me" subgroup in order to focus on current delivery and gaps in accommodation and support services. The HPW function is to be reviewed alongside the current capacity for personal assistant casework with key focus on improving tenancy rescue. The Council is assessing options to work with County on the Supported Housing Accommodation Programme which will include an assessment of potential use of local County land / buildings for new housing for care leavers. Additional funding for support and earlier intervention work is to be deployed to care leavers through the "Staying Close" fund.

The above work is being progressed under the joint countywide approach to the Corporate Parenting duty which is currently a central priority on the monthly Team Devon CEX agenda.

- (11) To seek increased/joint service contributions from Devon County Council in co-production areas of work e.g. substance misuse services, social care, young persons including care-leavers etc.

Action relating to young persons and care leavers is reported as above. In relation to the needs of the wider cohort, having played a key role in the submission of data and impact information to the recent homelessness funding consultation, the Council is engaged with County in the co-design of a position statement on homelessness. This work is scheduled to produce an integrated view of homelessness need including multi-disciplinary funding models and proposals by the end of November.

Outside of this the Council has been working with local substance misuse and social care partners to develop new capacity for support to adults and young persons with complex and multiple need. This is being co-ordinated under the local joint working with Public Health drug and alcohol funding to grow additional capacity within services aligned to the model of trauma-informed relational practice as delivered by the (award winning) ECC-led Navigator service.

- (12) To seek increased capacity around mental health services including support for the newly formed Mental Health Alliance and building on existing City Council officer support in this area

Work to develop more capacity and improved delivery / outcomes for homeless people in Exeter is being led by Colab with support from the Council. One recent focus has been the recruitment of the mental health navigator and re-establishing the model of pathway interface with the statutory mental health service. Further work is required in this area to drive up capacity beyond what is currently a very limited resource in relation to need and demand.

The Council continues to fund via RSI grant monies the psychological wellbeing support service Real Life Psychology which supports clients and staff with key coping skills and reflective practice.

Exeter City Council responsibilities:

- (13) To undertake a city wide response to homelessness, through a more formalised partnership approach building on the city's social capital and developing flourishing communities - this could be via the proposed Homelessness Housing Forum (HHF) comprised of local accommodation and support providers to see the system as a whole and address blocks and barriers. The HHF will build on learning from the Exeter Homelessness Partnership Alliance as well as from national examples of good practice e.g. Homeless Link. This will build on the existing co-production mechanisms and with the ultimate aim of offering accommodation on first presentation. The involvement of the business/private sector will also be sought.

A number of work development areas have been in progress over the last 6 months:

- *The renewal of a revised Exeter Homelessness Forum, building on the work of the 3-year funded Exeter Homelessness Partnership. The key focus to date has been co-ordinated response to the DCC homelessness funding consultation but other priority work is to revise the alternative giving scheme, raise resource for basic need / survival facilities (toilets, shelter, drinking water etc.) and develop wider service co-*

production with lived experience including education, training and employment pathways

- *Meetings with key civic partners to develop the action plan around relieving street-attached need including city centre ASB. This is a multi-agency partnership including the Council, police, civic partners such as Education, Commerce and businesses.*
- *The Council has continued to lead the Ending Rough Sleeping forum with homelessness and housing partners including some wider stakeholders. Part of the agenda is the development of wider engagement of partners such as Public Health with a view to build strategic consensus toward a wider Homelessness Reduction board*

The governance model proposed in the new Homelessness strategy has not yet been established due to other pressing priorities and is now set to be road-tested over the next 6 months by diverging the above key stakeholder meetings to pilot one strategic homelessness forum for Exeter.

- (14) To maximise renewal of the City Council contract(s) with providers with Member involvement to add greater focus on key areas and targets, including analysis of the evidence base

Contract renewals are in progression with temporary accommodation providers as a key priority given the pressure of statutory accommodation demand and the current squeeze on funding for housing-related support. The Council is prioritising the more risk-tolerant higher performing providers whilst assessing ongoing improvement agendas with other services alongside alternative service models (including in-house provision).

Contracts with young person's services for Homeless Prevention Workers were renewed in February but are now subject to the overall review with Corporate Parenting before any extension or procurement decisions will be taken for April 2024 onwards.

The Council has recently undertaken a contract review and negotiated a funding extension with MOJ/Probation services for its prison resettlement service.

The Council and Citizens Advice Exeter have continued with review meetings (CAE with new CEO from April) focusing on current trends and practice issues with a view to prioritise work streams in time for contract renewal in 2024. Demand on services sub-contracted to CAE and Homemaker SW remain high especially in areas such as household affordability, income maximisation, and arrears and debt management. Next steps will include further relationship building (referrals and communications) with the Council's housing advice services and strengthening of prevention-focused activity.

- (15) To seek the involvement of a third party organisation in statutory homelessness mediation cases

The Council has maintained contact with the Shelter (Plymouth) lead officer. Reviews and appeals of homelessness decisions have remained stable in number. The majority are appeals against social housing banding decisions and predominantly appear to be reflective of personal frustration (lack of housing availability and waiting lists) as opposed to incorrect decisions by the Council. The Council has recently proposed a policy amendment regarding appeals whereby (subject to Devon Home Choice approval) those that are not supported by additional supporting evidence or a change in circumstances following the initial decision may be rejected.

The Council plans to invite a third party advocacy service to monitor these cases as a first check and balance into this area of work. This is also for the purpose of trialling a new partner relationship wherein a mediation option may be developed for challenging prevention cases.

- (16) To welcome and support the In Exeter commitment to the provision of drinking fountains in the city centre and seek the review of the 24/7 provision of public toilets in the city

This action has not yet been progressed. It is likely to be on the priority agenda for the Exeter Homelessness Forum as per point 13.

- (17) To welcome and support One Exeter's review of the use of Plain English for Council tax and other written communications rather than by telephone

This action has not yet been progressed to completion. An option to add a summary statement to the letters atop the necessary policy and legal-led statutory language to be taken to Council Tax lead officer.

- (18) To seek City Council commitment to a continuation of funding for the leasing and purchasing options programme for the supported and temporary accommodation programme

To date the development of leasehold options to relieve pressure on temporary accommodation has not required additional budget from the Council general fund. Since February eight properties (7 new builds and 1 private market) have been purchased and added to the Council's HRA stock under the Local Authority Housing Fund (LAHF) programme. An additional 5 properties are currently under offer / conveyance under LAHF round 2. These properties alongside 3 new PSL properties have been instrumental in ensuring no families were without a housing offer or made homeless as a result of the closing of the bridging hotels in Exmouth and Exeter in August.

In the last few weeks three new properties (16 units) have been leased by the Council for additional temporary accommodation housing. The transfer of some households into these properties will temporarily reduce the cost to the Council of use of hotel and B&B accommodation. This is key to the Housing Needs savings plan under the mid-term financial plan. However a combination of continuing pressures on statutory homelessness demand plus the limited existing capacity in housing-related support have not yet resulted in equivalent lasting reductions in hotel and B&B use. The Council is planning to combat this through increasing the number of leased units plus bidding into the SHAP fund respectively.

- (19) To seek City Council commitment to the expansion of the Housing First model particularly through local registered social landlords

As a first step the Council has led by example and committed to resource five existing 1-bed flats as additional Housing First (HF) tenancies to the existing 15 within Council HRA stock. Whilst one local housing association has also provided 7 units of accommodation under the HF model the scheme will be taken to wider partners as part of the leading Homelessness Reduction Board operational action plan.

30 **Update on street cleansing, bins and litter following the changed approach.**

The Chair reported that, following one to one briefings with Members, the update report would be submitted to the Committee in the New Year.

31 **Healthy Homes**

The Chair reported that a request for the scrutiny of Healthy Homes standards would be addressed as part of the report of the Director City Development on the new 'Exeter Plan' to be submitted to the meeting of the Strategic Scrutiny Committee on 16 November 2023. The report would outline the purpose, scope and content of the Plan and Members would be able to consider what further work they would wish to see, including any work on Healthy Homes, to strengthen the plan for the pre-submission version. Any resource implications would also need to be considered by SMB and the relevant Portfolio Holders.

Members noted the position.

32 **Scrutiny Programme Board Annual Report**

The Chair, as a member of the Scrutiny Programme Board, presented the Board's report which offered an annual update in respect of the Scrutiny work achieved during the Municipal Year 2022/23. He stated that it was the intention for future Annual Reports to set out in greater detail the areas scrutinised and to include the outcomes achieved. A Member requested that the list of ongoing requests for scrutiny, including those submitted using the agreed proformas, be circulated to all Members. The list, which included the status of each item, was now included on the agenda for meetings of the Scrutiny Programme Board and a Member also asked if the list could cover previous years and not just the last 12 months.

Customer Focus Scrutiny Committee noted the Annual Scrutiny Report 2022/23 which would be presented to Executive to note and to recommend to Council to approve.

33 **Forward Plan of Business and Scrutiny Work Plan**

The Chair reported the receipt of a number of additional proforma requests for scrutiny, some of which were effectively refreshing similar requests previously submitted.

Members noted the Forward Plan and the Scrutiny Work Plan.

34 **Howard Bassett**

The Chair reported that this would be Howard Bassett's last Customer Focus Scrutiny Committee prior to his retirement.

The Chair and Members thanked Howard for his service to the Council and wished him well on his retirement.

The meeting commenced at 5.30 pm and closed at 8.09 pm

Chair

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AUDIT AND GOVERNANCE COMMITTEE

Wednesday 26 July 2023

Present:-

Councillor Wardle (Chair)

Councillors Jobson, Ellis-Jones, Fullam, Miller, Mitchell, M, Moore, D, Patrick and Williams, M

Apologies

Councillors Allcock and Atkinson

Also Present

Director Finance, Audit Manager and Democratic Services Officer (SLS)

45

MINUTES

The minutes of the meeting held on 8 March 2023 were taken as read, approved and signed by the Chair as correct.

46

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interests were made.

47

EXTERNAL AUDIT PROGRESS REPORT

The Engagement Lead, External Auditors Grant Thornton provided an update and highlighted two main areas of their programme of work, namely the audit of the Council's Financial Statement of Accounts and the Value for Money conclusion. Work in relation to the 2021/22 Statement of Accounts and in support of the authority's audit work in preparation of the Council's budget was ongoing. One significant change related to the valuation of the Pension Fund held in the Council's balance sheet, the detail of which was set out in the report. The 2020/21 Value for Money conclusion had identified a number of recommendations which have been followed up with colleagues from the Council's Finance Team, including addressing correspondence from members of public around specific issues of the Council's arrangements, which would be taken into consideration as part of the Value for Money assessment work.

The Engagement Lead responded to the following questions:-

- a number of 'plain english' documents were publicly available from the National Audit office, which set out guidelines on the general value for money approach for local government. A link would be provided to the Democratic Services Officer to circulate to Members and she was happy to provide any further information at a future meeting.
- the regular progress report to this Committee would always highlight any areas of concern for Members' attention. It was anticipated that an update on Value for Money report was due to be reported to the next meeting of the Committee.
- the National Auditors Office, Auditor Guidance sets out the framework and scope of Value for Money work, and Grant Thornton summarised any key

messages that arise from those CIPFA documents in their published reports. The Director Finance added that he would purchase a copy of the Guidance for the Committee, and regular updates would be included.

The Audit and Governance Committee noted the External Audit Progress Report.

48

PUBLICATION OF THE 2022/23 STATEMENT OF ACCOUNTS

The Director Finance presented an update on the publication of the 2022/23 Statement of Accounts and the audit status of the Statement of Accounts for 2020/21 and 2021/22. The report set out the progress made against the background of the current audit environment. The Financial Reporting Council (FRC) had placed significant pressure on the use of estimated figures by the External Auditors and in relation to the Pension Fund was not acceptable. Further work with Grant Thornton to complete the 2021/22 audit would ensure there was the best estimate of the Pension Valuation position. An actuarial report had been commissioned, which concluded that the Pension Fund liability as at 31 March 2022 had reduced by £24 million. All of these changes have had a cumulative effect of the opening balances of the 2022/23 accounts, but the commissioned report for 2022/23 will update the information in the Statement of Accounts which was now anticipated to be published mid-August.

The Director Finance responded to the following Members' questions -

- the increase in contributions related to current members of staff, but the back funding payment towards the deficit had reduced, so in overall terms the contribution would reduce for the next three years. This was included in the medium term financial plan as approved by Members in February.
- many of the leisure staff brought back in house, had not been with the Council long enough to have had a local government pension to carry forward, and the impact on the deficit was small.
- the opportunity to negotiate the Pension Fund contribution had changed, but actuaries still used the current information to determine the conclusion. There had been a positive valuation resulting in the Pension Fund deficit - from an accounting point of view the valuation had changed by £24 million.
- the Council will be the same position for the Statement of Accounts for 2023/24 which would need to be based on the February estimate, as the accounts cannot be completed in two weeks unless the local government audit regime returns to a better position to enable closing and publishing of the accounts each year by 31 May.
- the inspection of the Statement of Accounts would commence the day after their publication.
- this was the first year that Exeter City Council had not met the accounting deadline.
- there have been challenges in finding suitably qualified surveyors to carry out property valuations for all of the Council's properties, which required an evaluation over a five year period and commercial property which was valued every year.
- a Parliamentary Select Committee had been held on the timeliness of local audit reporting and the Local Government Association had been invited to

give evidence in relation to the publication of accounts.

The Engagement Lead responded to the following Members' questions -

- Grant Thornton had given written evidence at the Parliamentary Select Committee and the report had now been published. There was an understanding that the delay in more recent Audits nationally, needed to be addressed. Measures have been proposed for a small number of cases. The Department for Levelling Up, Housing and Communities (DLUHC) will continue to discuss with audit professionals and the FRC to ensure this work was back on track. Whilst Grant Thornton had not concluded all aspects of their audit at Exeter, the Council would not be subject to those extreme measures having no significant concerns or challenges. She was confident the necessary assurances would be given in the revised timeframe.
- only one of the authorities that Grant Thornton provide an audit service for had published their accounts by 31 May, Grant Thornton updated that information every month.

Both a Member and the Director Finance had a copy of the letter from the Under Secretary of State for (DLUHC) following on from the Parliamentary Select Committee which would be circulated to Members.

The Audit and Governance Committee noted the progress and barriers to publication of the Council's Statement of Accounts for 2022/23 and audit status of the Statement of Accounts for 2020/21 and 2021/22.

49

INTERNAL AUDIT CHARTER

The Audit Manager (HK) presented the Internal Audit Charter which defined the scope of internal audit, its purpose and responsibility. The Charter was required to be reviewed and updated every two years or following a change in the service. There had been few changes to the service objectives since the Audit Charter was last approved by Members in September 2021. A Member welcomed the helpful change history information as part of the documentation.

The Audit Manager responded to the following Members' questions:-

- the comment made in relation to the objectives set out in the Charter document that there be a specific reference to the Audit and Governance Committee rather than just the Council was noted.
- reporting to the Audit and Governance Committee was made either where a service had not agreed a remedial action or it had not been actioned or implemented. In such cases, Members had the right ask the Manager of that service to attend any of the Committee meetings to explain their action.
- in responding to an enquiry about there being no mechanism for representations to be made by the service, any instances of non-compliance by management on remedial action were rare. A review of the format of the progress reports for any Audit undertaken, would now include an Executive summary to show the detail of any findings and any actions. The Director Finance stated that the Executive summary would provide a snapshot with a rating for each audit. He suggested that following publication of the agenda, Members could request further information on an audit in advance of the meeting. In addition, the Audit Managers would continue to highlight any issues with the reports.

- the Audit team had access to the centralised computer system used by staff working from home, and access to individual staff members' homes was not required. The printing and retention of printed material whilst working from home was not encouraged. The Director Finance advised that standard wording was taken from a centrally produced Internal Audit guidance which was quite dated and this would be reviewed.
- the suggestion of a notification being sent to Audit and Governance Members when an audit has been completed was noted.
- a reference to the wording 'any embarrassment caused to the Council' in paragraph 12.1 would be reviewed.
- in terms of the risk methodology, the team undertook an annual risk assessment as part of the Audit Plan, in accordance with the Council's risk management process, to determine where their resources were placed for the coming year and consider factors such as finance, the complexity of the IT system used, and their own experience and knowledge of the system. The Audit team had all undertaken carbon literacy training and were committed within their work to help the Council meet the net zero target. Part of the preparations for a service audit included completion of a pre audit questionnaire and this included a section on the service policy approach to carbon emissions. The Audit team would continue to work with the Net Zero team to consider how this would be reported back to Members.

The Audit Manager would speak to her colleague and discuss incorporating Member's suggestions in the Charter.

RESOLVED that the Audit and Governance Committee approved the updated Internal Audit Charter.

50

ANNUAL INTERNAL AUDIT REPORT

The Audit Manager (HK) presented the Annual Internal Audit report for the year ending 31 March 2023, which conformed to the Public Sector Internal Audit Standards and was timed to inform the Council's Annual Governance Statement. The report included an audit update, a survey of work and audit standards and the results of the Quality Assurance programme.

The Audit Manager drew Members' attention to key points in Section 3 of the report to be included in the Annual Governance Statement (AGS) which included:-

- Debt Collection with a number of areas requiring attention within service areas relating to raising invoices and subsequent collection of debt for all income streams.
- the Council's Financial Position
- Change Management and the speed of the One Exeter Programme and factors which present a risk in achieving the objectives.

The Audit Manager stated that Section 4, contained an update on the delivery of the Annual Audit Plan 2022/23, which included an outcome of all audits undertaken throughout the year which have also been reported to previous meetings.

The Audit Manager responded to the following Members' questions:-

- improvements to the weaknesses identified in relation to raising invoices and subsequent collection of debt was now part of a management review of debt collection. Any areas of improvements identified in the audit work would be followed up.
- the scope of the audit of Risk Management completed in 2022 related to

- operational risk management not corporate risk Management.
- a Member asked for a copy of the recent Hospitality Audit report and the Audit Manager agreed to circulate to members of the Committee.
- key assurances were identified by the Audit Managers as set out in Section 2 of the report, which included their input to the overall opinion. The Director Finance responded to a request for consideration of a specific area of concern and advised that Members may request areas for consideration to the Audit Managers for inclusion in the Action Plan.

The Director Finance also responded to Members' questions and stated that:-

- the audit work covered a range of sundry debt collection in Council Tax and Housing Rents. The teams provided services to either business or the general public across a whole range from the Home Call Alarm scheme through to managing commercial property which included managing leasehold service charges and ground rent.
- a key parameter of the audit was about reporting on the management of the process and not the level of debt of individuals. It was anticipated that the debt system was due to be replaced in two years' time.
- in respect of the Medium Term Financial Plan, the Council's budget for this financial year had taken account of an outstanding sum of £9.7 million, and the correct figure had subsequently been reduced to £5.1million.
- as part of the audit of IT/Strata Asset Management, the Strategic Management Board at Exeter City Council had discussed the current levels and replacement of IT equipment with an inventory to ensure the agreement was updated in line with current practice. It was appropriate for this to be discussed by the tripartite authorities of Exeter City and East Devon and Teignbridge District Councils at the Strata Joint Executive Committee meeting.

A Member proposed and Members agreed for this matter to be referred to both Strata Joint Executive and Strata Joint Scrutiny for the organisational agreement to be updated in line with current practice, noting that IT equipment was an asset.. It was noted that Strata's legal team had drafted up an updated contract which had been agreed by the Council.

The Audit and Governance Committee noted the Annual Audit Report for the year ended 31 March 2023 and the request that Strata Joint Executive and Strata Joint Scrutiny Committees ensure that the organisational agreement is updated in line with current practice noting that the City Council is holding an asset in terms of IT equipment.

51

ANNUAL AUDIT GOVERNANCE STATEMENT 2022/23

The Director Finance presented the report accompanying the Annual Governance Statement setting out key issues, the responses and a summary of action. The Annual Governance Statement would accompany the Council's Statement of Accounts for 2022/23. The Governance Statement was a statutory requirement and reported on the Council's performance against the Council's Code of Corporate Governance which was last approved on 8 March 2023.

In response to a Member's questions, the Director Finance advised the following:-

- the Governance Statement included what happened last year, as well as a summary of actions for 2023/24.
- the Risk Register would continue to be presented to the Audit and Governance

Committee.

A Member raised a number of issues on the circulated Statement under the *Review of Effectiveness* section and in relation to a reference on appropriate updates of the Council's Constitution referred to the Governance Review Group and sought an explanation of why the Group had been disbanded, and what was proposed to be put in its place. There was now, no apparent mechanism for Members to feedback on any proposed changes to the Constitution or the operation of Standing Orders. The Group had included Members from all political parties, who had made a number of representations and constructive comments, and she now wished to make a formal request to the Executive or appropriate body for the reinstatement of the Governance Review Group. A Member also made a request for the minutes of a number of those meetings held to be circulated to Members.

In response to a comment on the lack of mechanism to put an item on the agenda of this Committee, they were advised that any concerns or a request for review of a service area of the Council could be made to the Internal Audit Manager. It was noted that a review of the operational requirements and arrangements in relation to officer responsibility was also included in the Scheme of Delegation report and considered annually by the Executive.

The Member also commented on the reference to the work of Customer Focus and Strategic Scrutiny Committees who monitor the overall financial performance of the Council; she referred to the financial performance of the Housing Revenue Account (HRA) which was reported to the Council Housing and Advisory Development Group (CHAD) but not to the Customer Focus Scrutiny Committee. The CHAD Group was not a Council Committee, but operated in an advisory capacity to the Executive and the Scrutiny Committee could include regular budget monitoring.

The Director Finance referred to the review process of the Council's Constitution which was not Member driven and also included regular updates in respect of officer responsibilities. The reference in the Statement was not intended to be in the form of a review that the Member had suggested.

A Member offered a copy of a letter from the Minister of Department for Levelling Up, Housing and Communities (DHLUC) sent on 28th June relating to the issue of governance review and suggested that it be shared with Members.

Following the earlier discussion, a Member proposed that a formal request to the Executive or appropriate body be made for the reinstatement of the Governance Review Group. A Member also made a request for the minutes of a number of those meetings held to be published.

The proposal was seconded and agreed following a vote.

RESOLVED that the Audit and Governance Committee approve the Annual Governance Statement of Accounts for 2022/23 and be signed (at the earliest possible convenience) by the Director Finance and the Chair of the Audit and Governance Committee and included within the Council's Annual Statement of Accounts for 2022/23.

RECOMMENDED to Council to note and approve the following:-

- (1) Annual Governance Statement included within the Council's Annual Statement of Accounts for 2022/23, and
- (2) a request for the Executive or appropriate body to consider the

reinstatement of the Governance Review Group, and for the minutes of the meetings to be published.

52

REVIEW OF THE CORPORATE RISK REGISTER

The Director Finance referred to the report presented to the Executive which advised of the Council's progress in developing a new Corporate Risk Register.

Senior Management Board colleagues had worked with Zürich Insurance Group to review the Risk Register linked to the Council's Corporate Plan and Strategic Priorities using the four pillars of the Council that underpin the delivery of People, Property and Infrastructure, Finance and Digital. Each area of work would have a risk owner at Executive with support from the relevant Director. He set out the revised format which included a summary sheet to show the scope and risk in summary with an assessment of the level and the resources required from a very high to very low ratio; and an assessment of the impact of failure to deliver and of the effect on a range of drivers such as political, financial, reputational, regulatory, legal, compliance and community. The Register will also assess the Council's risk appetite whether it is open to risk, more cautious or risk adverse. Further work will be undertaken on the Risk Register, and the updated document will be presented to the Executive in September and continue to be presented to the Executive and the Audit and Governance Committee on a quarterly basis.

Following on from the previous invitation for a Director to attend the Audit and Governance Committee to provide further detail on the risks identified in their area of work, the Director City Development will be invited to the September meeting to provide an update.

The Director Finance welcomed the feedback on the specific targets being identified, of the Executive and officer areas of responsibility and responded to the following Members' comments:-

- Zurich had suggested a number of topics from around the country, with the impact of the risk mitigation based on that.
- every service has an individual Service Risk Register, but only when a risk become significant, would it be included on the Corporate Risk Register.
- when an asset would be impacted upon for example in the case of flooding, working in partnership with for example the Environment Agency would be acknowledged, but the Risk Register did not include working in partnership.

The Audit & Governance Committee noted the progress made in producing the new Corporate Risk Register.

(The meeting commenced at 5.30 pm and closed at 7.40 pm)

Chair

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AUDIT AND GOVERNANCE COMMITTEE

Wednesday 27 September 2023

Present:-

Councillor Wardle (Chair)

Councillors Jobson, Allcock, Atkinson, Fullam, Miller, Mitchell, M, Moore, D and Williams, M

Apologies

Councillors Branston, Ellis-Jones and Patrick

Also Present

Director Finance, Director of City Development, Audit Manager, Net Zero Project Manager and Democratic Services Officer (SLS)

53

MINUTES

The minutes of the meeting held 26 July 2023 were taken as read, approved and signed by the Chair as correct.

54

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interests were made.

55

DRAFT AUDIT FINDINGS REPORT 2021/22

The External Audit Manager (Grant Thornton) referred to the well documented ongoing delays in the completion of audit work nationally and of Grant Thornton's efforts to continue to progress their audit work for Exeter City Council. He presented the interim Audit Findings for the City Council's 2021/22 financial statements and confirmed that a final report would be issued at the completion of their work. There were no matters which required modification of the audit opinion, subject to a number of outstanding matters detailed in the report, including a specific audit focus on the material statement and the accounting estimation element. Grant Thornton have completed the majority of that work, although of note was the updated Pension triennial valuation position.

The following matters were highlighted:-

- the Value for Money arrangement work was ongoing with the recommendations of the 2021/22 accounting average return and the position with regard to providing a defined audit report. To ensure relevancy in terms of the information being used, there would be a combination for the 2022/23 audit report.
- there were no major issues in relation to the management Override of Controls, other than the identification of the level of 'super user access', in respect of system administration and no issues had been identified.
- further work in relation to the high level of activity and the triennial valuation of the Pension Fund had taken place in relation to the current membership numbers. They were seeking a letter of assistance to be able to conclude that element.
- information was awaited to complete the review of the work on the audit for

- Exeter City Living, but no issues in relation to the audit had been identified.
- internal control assessment recommendations had resulted in two areas being identified, Declarations of Interest made by senior officers and the individuals with super user access, with recommendations included in the action plan at Appendix A. Management response was awaited on these matters.

The External Audit Manager (Grant Thornton) responded to the following Members' questions:-

- in respect of debt management, the Statement of Accounts included the borrowings of the Council and their role as External Auditors included establishing accurate disclosure as well as the minimum revenue provision for the servicing of debt by the organisation. Although how debt management was handled was part of their VfM review work, it was for Members to consider the appropriate level of debt.
- the Authority's Group Accounts include Exeter City Living, which are audited through PK Francis Clark Accountants.
- the property valuation and estate management offered a broad picture of accuracy in relation to Exeter City Council.
- it was desirable for the receipt of Declarations of Interest in respect of senior officers to be at a nil.
- Materials Requirements Planning (MRP) was a calculation of set aside to cover debt management and management will take the view of the appropriate level based on the debt being carried. Grant Thornton will have a view on this matter in due course.

The Director Finance also responded to the following Members' questions.

- the reference to property ownership raised in the Interim Findings report should be read in conjunction with the Council's Statement of Accounts. There is a description of the related parties in the Group Account's section as well the investment and commercial property portfolio, which included Council dwellings and garages as part of the Housing Revenue Account (HRA) properties, other operational land and buildings where the Council's operational activities are carried out and investment properties as part of the commercial portfolio. Other areas included infrastructure assets such as bridges, footpaths listed in the Corporate Risk Register and heritage assets and a range of community assets that generate a rental income.
- the super user is the System Accountant and the access was monitored through audit logs. The move to the new finance system across the three authorities will address this accounting system in a different way.
- the Government are undertaking a review on MRP and will put in place definitive guidance, but many local authorities have raised issues in relation to the repayment of Council loans and what could be seen as double accounting in the set aside approach. The Council has not taken this approach but a report on this area will be made in due course.
- a link would be provided to the Final Audit Findings with the full Statement of Accounts which will include the Group Accounts.
- the focus of this work was on the 2021/22 audit. In respect of Exeter City Living's audit, PK Francis Clark had completed their work for 2021/22, and the audit for 2022/23 had not been completed. The External Audit Manager (Grant Thornton) stated that as the 2022/23 accounts were still open, any post balance sheet adjustment could be made and the Group Auditors would take a view.

RESOLVED that the Interim Key Findings report by Grant Thornton be noted.

56

EXTERNAL AUDIT - AUDIT PLAN 2022/23

The External Audit Manager (Grant Thornton) presented the proposed External Audit Plan from Grant Thornton for the year ending 31 March 2023, which detailed an overview of the planned level and scope of the statutory audit. Although the 2021/22 audit had yet to be completed, there was a need to keep the process moving with the planning of the 2022/23 audit. He referred to the challenges of meeting the Government's deadlines for a timely audit, which was explored in a publication entitled *About Time*. A link was included in the circulated report.

The External Audit Manager (Grant Thornton) referred to a number of areas of work included in the Audit Plan for consideration relating to significant risks, the Value for Money arrangements and the Group audit scope and risk assessment. Recent events had resulted in new areas of work relating to assets being included in the Audit Plan of Reinforced Autoclaved Aerated Concrete (RACC) being present in any of the Council's buildings and also equal pay, which had significant ramifications at Birmingham City Council. This may have an impact on the 2022/23 audit work. The Director Finance confirmed that these matters were already being discussed by the appropriate officers.

A correction was made to the report relating to the materiality figure for the Council's financial statement which was £2,469,000 and not the figure stated of £2,690,000. It was anticipated that the Audit Findings report and Audit Opinion and the Audit Annual report would be presented to the November meeting of the Audit and Governance Committee.

The Audit and Governance Committee noted the External Audit Plan for the year ending 31 March 2023.

57

INTERNAL AUDIT PROGRESS REPORT 1ST QUARTER

The Audit Manager (HP) presented the detail of Internal Audit Progress work carried out during the first quarter period of 1 April to 30 June 2023. A summary of progress against the Annual Audit Plan for 2023/24 was included at Appendix A. An Executive summary for each completed audit provided a more detailed breakdown of the work at Appendices B to D. The action plan of the Significant Governance issues identified in the last annual Governance Statement had been included at Appendix E.

Members were advised on the overall progress and that the Plan was on target with no matters to draw to Member's attention.

The Audit Manager responded to the following Members' questions:-

- the City Council's community lottery scheme would be picked up as part of the Audit Work Programme, now that the scheme was in place and operating.
- a request to consider an audit of the fly tipping policy was made and would be considered. The comment that there had been no prosecutions was noted.
- any further areas of concern in relation to community grants would be followed up and brought back for Members' attention. The audit had identified there had been some instances where the terms and conditions

for the recipients have not been met, and a number of recommendations had been proposed.

- Grant payments were made through the Community Grants Board with recommendations made by Ward Members. With regards to the non-return of evaluation forms the process would now ensure the receipt of an evaluation form from the individual organisation or body before any further grant was issued.

The Director Finance added that any exceptions to the agreed management action in relation to community grants would be picked up by the Audit team follow-up, and reported to the March meeting for the Audit and Governance Committee to take a view.

A Member welcomed the summary sheet which was a useful addition to the report format.

The Internal Audit progress report for the first quarter of the year to 2023/24 was noted.

58

REVIEW OF CORPORATE RISK REGISTER

The Director Finance presented the report which referred to the revised Corporate Risk process which was presented to the September meeting of the Executive, and which outlined the future reporting arrangements. He now sought Members' endorsement and any comments on the revised risk management process.

It was important to note that the Audit and Governance Committee had a different role to the Executive in terms of the Council's Corporate Risk register and risk management process. The Executive was responsible for delivering the priorities and services and their role was to identify and manage the risk, who with individual Portfolio Holders in conjunction with Directors had responsibility for those risks with appropriate implementation of any necessary mitigations. The role of the Audit and Governance Committee had not changed in terms of being satisfied and ensuring there was an adequate process in place to manage risk, with the opportunity to comment and make recommendations on the process to Council.

Following a Member's question, he confirmed that the role of Audit and Governance Committee in this regard was not that of a scrutiny function, but was a parallel process using the same reported detail on the Risk Register. The Committee could comment on the process in agreement with the Executive with the opportunity to make recommendations to Council to enhance the process.

The new risk management procedure will allow individual Directors to work more closely with the Executive and Portfolio Holders to identify and manage risk. He outlined the key benefits, which included a summary page which included an assessment of resources that would be required to mitigate the risk in terms of the effect on finance, reputational risk, regulatory and legal compliance as well as the impact on the community. The risks are also focused on the Council's Corporate Priorities, alongside the four pillars that underpin the provision of services relating to People, Finance, Assets and Time.

In response to questions from Members, the Director Finance confirmed that:-

- each Director will work with their respective service Portfolio Holder to consider the Risk Appetite rating. Examples might be in relation to property

where a particular scenario might result in a significant change such as danger or loss of life, whereas risk associated with more evolving technology with other benefits and opportunity to contribute to a priority could result in a different approach. It was for Members to consider the outcome, and achievements and the impact of the risks and match that with the appetite for risk. It was for Members as a Council to determine where resources in the widest sense would be targeted, and appetite for risk was not necessarily linked to the level of available resources.

- with a further explanation of the headings and colour coding on the summary sheet relating to the internal assessment of the level of resources in terms of the Council's four pillars of time, financial, people and assets needed to fully mitigate those risks and in relation to the external areas of Drivers for Risk Appetite of wider considerations should the risk materialise including areas such as finance, reputational risk, regulatory and legal compliance as well as the impact on the community. To consider the appetite for risk that the Council would wish to take to deliver the priority and that will vary with the potential risk and impact will be. The aligned dates were now more meaningful and varied from a rolling target such as in the case of financial sustainability to alignment to a work programme or funding.
- the Net Zero Risk Register was about the City Council's attempts to become carbon neutral as a Council. One of the objectives is to deliver a Net Zero city and is a risk that focuses on the City Council and also the wider city.
- SMB and Portfolio Holders will now have better understanding of the risks, and the Audit and Governance Committee will also be able to comment on maintaining the cautious approach or acceptability of any risk.

A Member made a comment in relation to the potential consequences on the community being considered, the wider effect of not understanding the impacts of missing targets that inform the priorities, and also the omission of a section dealing with an unknown or emergency scenario or situation. She made a request if the summary page could include the risk matrix with an explanation of the definitions. These comments along with the other comments and enquiries made which the Director had responded to, would be passed to SMB colleagues. He noted that there should be some consideration of the potential impacts section to be more meaningful.

As previously agreed as part of the reporting format, a Director with responsibility for a particular area of the Risk Register was invited to attend the meeting. The Director City Development was present to comment on *Risk 6 - Delivering and Building Great Neighbourhoods and Communities*.

There were challenges in needing to deliver more homes in the city in the current economic climate, and the focus of using brownfield sites. That was the most appropriate and sustainable strategy to address those challenges, however it was included on the Risk Register. He welcomed the new approach to the Register which would focus draw attention to the most important matters. He advised that a forthcoming Member Briefing session would provide more information on the Housing delivery challenges.

He responded to Members' questions:-

- addressing the housing challenge were not entirely in the City Council's control including establishing the five year housing supply which depended on acquiring the necessary planning permissions and developers' interests

in the sites.

- the risk was not being able to deliver on sites identified in the Exeter Plan. 'The City Council had been quite successful in obtaining grant funding from the Government's Brownfield Land Release Fund. Despite being a smaller authority and not having strategic funding, or being able to attract Levelling Up Funding or of our limited levels of deprivation, the Council will still continue to work with other agencies such as Homes for England and take any opportunity to bid for funding which also requires skills and capacity.
- a report to the Executive would give an in principle approval for purchase powers of some land to help resolve a transport network issue if needed in relation to the proposed Water Lane development. As part of a collaboration they would work with local landowners as the land contributes to the wider infrastructure, with the costs and risk being borne by those landowners.
- the Growth Board was an internal officer group, which he chaired to look at the detailed issues such as viability of the brownfield sites.
- he was unable to comment on the scope of the Devolution Deal in relation to the funding of housing, as those discussions were not in the scope of this Committee.
- a report to the Executive would include a reference to the Clifton Hill site.
- in respect of the five year housing supply, it was not sufficient just to allocate sites in the Local Plan, they had to demonstrate that they were deliverable as they could be deemed not deliverable at appeal.
- the improved process and data set out in the Risk Register will offer a more regular opportunity for review. It is envisaged that any changes will be reported to Members. The Director Finance added that the previous reporting regime highlighted any changes to the risks. It may be that where there are significant changes to the mitigations that they ask each Director to highlight those and include in the report.
- the planning process was not entirely down to the City Council as individual planning agreements including the 35% affordable housing policy were negotiated and subject to viability, but was with Council owned buildings and land brought forward through the Housing Revenue Account (HRA) process. The Risk Register captures the concerns in relation to brownfield site land.
- the business case of the Exeter City Fund project has explored a possible delivery mechanism which went beyond the business as usual scenario. It included the delivery options for further exploration or to establish if it was appropriate for us or any partners to introduce a delivery mechanism..
- the Exeter Development Fund work would explore different forms and there was not one single option.

The Audit and Governance Committee noted the updated Corporate Risk Register and thanked the Director City Development for attending the meeting.

59

CITY COUNCIL NET ZERO RISK REGISTER

The Net Zero Project Manager presented the report, which advised the Audit and Governance Committee of updates to the City Council's Net Zero Risk Register, as well as an assessment of the risks in delivering Net Zero within the City Council by 2030. This was the second report, since the Net Zero Risk Register was introduced in July 2022, aligned with the Net Zero Carbon Reduction Plan.

One action that had been implemented and now raised for accuracy was where the Council will use social media communicating platforms to advise of adverse weather conditions.

The Net Zero Project Manager responded to the following comments from Members:-

- data on energy efficiency spend and savings on energy at St Sidwells Point (SSP) can be shared. It was difficult to compare the energy consumption and costings with other city leisure centres, as SSP was a unique building. The percentage consumption over all of the six leisure sites was very positive with gas consumption accounting for 14%, and electricity 34%, of the leisure estate's total consumption. The gas supply at SSP is part of a reserve system in place.
- the Carbon Reduction Action Plan is a live document and reported to Members of Strategic Scrutiny Committee every six months, following six monthly reviews with all responsible officers. In turn, the Action Plan provides for a complete six monthly update of the Net Zero Risk Register. The Director Finance added that the Action Plan was in relation to service operation and had been discussed at SMB, and would be discussed regularly going forward.

The Net Zero Project Manager sought Members' views on the future reporting of the Net Zero Risk Register and if it should also be reported alongside the Net Zero updates made to Strategic Scrutiny Committee. The Director Finance added that Audit and Governance Committee had made the original request for this to be reported to them. In response to a question, he advised that the Portfolio Holders were not involved in this operational Risk Register, as it was by its nature for the Service Leads to manage. A Member stated that it was appropriate for the Scrutiny Programme Board to come to a decision on this matter.

The Audit and Governance Committee noted the City Council's Net Zero Risk Assessment update would continue to be presented every six months, and for the Scrutiny Programme Board to consider if it should be reported to the Strategic Scrutiny Committee as part of their six monthly Net Zero update.

(The meeting commenced at 5.30 pm and closed at 7.20 pm)

Chair

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STRATA - JOINT SCRUTINY COMMITTEE

TUESDAY, 27 JUNE 2023

Present:

Councillors Levine, Westerman, Knott, patrick, Clarence, Radford and Smith

Members in Attendance:

Councillors

Apologies:

Councillors Hartnell and Leadbetter

Officers in Attendance:

Simon Davey, Strata Board Director

Suzanne Edwards, Strata Finance Director

Neil Blaney, Head of Place & Commercial Services

Steve Mawn, Director of IT and Digital Transformation

Christopher Morgan, Trainee Democratic Services Officer

**These decisions will take effect from 10.00 a.m. on Tuesday 6 June 2017
unless called-in or identified as urgent in the minute**

8. ELECTION OF CHAIR

It was proposed by Councillor Clarence and seconded by Councillor Patrick that Councillor Knott be elected chair of Strata Joint Scrutiny 2023-24.

A vote was taken and the results were unanimously in favour.

Resolved

That Councillor Knott be elected chair of Strata Joint Scrutiny 2023-24.

9. MINUTES

It was proposed by Councillor Knott and seconded by Councillor Clarence that the minutes of the previous meeting be agreed as a correct record and signed by the chair.

A vote was taken and the result was unanimously in favour.

Resolved

That the minutes of the previous meeting be agreed as a correct record and signed by the chair.

10. STRATA BUDGET MONITORING REPORT APRIL 2023-24

The report was introduced to the committee by the Financial Officer.

The Committee discussed the pension fund and in response the financial officer told the committee that inflation influenced liability and that future projections would be affected by the pension fund. The Committee also discussed the budgeting breakdown provided in the report.

It was proposed by Councillor Knott and seconded by Councillor Patrick that the committee note the monitoring report.

A vote was taken.

Resolved

That the Committee note the monitoring report.

11. STRATA BUDGET MONITORING OUTTURN 2022-23

The Financial Officer introduced the item to the committee.

In response to a request to see the pay of individual strata officers, the financial officer noted that there are pay scales that apply to the organisation and that there were mechanisms for councillors to receive this information. It was suggested by one member that the salary shown to the committee be anonymous and that they see both junior and senior employee pay.

The Committee agreed that at a future meeting it should be decided that the work programme and purpose of the committee should be set out.

In response to a question about the necessity of the restructure, the Strata Director informed the committee that it was to ensure that the organisation are able to modernise, and that the program is in phase 1 which includes improvements provided by the cloud.

In response to a comment about members being able to provide feedback, the Strata Director stated that he couldn't comment on his predecessors but that their roles allowed IT to remain stable and that going forward there would be more frequent communication.

In response to a suggestion of a members' visit to Strata offices, the Strata Director agreed and stated he would take the idea away and provide further information at a later date.

Further comments from members included the role of strata scrutiny, the input of members for the staff survey, and publication of the agenda.

It was proposed by Councillor Knott and seconded by Councillor Patrick that the report be noted.

A vote was taken and the decision was unanimously in favour.

Resolved

That the committee note the report.

12. DEMONSTRATION OF STRATA OPERATIONAL PERFORMANCE DASHBOARD

The new Dashboard was presented to the committee by the Strata Board Director.

In response to questions from members the Board Director clarified what was considered an incident, that there was approximately equal numbers of assistance calls coming in from each council, and that he would take away and discuss the suggestion for a satisfaction survey to be providing following said calls.

13. INTRODUCTION TO STEVE MAWN, DIRECTOR OF IT AND DIGITAL TRANSFORMATION

The Strata Director introduced himself and Strata, the organisation.

The discussion between members and officers clarified the following points

- Strata had achieved 5.5 million in savings for the Partnership had been reached over a 7-year period as a compounded total.
- Prioritisation of workload is managed in partnership with the councils.
- Technology relating to Teignbridge homelessness strategy had been requested by Teignbridge Council and is under review
- Technology provided to one council can and should be provided to others as first choice to leverage savings
- The Business Plan is used to track savings provided by Strata
- Profits are sometimes redistributed to Strata by the three Councils to assist with the transformation agenda
- The in-development performance dashboard is used to monitor performance
- The move to the use of cloud technology is reliant on application rationalisation and will likely require a hybrid approach in the short to medium future

Strata - Joint Scrutiny Committee (27.6.2023)

- The Technology used by Teignbridge Housing Department was purchased from a supplier.
- There is a need for closer working between the three councils. By introducing governance that helps the authorities work closer together the councils will be able to achieve more.

The meeting started at 4.00 pm and finished at 5.25 pm.

Chair
Councillor Paul Knott

EXETER HARBOUR BOARD

Monday 25 September 2023

Present:-

Councillor Ruth Williams (Chair)

Councillors Pearce, Read, Snow and Ms Green and Messrs Garratt, May, Michaelson and Seddon

Apologies

Councillors Ellis Jones, Leadbetter and Richard Eggleton

Also Present

Chief Executive, Harbour Master, Water Patroller (NS), Water Patroller (GM) and Democratic Services Officer (SLS)

Also Present

Tommy Fox - Solicitor Ashfords

David Rochester - Secretary Exeter Port Users Group

John Monks - Chair of Friends of Exeter Ship Canal

52

WELCOME

The Chair welcomed two new members of the Board, Ms. Green and Mr Colin Seddon who she invited to introduce themselves along with the Board Members.

53

MINUTES

The minutes of the meeting held on 13 July 2023 were taken as read and signed by the Chair as correct.

54

DECLARATIONS OF INTEREST

No declarations of pecuniary interest were made.

55

PUBLIC QUESTIONS

There were no public questions.

56

UPDATE ON THE HARBOUR REVISION ORDER

Tommy Fox of Ashfords Solicitors attended and referred to the previous meeting of the Harbour Board when an outline on the general process of a submission for a Harbour Revision Order (HRO) was made. He confirmed that the application for a Harbour Revision Order had now been submitted.

The HRO submission had been prepared in draft form and with a statement of support had been submitted to the regulator, the Marine Management Organisation (MMO). The application was submitted before the fee for submission increased. He thanked the Harbour Master and his team for their assistance in producing the required plans. Checks would be made by the MMO and could take any time up to

six months. Once that part of the process was complete, there will be a 42 day public consultation and the application documents would be made available to the public. The document will be published on line, circulated in the local press and the MMO will send it to designated consultees. Individuals and organisations will be able to respond and comment on the application. Following the consultation, consultees will be contacted in relation to their response. Once all of the objections have been resolved the MMO will make a decision and either make a HRO or call a public Enquiry, which would be rare for a HRO of this nature. Once the HRO is made, it will be put to Parliament through the Department of Transport for laying. The whole timescale can be anything from 18 to 24 months from submission to determination, but once it is laid before Parliament, the Order will come into force two weeks later. The Order can then be enforced and the Council will be able to exercise any provisions in the Order.

He gave the following responses to questions:-

- the timescale for the HRO will be from the submission date until the date of determination by the MMO and the date was impossible to gauge but could take from 18 to 24 months.
- there has been an influx of applications made in the last two years and whilst 18 months may be a more realistic timeframe, much of the process was out of their control.
- once the HRO is drafted, it becomes a Statutory Instrument and passes through two stages of validation, electronic and manual validation to check it will operate correctly as legislation, and ensure it is a complete application.
- he will forward the question in relation to the jurisdiction limits onto to his colleague at Ashfords, along with the request to circulate the plan.
- both he and the Harbour Master have discussed a pre-consultation exercise and there will be a few months to prepare for that. A pre-consultation should come just before the formal consultation, as there will be changes made to the documentation that will need to be updated. Time spent in a pre-consultation exercise would resolve possible issues. He suggested the pre-consultation might include a drop in session with Ashfords, or a more formal meeting.
- lobbying MPs and Parliamentary pressure can be helpful but other Harbour Authorities would also likely take that opportunity.

The Chair thanked Board Members for wanting to become involved in the pre consultation exercise, but the Council had to manage the consultation appropriately with a formal City Council presence as well as Board Members. This would be discussed with Ashfords as part of the pre-consultation arrangements. A Board Member offered his services and suggested using other Board Members as ambassadors in support of the consultation. A Board Member also suggested publishing the methodology that will be used in the consultation to increase buy in by the public.

The Harbour Master advised that a list of clubs and organisations to contact for the pre-consultation had been drafted, and would be circulated for any further suggestions or additions.

The Chair responded to a Member over a matter raised in relation to levying charging and advised that the matter would in time need to be discussed by the Executive. She would speak to the Director and his officers to seek a view on this before coming back to the Board.

Thanks was expressed to Tommy Fox for the presentation and for meeting the application deadline along with an acknowledgment of the support of the Harbour Master and the waterways team.

57

EXETER PORT USERS GROUP UPDATE

The Secretary of the Exeter Port Users Group (EPUG), David Rochester attended to provide a verbal update from the Group's recent meetings and activities:-

- in noting the HRO process was moving forward, EPUG expressed concern that no mention had been made to the public with regard to the level of Harbour Dues prior to the application.
- in citing a recent BBC report on the loss of revenue opportunities at Langstone Harbour, who now had only modest mooring charges (£8 a metre) as their only income stream with many vacant moorings remaining. Many River Exe users have discussed the City Council's intentions over future river management and at what level they expect it to be economically viable. There was very limited commercial revenue and with the addition of high costs associated with the upkeep of the canal, Harbour Dues paid by river owners can only ever cover a fraction of the costs associated with the Port. EPUG had calculated a figure in relation to moorings with a figure of 10,000 metres, with a 10% margin of error and included boats kept in the Canal Basin and Exmouth Dock.
- the recent Heritage Harbour Festival appeared to be a great success and was a reassuring sign of the city's interest in its maritime heritage and boating in general.
- there was concern about the Council's plans for the port area, under the Exeter Living and Water Lane projects. With the national interest growth in boating, and more accessible types of water craft for all abilities and ages, EPUG suggested that the development may restrict facilities for the sport and its associated industries. They suggested a likely loss of hard standing, craning and space for crafts-people to set up business would be both regrettable and not compatible with a Heritage port.
- similarly restricting the space available for kayaking/canoeing and other water-based clubs, was not desirable and it was likely that the new residents of water side housing would be expecting good water-based leisure facilities to go with them. Any plan which curtails space and amenities for that, would reduce the attractiveness of those dwellings for active, fitness minded residents. A modern river/canal living space should be accessible to all as a leisure and sporting area, which also then adds to the attractiveness for visitors, reinforcing the concept of Exeter as a modern, lively, healthy city to live and work in.

The following response was given to Board Members' questions:-

- the calculation of the number of boats in the river had included both the river and canal, Exmouth Docks and the Marina and was accurate to within a 10% margin.
- most UK ports have revenue from commercial traffic. Exeter's Port had limited commercial revenue and the Canal with its strict maintenance regime was operated at considerable expense.
- in terms of the protection from the proposed development, the space around the Canal Basin will be important for the clubs to continue to operate. He was aware of the proposed development at Water Lane and how that might encroach on the area available for boats. The Chair added that the planning application was on the Council's web site for comments

and there was the opportunity to comment on that as well as on the Exeter Local Plan.

Members noted the report and suggested that in future the report be circulated to Members in advance of the meeting.

58

EXETER SHIP CANAL AND HERITAGE HARBOUR ROUTE MAP

The Chair of the Exeter Ship Canal, John Monks presented the details of the Heritage Harbour route map. He advised that the Exeter Canal and Quay Trust (ECQT) had adopted the circulated version of the route map. He added that he made some minor revisions and would take the opportunity to update the document in the future.

He set out the background to the Ship Canal and Heritage Harbour Route Map and how the document may be of use to the Harbour Board. At the end of 2020, the Friends of the Ship Canal secured Heritage Harbour status for Exeter, and published their report *Making the Canal Matter Again* calling on the City Council, the Canal and Quay Trust and the Port Authority to work together and use the boost which the new Heritage Harbour status provided to bring about a working regeneration of the waterway. The responsibilities for the canal and basin, control over income and use of waterside buildings, and management of access to the sea were split three ways between the Council, the Trust and since 2021 the Harbour Board. The route map was commissioned and sets out interlocking projects, activities and improvements to take the canal and basin forward and scale up the level and range of maritime activity to make Exeter a leading inland port. The route map also develops its plan for a maritime future simultaneously with its vision for a working Heritage Harbour including the docking of historic vessels and return of traditional skills and crafts. He welcomed the arrival at the Basin of *Britannia* for restoration and *Snark* for a safe commercial mooring over winter, along with the two Heritage Harbourside festivals organised by ECQT, which were all tangible results of the Route Map's preparation.

The Route Map was designed to be a source of good ideas and good advice and a tool for planning ahead and offers a direction of travel. It included practical recommendations as long-term proposals and quick wins for the canal and basin and included:-

- Return of waterside assets to waterway use
- Making space and workshops available for start-up boatbuilders
- an accessible canal management, information and community hub
- A mini-hub at Topsham Lock and the Lock Cottage
- Preparation for quicker and easier navigation when headroom beneath the road bridges on the A379 is raised: this is a game-changer
- Bridges and locks electrically operated and boater operated where possible
- Slipways fit for purpose
- Attracting commercial interest in, say, sailing holidays working out of Exeter and making a gradual return of specialised waterborne freight with low carbon impact a focus of the Port's waterway revival. If Exe Estuary mussels bound for Exeter, and Exeter brewed beer bound for Exmouth are transported in any other way than by boat, something is lacking
- Lacking too is the offer of combined bus and ferry tickets for passenger transport, taking in Marsh Barton railway station and a variety of waterside leisure destinations.

In conclusion, a key idea embedded in the Route Map, was that the basin, canal,

estuary and its smaller harbours, and the coast make up one entity of the port and the basin is the Port of Exeter's principle harbour. The idea of the Route Map to update maritime activity and economic focus at the canal and basin was a route to the Port's continuing maritime significance. However, the Route Map will only be useful only as long as it is held to be a live document that sets a general direction. It is to be consulted, reviewed and adapted as opportunities and possibilities evolve and partnerships grow.

He suggested that a sense of direction for the port as a whole was needed and welcomed any opportunity as to how the Harbour Board might join with the two other stakeholders in the Canal, the Friends of the Ship Canal and ECQT.

The Chair thanked Mr Monks and suggested that the topic of the Route Map be included in the agenda and discussed further at the proposed Visioning Day for the Board.

59

HARBOUR MASTER'S REPORT

The Harbour Master provided an update on his circulated report and raised some matters in addition to his circulated report.

- the Heritage Harbour weekend had been a great success and he passed on his thanks to all staff in the Waterways team, including colleagues who were part of their administrative support with a whole team effort.
- the Snark had been guided up through the Canal at a fairly slow pace, giving the opportunity to view the infrastructure as well as the level of undergrowth on the canal side. The Canal Manager had worked hard to keep the weeds clear to aid navigation as well as having consideration for the wildlife. It brought into focus an indication on the availability of the team to carry out some of the work.
- bringing in the Britannia was a whole team effort and safely craning off into position was a complicated procedure. Following the Festival, both the Brittanian and the Snark will be turned and moored up.
- a great deal of work went into the timely submission of the Harbour Revision Order. He thanked the Canal Manager for his input on the Port and premises plan and the wet Plan, which had been a real team effort with colleagues throughout the Council.

The Harbour Master responded to a number of questions:-

- the Snark will be moved at 8.00am the next day taking advantage of a quieter time on the Quay.
- they hoped to seek volunteers for patrolling the Estuary who ideally needed some boating experience or working with people and could offer any time, but again possibly one weekend a month. They may also seeking some volunteer help with the Canal.
- John Monks had put them in touch with a Canal Restoration Group who had offered a barge to help with this, but they could not bid for that as a Council but the Friends of the Exeter Ship Canal or ECQT may as Registered Charities be able to look at the possibility of acquiring such a vessel for weed clearance. The team were ever conscious about the management of the weeds on the canal bank whilst being mindful of wildlife. The Canal Manager said that lower Bridge Road was part of a triple SSI site and he had consulted with Natural England and RSPB on what they are doing in respect of weed clearance and preserving the site is very complex.
- the project for developing power trains with the University had stalled

because of issues with the funding stream. The University had suggested installing a different power train in a boat that the waterways team would test for them. They had also decide to remain at a workshop at the Science Park.

- the Harbour Patroller (NS) advised that they were due to meet a consultant to discuss a Net Zero Strategy to link in with the Council's Net Zero strategy for a decarbonisation of their operations by 2030.

Members noted the report.

60 **UPDATE OF THE TERMS OF REFERENCE/CONFIRMATION OF THE DUTY HOLDER**

The Chair introduced a proposed update of the Terms of Reference for the Exeter Harbour Board which were circulated for Members' comments. The update included a reference with the confirmation that the Director Net Zero responsible for waterways would be the Duty Holder. This would be included in a Scheme of Delegation report relating to officers' duties which would be presented to the November Executive and ratified by Council.

A Board Member who welcomed the City Council support for the Harbour Board, the River and Canal and the financial commitment to support a unique piece of green infrastructure for the area. He suggested a further amendment that in paragraph (d) that it was more realistic to just say *contributed to*, to manage expectation.

A Board Member also referred to the information put out on the Council's Newsfeed on the Harbour Revision Order and queried references 'to the waters of the Exe' and of there being 'no plans currently to charge' and would that be changed when the HRO is passed. The Harbour Master confirmed that the waters of the River Exe included the Canal, and he was unable to comment on future charging matters.

Members agreed the revised terms of reference as amended at the meeting and the Director Net Zero with responsibility for Waterways be the designated Duty Holder for Exeter's Port Authority.

(The meeting commenced at 5.30 pm and closed at 7.00 pm)

Chair

EXECUTIVE

Tuesday 5 September 2023

Present:

Councillor Bialyk (Chair)

Councillors Denning, Foale, Morse, Parkhouse, Pearce, Williams, R and Wood

Also present:

Councillor Jobson (as an opposition group Leader)

Councillor D. Moore (as an opposition group Leader).

Apologies:

Councillors Wright and Councillor M. Mitchell (as an opposition group Leader)

Also present:

Chief Executive, Service Lead Revenues, Benefits & Customer Access and Democratic Services Manager

80

MINUTES

The minutes of the meeting held on 27 June 2023, were taken as read, approved and signed by the Chair as correct, subject to the typographical amendment relating to the attendance of Councillor M. Mitchell as being in attendance.

81

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

82

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions from members of the public were received.

83

REVIEW OF THE CORPORATE RISK REGISTER

The Executive received the report on the Corporate Risk Register and were advised that as part of the Council's revised approach to risk management, the register was now based on the delivery of the Corporate Plan 2022-26.

Members were advised that the Council's Directors had been working with their relevant Portfolio Holder's to capture the risks and mitigations. The risk register would be reviewed on a quarterly basis by the Strategic Management Board (SMB) and would be reported to the Executive for monitoring.

Particular reference was made to the Audit and Governance Committee, who would continue to have a role in ensuring that the Council had a robust process for identifying and mitigating risks. It was also expected that some of the likelihood risk scores on the register should decrease over time as focus is made on specific areas.

The Leader enquired on the matrix table and how risks were scored.

The Chief Executive advised on how risk scoring was achieved. The inherent risks indicated an assessment of the overall risk and the residual risk was the risk that

remained after the controls and mitigations. Where scoring remained red but with a lower risk score meant that the Council had reduced the likelihood of the risk occurring. Directors would work on coming up with additional proposed mitigations for discussion with Portfolio Holders.

Councillor Jobson, as an opposition group leader, spoke on this item and thanked officers for the hard work involved to date.

Councillor D. Moore, as an opposition group leader, spoke on this item and expressed concern on there being no mitigations or lead resource allocation for the Net Zero and Climate Crisis. She raised concerns relating to the misalignment of the UK with the Devon Climate Plans, which needed to be considered with greater caution and actioned sooner, with analyses on the impacts of failing to mitigate reducing greenhouse gases or adapt the city to future challenges. The Council needed to take a similar approach to the Government in policy and strategy for addressing Net Zero in the city.

Councillor Moore raised the following three questions:-

- (1) In relation to building greater neighbourhoods and communities, why was the risk of low land/property values and lack of investment appetite, a greater inherent risk than residents not being able to afford to rent or buy the new homes built under this approach?
- (2) Which consultants had been appointed to undertake the full business case for the Exeter Development Fund and what are targets for the delivery of affordable housing and infrastructure under this model and will they be modelling the greenhouse gas emissions for the programme delivery of the fund?
- (3) Would each Portfolio Holder undertake a serious attempt at properly assessing the policies and strategies of the Council and the partnerships they are involved in to reduce inequality and address climate change.

The Leader advised that the risk register report was in relation to the overall risks of the Council and how they were being addressed. Individual risks would be discussed in other forums as required. He requested that the questions be submitted to him. The responses are appended to the minutes.

During the discussion the following points were made:-

- the risk area for delivering housing and building greater neighbourhoods had recently changed responsibility from both the Leader and Portfolio Holder for City Development and there were some mitigations that required moving for specific area;
- the work that had been undertaken on the risk register and the process of being presented to the Executive to advise Portfolio Holders was welcomed; and
- the Corporate Risk Register provided an overall top tier of risks, where other registers reported on specific risks, including progress on Net Zero. The register didn't record all the work of the Portfolio Holders but was designed to outline the risks and mitigations for reducing them.

In response to questions and points raised by Members, the Chief Executive advised:-

- it was the intention to bring the Risk Register to the Executive on a quarterly basis;
- any refinements would be addressed following Members' discussion;
- progress on the Council's work towards achieving carbon reductions for its operations would be reported to the relevant Scrutiny Committee and a future report would also be brought to the Executive on Net Zero in light of the close down of Exeter City Futures; and
- the positive work on delivering strategic objectives would be available in the Annual Review of the Corporate Plan.

RESOLVED that:-

(1) a quarterly report on the Corporate Risk Register be submitted to the Executive as the responsible committee to ensure it takes necessary actions to mitigate any identified risks for which it is responsible; and

(2) the revised Risk Register in Appendix A of the report presented at the meeting, be noted, with Members assured that the proposed mitigations set out are appropriate to address the risks identified.

84

COUNCIL TAX EXEMPTION FOR CARE LEAVERS

The Executive received the report which sought Members agreement for in-principle support for a Council Tax exemption for care leavers up to the age of 25. A subsequent report would be presented to Executive in November 2023 outlining the financial impact of the in-principle support

Work was being undertaken with Devon County Council and other District Councils in Devon, following recent focus on the responsibility of local councils in being a Corporate Parent. Members were referred to the seven corporate parenting principles outlined in the report and advised that district level authorities must have specific regard to Council Tax, Housing and Leisure functions. Although the report was focussed on Council Tax, work with Team Devon was being undertaken in relation to care leaver support for Housing and Leisure functions.

The Service Lead Revenues, Benefits and Customer Access presented the report and made particular reference to:-

- There had been a Devon wide process for supporting care leavers with a Council Tax liability, which had been agreed by Members in 2019. The Council Tax Team Leader had been designated the nominated contact in Exeter for care leavers in relation to Council Tax. For those care leavers entitled to Council Tax support, where there was any shortfall the financial difference could be cleared using the exceptional hardship fund. For those with no entitlement to Council Tax support, a write-off could be considered.
- Section 13A (1) (c) of the Local Government Finance Act 1992, provided Councils with discretionary powers to reduce the amount of Council Tax payable to a person, and any write off amounts would be made under these powers.
- The cost of Council Tax support and the exceptional hardship fund was apportioned between Exeter City Council, Devon County Council and the Police and Fire Authorities as per the preceptor percentages for Council Tax. However, Exeter City Council would have to meet the cost of any write offs.

- Although Devon County Council was the corporate parent, there was a county wide ambition to strengthen the local offer to care leavers and following advice from the National Advisor for Care Leavers, an element of the offer was a Council Tax exemption for care leavers up to the age of 25.
- There were 161 care leavers between 18 and 25 in Exeter, of which 50 had a current Council Tax liability and 32 of those were in arrears, highlighting that there was a vulnerability for younger people.
- The annual cost would be dependent on the agreed final policy, however, the discretionary awards for these 50 residents after national discounts, would be a £60,000 cost to the Council. If the discretionary awards were made after the Council Tax support application, the cost would be reduced to £25,000 per year. Anything introduced during this financial year would likely reduce the amount to an estimated £12,000.
- Section 151 Officers were meeting regularly to discuss how exemptions would work to support the final policy for Member approval. It was likely that there would be amendments made to the Council Tax Support Scheme from April 2024 to award 100% Council Tax support to care leavers. Exeter having the highest number of care leavers, had a higher financial risk, and negotiations on funding mechanisms were still on going.

Councillor D. Moore, as an opposition group leader, spoke on this item and welcomed the report. As part of implementing the policy, she suggested that as single person relief is lost when a person rented a room to a care leaver that retaining the single person relief until the care leaver was 25 years, would encourage additional availability of accommodation to care leavers until they were ready to live on their own.

The Leader advised that the suggestion could be raised with Team Devon as part of the partnership working in developing the final policy.

Councillor Jobson, as an opposition group leader, welcomed and supported the report.

During the discussion the following points were made:-

- the in-principle proposal had brought District Councils together to support care leavers and any final proposal would be made in cooperation with other authorities to agree a best practice solution;
- the Council had a range of support mechanisms for other residents requiring support, and the proposal was seeking to provide support to care leavers who were identified as being vulnerable and would benefit from the policy; and
- the policy would support vulnerable people in the community whilst supporting officer resources.

Members welcomed the report which would provide support to younger residents at financial risk and made their thanks to the Service Lead Revenues, Benefits & Customer Access for the work undertaken.

In response to questions and points from Members, the Service Lead Revenues, Benefits and Customer Access explained:-

- the estimated £12,000 cost would only apply should the policy be introduced during the current financial year;

- Section 13A (1) (c) of the Local Government Finance Act 1992, set out the governance legislation, in which Exeter City Council had discretionary powers and would incur the full cost. Where a care leaver was given Council Tax Support, the cost of the scheme would be shared between the preceptor authorities; and
- prior to receipt of the latest carer details, the Council had only been notified of 16 care leavers since 2019. From looking at individual cases due to being unaware that the account belonged to a care leaver, that unfortunately in some instances recovery action had been taken but this has now been withdrawn.

RECOMMENDED that in principle agreement be given for a Council Tax exemption for care leavers up to the age of 25 and looked after by Devon County Council, subject to a further report setting out all the implications including the financial impact on Exeter City Council.

85

MEMBERS TRAINING

The Executive received the report on the progress of work on the Members' training programme and the attendance and feedback for the various training sessions, since May 2023.

Particular reference was made to:-

- there had been 18 training and briefing sessions held since May, which showed an average attendance of 49%;
- there had been an increased number of Councillors who were not in attendance of the live sessions, who had used the recordings to confirm that they had completed the training;
- there had been 41 feedback responses, showing that 50% of Members were very satisfied and 40% satisfied with the training received. All feedback was sent to the training providers for their information;
- the online training platform had been renewed for another year and Members were encouraged to complete the GDPR training and Safeguarding training; and
- an Effective Scrutiny training session had been arranged on 7 September and a further training session for Council Meetings and Procedures had also been arranged for November 2023.

The Portfolio Holder for Corporate and Democratic Services and Environmental Health advised that the Councillor Development Steering Group had recently met and discussed the training programme. They agreed that there was excellent training being provided, particularly for new Councillors. They also suggested that some additional work was required on the training for more experienced Councillors, with more variety and engagement, for Licensing and Planning training sessions.

Councillor D. Moore, as an opposition group leader, spoke on this item and advised that Members of her group had been satisfied with training provided to date.

During the discussion the following points were made:-

- thanks and recognition to the Assistant Democratic Services Officer for the hard work undertaken in organising the training programme, particularly for the period following the elections;
- thanks to all the officers who had provided training and shadowing opportunities to date.

- assurance was needed that points raised in Councillor Feedback would be acted on by the providers; and
- the report highlighted the volume of work and training undertaken by Councillors which demonstrated their commitment to their role as elected Members.

The Leader welcomed the report and the first rate training provided to Members.

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

(The meeting commenced at 5.30 pm and closed at 6.20 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 17 October 2023.

EXECUTIVE

Tuesday 3 October 2023

Present:

Councillor Bialyk (Chair)

Councillors Wright, Denning, Foale, Morse, Parkhouse, Pearce and Williams, R

Also present:

Councillor Jobson (as an opposition group Leader);

Councillor Moore (as an opposition group Leader); and

Councillor M. Mitchell (as an opposition group Leader).

Councillors in attendance under Standing Order No. 44

Councillor Vizard speaking on item 10 (Minute No. 93 below)

Apologies:

Councillor Wood

Also present:

Chief Executive, Director Corporate Services, Director of City Development, Director Finance, Service Lead - Environmental Health & Community Safety, Assistant Service Lead – Local Plan and Democratic Services Manager

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MINUTES

The minutes of the meeting held on 5 September 2023, were taken as read, approved and signed by the Chair as correct, subject to the following amendment:-

Minute No. 83 – to amend the sentence “*The Council needed to take a similar approach to the Government in policy and strategy for addressing Net Zero in the city*” to read as: “**The Council needed to learn from the Governments experience in court in its approach to policy and strategy for addressing Net Zero in the city**”.

87

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

88

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

Four questions were received from members of the public, relating to Minute No. 99:-

Question received from Mr Neil Martin

I've suffered with asthma for 20 years. Now I and others, struggle to walk by Pinhoe and Polsloe Roads. What are the current pollution levels measurement since August 2023? Under the 2010 Equality Act, decision makers at Exeter City Council, are required to consider and take account of disabilities needs like asthma. Will Exeter City Council agree that pollution is rising on these arterial roads?

Response

The Portfolio Holder for Corporate & Democratic Services and Environmental Health in responding, advised that the data presented in the report did not show that pollution levels were rising on roads in Exeter and that there had been significant reductions seen over the period covered by this report. The data from 2023, would be presented in the next Annual Status report, which would be published in 2024. Presenting annual data in this form was the Council's legal duty under the Environment Act 1990.

Supplementary question, asked by Mr Martin

Do you agree that the current timescales are far too long between the readings and the publishing of the pollution levels, which in the case of the report was 21 months behind since the readings were taken? Will the Heavitree active streets project increase pollution and therefore, the frequency of my asthmas attacks and incur breaches of nitrogen dioxide in 2023/24?

Supplementary Response

The Leader advised that the timescales were covered in the report later in the meeting and some of the points would also be covered in the report. He also advised that due to the reporting process, certain information would not be available at the time of reporting.

Question received from Mr Alan Conibere

Given that increased traffic congestion has the potential to increase pollutant emissions and degrade air quality, particularly near main arterial routes, please confirm if Exeter City Council intend to install any additional air quality monitoring equipment so that the full impact of the Heavitree & Whipton Experimental Traffic Regulation Order can be established and assessed.

Response

The Portfolio Holder for Corporate & Democratic Services and Environmental Health in responding, advised that the City Council had no plans to install additional air quality monitoring equipment for the purpose of assessing the impact of the scheme. The current monitoring network would allow the Council to perform its statutory functions, which were to monitor and report on compliance with the air quality objectives.

However, the City Council had recently started a separate project to explore whether new methods could be used to better understand and present the air pollution levels along the Heavitree corridor. A summary of this project had been included with the report to Members and the project would include the installation of some additional monitoring equipment along the corridor from Livery Dole to Sweetbrier Lane. Data from these would be made available to Devon County Council to use in their appraisal of the Experimental Traffic Regulation Order scheme.

Supplementary question, asked by Mr Conibere

What enquiries had been made by Devon County Council or its agents in respect of the adequacy of the air quality monitoring equipment for the Heavitree and Whipton Active Street trial both before and after implementation and on what dates?

Supplementary Response

The Leader advised that a response to the question would be provided and supplemented to the minutes.

Question received from Mr Ian Frankum

This report, and Executive is discussing historic data from 21 months ago (January 2022), up to nine months ago. Therefore, are you aware, that City Council decisions made, are using potentially inaccurate figures? Would the Executive agree that data should be reported more frequently and will the Heavitree Active streets project increase pollution and incur new breaches of nitrogen dioxide in 2023 and 2024?

Response

The Portfolio Holder for Corporate & Democratic Services and Environmental Health in responding, advised that the reporting frequency was that which was legally required of the Council under the Environment Act 1990 and the data is presented in the report was in accordance with the relevant guidance from national Government. Altering this to use data in ways that did not meet the guidance would reduce the reliability of the data. This report was also not one, which was seeking to make decisions and the data was presented for Member's information.

Supplementary question, asked by Mr Frankum

Would the Council accept that the effects of NO² levels are above the target level, particularly in the Heavitree corridor and will impact on health of those affected in that period, which was quite substantial and that more should be done now rather than waiting 12 months?

Supplementary Response

The Leader advised that all factors had been taken into consideration, and that the report reflected the air quality of the previous year and further data would be collected.

Question received from Mrs Lucy Haigh

Housing developments and recent road closures have increased demand on Pinhoe/Heavitree corridors. HGVs are being caught up with displaced residential traffic, causing more idling and emissions outside homes, and walking routes for our school children. The Council had a duty to protect children and 'protected statuses' from dangerous air quality. Please evidence how the Council prepared for these publicised changes, and if it did not, why not?

Response

The Portfolio Holder for Corporate & Democratic Services and Environmental Health in responding, advised that Housing developments which had the potential to have a significant adverse effect on pollution levels were required to undertake an air quality assessment as part of the planning process. The developer was required to demonstrate that no significant impact would result from the scheme or provide suitable mitigation.

The changes to the road network in Heavitree were not directly City Council decisions. Whilst the Council were consulted, they were planned and implemented by the Highways Authority, which was Devon County Council (DCC) and questions about the planning of the scheme were best directed to the County Council. Exeter City Council was feeding in air quality data to the officers at DCC to help them evaluate the impact of the changes. The City Council's legal duty was to monitor air pollution, identify any failures of the legal objectives and implement its Air Quality Action Plan. The data from monitoring during 2023 would be presented in 2024 in accordance with the legal timetables for doing so.

Supplementary question, asked by Mrs Lucy Haigh

How will the Council prove to the East Wonford community regarding the Heavitree corridor, that it understands that resident health needs require protection, particularly considering the proposed 'Ella's Law' which is a new clean air human rights bill, following the death of a 10 year girl? Please could the Council step in before another year passes and do the right thing for our community.

Supplementary Response

The Leader advised that whatever law was passed by the Government that the Council would implement those laws and always does its best in accordance with available legislation framework.

89

OVERVIEW OF GENERAL FUND REVENUE BUDGET 2023/24 – QUARTER 1

The Executive received the report which advised Members of the overall financial position of the General Fund Revenue Budgets for the 2023/24 financial year after three months and sought approval of additional expenditure required during the financial year.

Members were advised that the Council was currently on target with the revenue budget and that the positive impacts included more interest on investments, which was generating an extra £700,000, lower energy prices over last six to eight months and several internal staff vacancies, leading to an underspend on the budgets. However, there were several budgetary pressures, including the pay award which would be higher than budgeted for and a few income budgets which were underperforming and being monitored.

Reference was made to the supplementary budgets requested for Council approval, which would be funded from earmarked reserves or other incomes sources, which totalled at £47,000.

Councillor D. Moore, as an opposition group leader, spoke on this item and enquired as to how much money was being lost as a result of being unable to claim the Devon County Council shared scheme, by not having full coverage of the food waste collection service? She also enquired whether the Executive considered its

approach to commercialisation and the commercialisation strategy needed to be reviewed?

Councillor M. Mitchell, as an opposition group leader, spoke on this item and noted that the shortfall on parking services was an area of concern and enquired if the major loss of income could be outlined and whether mid-year adjustments needed to be made?

In response to questions and points from Members, the Director Finance advised:-

- the projected loss of income for the Devon County Council food waste scheme was £250,000; and
- the impact on car parking was related to the reduction of season tickets and reduced commuter travel into the city. There were no projected in year reductions expected for car parking, which would be covered by the positive impacts discussed.

The Leader advised in regards to the enquiry on the commercialisation process that this would be reviewed in due course.

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

- (1) the General Fund forecast financial position for the 2023 financial year;
- (2) the supplementary budgets and budget transfers as detailed in paragraph 8.10 and Appendix 3 of the report;
- (3) the outstanding Sundry Debt position as at June 2023;
- (4) the creditors payments performance; and
- (5) the One Exeter programme update.

90

2023/24 GENERAL FUND CAPITAL MONITORING STATEMENT – QUARTER 1

The Executive received the report on the current position of the Council's revised annual capital programme and to advise Members of the anticipated level of deferred expenditure into future years. The report also sought Member approval to amend the annual capital programme in order to reflect the variations outlined in the report.

Members were advised that there had been ongoing difficulty with the Capital Programmes, particularly with issues relating to contractors to complete work and remain within budget. Tenders had also been coming in higher than budgeted for, which was an issue relating to the current construction market and had a significant impact on the Capital Programme, pushing a number schemes forward into the next financial year.

Councillor Jobson, as an opposition group leader, spoke on this item and enquired about the splash pools schemes being listed as a single project and whether the budget line for the Heavitree paddling pools also included the St. Thomas splash pool?

Councillor D. Moore, as an opposition group leader, spoke on this item and welcomed the completed work for the Guildhall roof replacement. She enquired about the completion of work for the roof section which was still leaking and whether the Council now had the funding for the work for Trews Weir taking place in 2025/26.

Councillor M. Mitchell, as an opposition group leader, spoke on this item and requested clarification on the loan to Exeter City Living of £14,141,500 which was listed as being unlikely to be utilised. He enquired if that was money that's already been earmarked for use elsewhere or whether it was a loan that had not been taken up?

In response to questions and points from Members, the Director Finance advised

- that he would consult with the property team for an update on the Guildhall and whether any further work was planned;
- that depending on Council approval, the £14,141,500 would be taken out of the Capital Programme and would not be a loan. There were no resources backing the amount as the loan had not been taken out; and
- the Heavitree and St. Thomas splash pools had been merged, however the Heavitree project was a larger project which required a significant level of work, in addition to the patching undertaken to allow it to open this year.

RECOMMENDED that Council approves:-

- (1) the overall financial position for the 2023/24 annual capital programme; and
- (2) the amendments and further funding requests to the Council's annual capital programme for 2023/24.

91

2023/24 HRA BUDGET MONITORING REPORT – QUARTER 1

The Executive received the report which advised on the financial position of the HRA Revenue and Capital Budgets for the 2023/24 financial year after three months and the reported budgetary over/under-spend. The report also highlighted areas of risk, where certain budgets had been identified as being vulnerable to factors beyond the control of the Council, which may result in potential deviations from the budget, and were closely monitored by officers.

Members were advised that the HRA was currently on target, with no significant issues expected. Members were reminded that the long term and medium term finances were still limited for new developments and maintaining the existing Council stock.

Councillor D. Moore, as an opposition group leader, spoke on this item and enquired whether the £4 million being transferred from revenue to capital, was already earmarked or was to be added to the reserves of the capital account?

In response to questions and points from Members, the Director Finance advised that the £4 million was not a transfer to a reserve and was expected to be used to finance the in-year capital programme. The HRA was self-financing, with rents from tenants being used to maintain and manage properties, and some revenue contributions could be used to enhance the tenant properties.

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

- (1) the HRA forecast financial position for 2023/24 financial year; and
- (2) the revision of the HRA Capital Programme to reflect the reported variations detailed in Appendix 4 of the report.

92

NET ZERO EXETER UPDATE

The Executive received the report which provided a summary and review of the work that had been delivered to date, by Exeter City Futures (ECF) in delivering a Net Zero Exeter. The report also formally acknowledged the closure of ECF and provided options for how the work would be managed going forward and the challenges ahead in achieving a Net Zero Exeter by 2030.

The Chief Executive provided Members with a background on Exeter City Futures (ECF), advising that Exeter City Council became a member of the Exeter City Futures (ECF) Community Interest Company in 2016, who went on to develop the Net Zero 2030 plan. In 2021, the Executive agreed the secondments of the former Chief Executive and Growth Director and the Director of Transformation for a 12 month period, ending in December 2022. In June 2023, Global City Futures who established ECF moved to close the Community Interest Company (CIC).

Members were advised that the report provided a summary of the work undertaken by ECF, acknowledged the closure of ECF and set out options for managing the work for Net Zero 2030 going forward. Members were also provided with a copy of a review report prepared by the former Chief Executive and Growth Director at the end of his secondment to ECF, which provided an overview of the scale of ambition adopted by ECF and the success it had achieved in creating a culture of collaboration and innovation. Members were also referred to Appendix B of the report, which provided an update on the Exeter Development Fund.

Councillor Jobson, as an opposition group leader, spoke on this item and noted that the new version of the Exeter Development Fund would be discussed at a future Strategic Scrutiny Task and Finish group. She also sought confirmation on the grant funding made to ECF, and whether it had either been spent or could be used by the Council for other work.

Councillor Moore, as an opposition group leader, spoke on this item and made the following points:-

- tackling the climate emergency was one of the three big challenges the city faced;
- she had submitted an enquiry outside of the meeting, relating to various figures amounting to half million pounds, requesting information on how the figures had been approved and spent, and why there were differing amounts for various accounts;
- she enquired on the assets produced by ECF, such as the data mill, the Net Zero plan and what has happened to them; and
- requested the Leaders opinion on whether he was satisfied on the outputs from ECF and if he considered that the outcomes had moved the city on practically in terms of achieving Net Zero by 2030?

Councillor M. Mitchell, as an opposition group leader, spoke on this item and requested an outline of the residual asset liabilities of the organisation in relation to financial and physical assets and any ownership of any intellectual property.

The Portfolio Holder for Climate & Ecological Crisis thanked all officers including the current and former Chief Executive, who had been involved with writing the report. She advised that she was continuing to work with officers and stakeholders about resourcing and delivering the Net Zero 2030 target and reminded Members that Exeter City Futures had created a culture of collaborative working and that Net Zero was a shared responsibility across the city.

In response to questions and points from Members, the Chief Executive advised:-

- an update report on the Exeter Development Fund would be brought back to Members at a later date;
- funding that had been allocated to ECF by the Council, had either been spent or have been returned to the Council's budget for internal work and resourcing of future projects; and
- the question regarding the assets produced by ECF, would be provided outside of the meeting.

The Leader in responding to the question of his opinion on his satisfaction of the outputs from ECF, advised that he was concerned about the current climate crisis and the recent Government deferral of Net Zero. Exeter City Council had never received Government support for its Net Zero aspiration and had applied for various grant funding. The Council would continue to look at options going forward and would not deviate from its ambitions and would continue to use its influence to reach its Net Zero target.

RECOMMENDED that Council:-

- (1) note the content of the report contained in Appendix A of the report and to reflect that that a step change in the Government's approach in delivering Net Zero is required to allow any prospect for the city of Exeter in achieving a Net Zero Exeter 2030;
- (2) note the closure of ECF and the work that has been done through ECF in building collaboration and delivering progress against the city's Net Zero ambitions;
- (3) agree that in consultation with the Portfolio Holder for Climate and Ecological crisis, the Chief Executive will develop proposals for how Members might work with partners locally to ensure oversight of the city's delivery on this key strategic goal; and
- (4) note that officers will identify how external work on this priority will be resourced given the end of the secondments to ECF.

93

REVIEW OF EXETER CITY LIVING

The Executive received report which provided a review of the current position of Exeter City Living (ECL), a wholly-owned council housing delivery vehicle which was setup in June 2018. A review was commissioned by the Council following the failure to secure a contract for the redevelopment of the Clifton Hill site and the continued uncertainty around development given the difficult current economic climate. The findings of the review were outlined in Appendix A of the report and as presented at the meeting.

Councillor Vizard, having given notice under Standing Order No. 44, spoke on this item. He acknowledged that the Leader understood the history of the Clifton Hill site and the firm local opposition to development of the green space currently occupied by the Council's tenants, including the ski slope and golf driving range. He highlighted that under the Leaders' direction that a good, balanced decision had been made to develop only the broad footprint of the old leisure centre and retaining the rest of the site as public space. He sought reassurance, that in light of the report on Exeter City Living, that the Council had no intention of reconsidering the sale and development of the whole Clifton Hill site, and that a future sale and development would be limited strictly to the land area that was sold to ECL and received planning consent.

The Leader in responding, advised that the land that had been sold to Exeter City Living did not include the Green space behind the former Leisure centre site, nor the Golf driving range or the ski slope and valuations on the site to be acquired by the Council, would be identified. The Council's aspiration was clear, in that it required housing for people, to include the required social housing requirement to be built on the land where there was already planning permission and that the Council would endeavour to bring forward appropriate proposals as soon as it could.

Councillor Vizard in asking a supplementary question, enquired whether the Leader had concerns on the viability of the sale of the site in its current state?

The Leader advised that he had concerns relating to the impact of the Covid Pandemic on development. There had been many consultations for Clifton Hill and a lot of work had been undertaken to move the proposals forward, to provide suitable housing. Although he had concerns on developing suitable housing in Exeter, the Council would continue to work hard to bring forward plans for the delivery of housing.

The Chief Executive presented the report which outlined issues relating to the financial position of ECL its continued ability to repay its loans to the Council and recommendations to minimise the financial risk to the Council, which had been supported by an independent review by Local Partnerships. Members were provided with a background overview of Exeter City Living, with particular reference made to:-

- ECL was a wholly owned company of Exeter City Council, established in 2018, in which, the Council was the only shareholder. The company was governed through a management agreement, in which the Chief Executive takes on formal shareholder representative role to act at the main point of contact between the Council and ECL;
- The Leader and Deputy Leader provided the Chief Executive with guidance on the direction of the company and the Directors of ECL were then required to deliver, based on the business plan approved by Members;
- there were currently six staff working at ECL, who were employed by the Council;
- the purpose of ECL was outlined to Members in 2018, which was being a vehicle for providing housing in the city to address the housing crisis, delivering affordable homes and creating new sustainable neighbourhoods and communities;
- since 2018, there had been several significant changes in market conditions, including Brexit, the Covid Pandemic and the invasion of Ukraine, resulting in increased inflation rates and costs of materials and labour. These increases had resulted in received tenders being outside the standard pricing level to cover future costs of development. There had also been further issues of borrowing and financing caused by the Bank of England interest rate increases;
- ECL, despite operating in an open market environment, was subject to the public sector ethos of the Council, which had unfortunately created tensions for the company in their operation and alignment with the Council's multiple objectives;

- ECL had made significant achievements since 2018, which were outlined in Appendix B of the report, but of note, were the 22 new Passivhaus homes developed, 56 new units of social housing and the granting of planning permission for 41 new homes at the Clifton Hill site. ECL had also developed design proposals for a further 92 homes, which are ready to be submitted for planning permission;
- ECL had obtained £7.4 million of brownfield land release grants from One Public Estate government, which had been used at Vaughan Road and Clifton Hill for demolition purposes;
- of the total £25 million loaned to ECL, as agreed by Council, only £10.9 million had been loaned to ECL. To date ECL had repaid £0.8million leaving £10.1 million outstanding;
- The company had an income of £7.2 million from the sale of homes and consultancy services, with £16.3 million in business and development costs, land purchases and loan interests and repayments;
- assets of the company included the Clifton Hill site as well as various liquid assets amounting to £1.8 million; and
- the Council had received a total of £3.4 million from ECL since 2018, for land, services, office rent and reduced the need for the Council in finding savings for the Medium Term Financial Plan.

Members were advised that in January 2023, following a failed tender for the Clifton Hill site, concerns had been raised on the remaining schemes for ECL. With the current challenges to the construction market and ECL incurring additional costs, exposing the Council to an unacceptable financial risk a review was commissioned from Local Partnerships, with the scope of the review being agreed between the ECL Board and the Council. Representatives of both the Council and ECL were interviewed during the review and ECL had been made aware of the findings and recommendations of the review.

Councillor Moore, as an opposition group leader, spoke on this item and made the following points:-

- could confirmation be provided on whether plans to establish a build to rent company would no longer proceed;
- could confirmation on the recommendation for managing properties be provided that the properties would be rented at market level, with no further plans to take on any additional properties?;
- what was proposed to happen to the connected companies related to Exeter City Living (ECL), including Exeter City Group and Exeter City Homes;
- in regards to any disposal strategy for Clifton Hill, having a criteria for protecting the land for community benefit was needed to ensure it was not used for any other purpose; and
- clarification was requested on the Council's future financial liability costs, the implications of writing off the debts and impacts to the Council's budget.

Councillor M. Mitchell, as an opposition group leader, spoke on this item and made the following points:-

- he noted that the report showed a loss of income to the Council on the General Fund, and sought clarification on whether the £1 million figure was an annual amount or a fixed period amount?;
- in reference to the accumulated losses in 2023/24 of £6,026 million and 2025/25 rising to £8,934 million, had the liability amount been established if the company was liquidated and what would the liability to the Council be for not liquidating the company; and
- why hadn't the Council followed the review recommendation of liquidating the company?

Councillor Jobson, as an opposition group leader, spoke on this item and advised her questions had been asked by other opposition Members and thanked officers for the report.

During the discussion the following points were made:-

- the Chief Executive's report and presentation was commended and the work of those involved had been welcomed;
- the scale of the ambition in building affordable and social homes was commendable but since ECL had been setup it was no longer viable;
- decisions taken by ECL had been made for the right reasons at the time;
- Members and the public should be reminded that ECL had been responsible for the development of several high quality homes for the HRA in the city;
- thanks to both the Chief Executive and previous Chief Executive were made, for the hard work involved in the report and for ensuring the report was presented in public;
- the reason for setting up ECL were commendable and had been a difficult process, but good quality Council Houses had been built through ECL, setting a precedent for housing standards; and
- it was a difficult decision for Members to make, given the financial situation, but appreciation was noted for the work that has been undertaken to date.

In response to questions and points from Members, the Chief Executive and Director Finance advised

- the connected companies related to Exeter City Living, had not been set up by a business case and only agreed in principle, and as such did not require Member approval for winding the companies down;
- the six flats at the Guildhall Shopping Centre were let out at market rent level;
- officers were not putting recommendations forward to liquidate ECL, so that the company could be retained in a reduced form to manage the flats. The Council had no mechanism to hold flats for market rent, which would become Council stock, becoming eligible for the right to buy schemes and could prejudice future projects at the Guildhall;
- the £1 million figure was an annual amount, however the amounts shown in the report were not new savings, but reductions that would have been required when ECL was setup; and
- a benefit of having a controlled winding down of the company allowed the Council to work with ECL to manage their liabilities. ECL would pay its creditors from its existing cash funds, leaving the loan to the Council as the only outstanding liability. Any outstanding loan liability could be written off under delegated authority, giving ECL a positive financial balance to continue trading.

The Leader advised that his commitment to delivering homes for the city had not changed. There would also be further reports coming in due course related to ECL

and the future delivery of housing. He emphasised that although disappointing, it was important to not put the Council at continued risk.

RECOMMENDED that Council:-

- (1) note the findings of the Local Partnership LLP report presented at the meeting;
- (2) note ECL's achievements to date;
- (3) that, notwithstanding the recommendation from Local Partnerships to wind down the operations of ECL, officers recommend that the company be retained for the limited purpose of holding and managing property;
- (4) grant delegated authority to the Chief Executive, in consultation with the Leader of the Council to facilitate recommendation no. 3 above to reduce ECL's activities as follows:
 - a) the Council enters into a business sale agreement with ECL, whereby the Council acquires all of ECL's assets (with the exception of the six leasehold flats in the Guildhall Shopping Centre), including any work in progress in return for proper consideration, in the form of a release of ECL from its obligations under the Loan Agreements. The sale agreement shall include a novation of all contracts save those that may be terminated by ECL with the Council's agreement;
 - b) in the likely event that the value of the assets to be acquired from ECL is not sufficient to repay the loan to the Council, then delegated authority be granted to the Chief Executive, in consultation with the Leader and Section 151 officer, to write off any shortfall; and
 - c) thereafter, ECL, in a much reduced capacity shall continue for the purpose of holding and managing property and, in particular, the 6 Guildhall flats.
- (5) agree that any staff implications are dealt with in accordance with its Organisational Change Policy;
- (6) extend the ECL appointments of the Interim Managing Director and the two non-Executive Directors until such time as they are no longer required to assist with the reduction of the company's activities, with the termination of those appointments delegated to the Chief Executive;
- (7) grant delegated authority to the Service Lead - Legal Services to amend the Management Agreement to reflect the changes to the remit of ECL;
- (8) agree that SMB reflect on the Local Partnerships report as well as work being undertaken by the District Councils Network on commercial companies owned by local authorities to produce a report in due course setting out principles for how the Council will enter into any commercial ventures in the future;
- (9) agree that the Chief Executive be tasked to liaise with One Public Estate to negotiate an amendment to the grant conditions with the aim of retaining the Brownfield Land Release Funding (BLRF) funding where possible; and
- (10) agree to receive a report, if necessary, setting out a site disposal strategy in the likely event of a shortfall on the ECL loan after the Council acquires ECL's assets.

94

CONSULTATION OF THE LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2024-25

The Executive received the report which sought Members' agreement to carry out a consultation on a proposed change to the local Council Tax Support Scheme for working age for 2024-25, to create a class of support within the scheme, to award 100% council tax support to care leavers who are looked after by Devon County

Council, up to age of 25. The report followed on from the report presented to the Executive meeting on 5 September 2023, recommending in principle approval for a Council Tax exemption for care leavers up to the age of 25, subject to a further report setting out all the implications and financial impact to the Council.

Members were advised that the consultation would formally consult with the preceptors who would be impacted by the decision as well as formally consult with the public. A report would be brought back, following consultation, to request approval to enact the scheme from 1 April 2024.

Councillor Jobson, as an opposition group leader, spoke on this item and supported the recommendations.

Members welcomed and supported the report.

RECOMMENDED that Council agree for a public consultation on the proposed change to the local Council Tax Support Scheme for the working age for 2024-25 to introduce a class within the scheme to award 100% council tax support to care leavers looked after by Devon County Council, up to the age of 25.

95

EXETER PLAN: FULL DRAFT PLAN CONSULTATION

The Executive received the report which provided an update on the progress of the Exeter Plan (Local Plan) and sought approval for a third public consultation on the Full Draft of the Plan.

Exeter City Council had a statutory duty, as the Local Planning Authority to prepare planning policy for the city and the new Exeter Plan would replace the two development plan documents for the city - the Core Strategy and the Local Plan First Review. The Full Draft plan would take the plan process another step further from the outline draft and provide a draft of the full set of planning policies proposed for Exeter.

Members were advised that the Exeter Plan would be used to help determine planning applications, direct growth and curate high quality design and sustainability for the city. The plan would also provide the city's infrastructure requirements and framework for future investment. Work commenced in 2020, leading to the 2022 outline draft of the plan which went to public consultation. Work had been undertaken on the feedback received and gathering further evidence, which has been include in the full draft plan. The updated plan now included a spatial strategy with a brownfield first approach to development and a development map of proposed allocations.

The plan had also been designed to match the Exeter 2040 vision and corporate plan, and building high quality sustainable development and since the last draft report, an additional Liveable Exeter principle included for culture and place making. The plan would go to a 12-week consultation using the same methodology as the previous consultation. After consultation, there would be an evidence gathering stage to produce a submission draft of the plan for the planning inspectorate.

Councillor D. Moore, as an opposition group leader, spoke on this item and welcomed the three month consultation and enquired on what environmental assessment would be produced in the plan for achieving Net Zero and the impact on climate change with the proposed developments?

Councillor Jobson, as an opposition group leader, spoke on this item and enquired on flood risk impacts and what further work was being undertaken on the infrastructure.

The Leader advised the questions raised were not related to the recommendations in the report and should be submitted as part of the consultation process.

During the discussion the following points were made:-

- the plan was welcomed and represented a large volume of work;
- the document was very accessible and included feedback from the previous consultation; and
- there would be a lot of work on the climate change in the plan as well as working with partners to show where the Council will make a difference and hold the Government to account on future home standards.

The Portfolio Holder for City Development highlighted that the Council was currently pushing for biodiversity on planning applications and the team had been working very hard on multiple policies. Having the same level of response as previous consultations would be welcomed.

RESOLVED that:-

- (1) the full Draft Exeter Plan (included in Appendix A of the report) be approved as the basis for public consultation commencing on 23 October 2023;
- (2) the Director City Development, in consultation with the Council Leader and Portfolio Holder for City Development, be granted delegated authority to agree minor changes to the Full Draft Plan content before it is published for consultation; and
- (3) the Director City Development, in consultation with the Council Leader and Portfolio Holder for City Development, be granted delegated authority to agree a change to the consultation start date if required.

96

CONSULTATION ON LIVEABLE WATER LANE: DEVELOPMENT FRAMEWORK AND DESIGN CODE SUPPLEMENTARY PLANNING DOCUMENT

The Executive received the report on the progress made to prepare a Supplementary Planning Document (SPD) to guide development at Water Lane and sought approval for public consultation on the document. The SPD provided a development framework and design code for a key strategic brownfield site in Exeter and support the delivery of high quality, co-ordinated redevelopment in the area.

The Council had a statutory duty to consult on the Water Lane SPD before it could be adopted and a consultation undertaken during the autumn period, would allow the Council to adopt the SPD in time for it to guide the determination of planning applications that have been made, or are anticipated to be made, soon. The SPD would also assist the Council in delivering the Liveable Exeter principles which were consulted upon in the Outline Draft Exeter Plan in 2022.

Members were advised that the new vision for Water Lane was in creating a high quality, low carbon neighbourhood, focussed on the Exeter Ship Canal for 1,500 new homes and would follow the Exeter Vision principles and Exeter Plan. The design code would set out rules for developers to adhere to and how the rules would be applied across a large area providing the key place marking elements.

Members noted that there had been a lot of engagement work undertaken with stakeholders, Councillors and community groups and the next stage would be to commence the public consultation which coincided with the Exeter Plan consultation.

Councillor Jobson, as an opposition group leader, spoke on this item and welcomed the consultation.

Councillor D. Moore, as an opposition group leader, spoke on this item and welcomed the report, noting it was an important document for the area of the city and enquired how it would impact on planning applications before the document was approved. She also enquired on the approach to resolving risks to the environment, canal health and transport.

The Portfolio Holder for City Development advised that document would look to improve the community and create a more vibrant area. Engagement with the community and stakeholders had been ongoing and it was a good time for consultation for further engagement and amendments.

The Leader advised that detail on the approach to resolving risks to the environment, canal health and transport would be responded outside of the meeting.

RESOLVED that:-

(1) the Liveable Water Lane: Development Framework and Design Code Supplementary Planning Document (included at Appendix A of the report and hereafter referred to as the Water Lane SPD) be approved as the basis for public consultation commencing on 23 October 2023;

(2) the Director City Development, in consultation with the Council Leader and Portfolio Holder for City Development be granted delegated authority to agree minor changes to the Water Lane SPD content before it is published for consultation; and

(3) the Director City Development, in consultation with the Council Leader and Portfolio Holder for City Development, be granted delegated authority to agree a change to the consultation start date if required.

97

HOUSEHOLDER'S GUIDE TO EXTENSION DESIGN SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Executive received the report which set out the details of a review and update on the Council's Householder's Guide to Extension Design Supplementary Planning Document (SPD), and sought approval to consult on the document for a six week period in October 2023. The current SPD for householders on extension design had not been updated since 2008, and an updated SPD would ensure alignment with current planning policy and guidance.

Members were advised that the Council as the local planning authority for Exeter, had a statutory duty to consult on the draft revised SPD before it could be adopted and would ensure that it was in accordance with the Council's Statement of Community Involvement (SCI) adopted in July 2022 and Consultation Charter adopted in July 2021.

Particular reference was made to the SPD which would look at improving how applications for housing extensions were submitted and having good guidance and policy for applications and the impact on neighbouring properties.

Members welcomed the clear and accessible document and noted one link in the document needed to be fixed before going to consultation.

The Portfolio Holder for City Development advised that Council's Householder's Guide to Extension Design Supplementary Planning Document (SPD) had been presented at a recent Planning Member Working Group meeting. She further emphasised its importance and encouraged engagement with the consultation.

RESOLVED that:-

- (1) the 'Householder's Guide: Design of Extensions and Alterations' (included in Appendix A of the report) be approved as the basis for public consultation commencing on 23 October 2023;
- (2) the Director City Development, in consultation with the Portfolio Holder for City Development be granted delegated authority to agree minor changes to the 'Householder's Guide: Design of Extensions and Alterations' before it is published for consultation; and
- (3) the Director City Development, in consultation with the Portfolio Holder for City Development be granted delegated authority to agree a change to the consultation start or end date if required.

98 **FOOD LAW AND HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2023**
- 2024

The Executive received the report which sought approval for the adoption of the statutory Food Law and Health and Safety Service Plan 2023-24, which set out the Council's regulatory function in respect of food safety and health and safety over the forthcoming year.

Members were advised that there had been 183 new food business registrations with the Council and that the Council had a 99% compliance level with food hygiene law, which was higher than the previous year and showed the dedicated engagement of officers with food business operators in encouraging compliance. The report also highlighted the positive work in relation to health and safety and the good work undertaken in building businesses up following the Covid Pandemic and re-building public confidence.

Particular reference was made to the successful development of the apprenticeships for Food Law and Health and Safety Service and building future Environmental Health Officer roles

Councillor Moore, as an opposition group leader, spoke on this item and enquired if the team would have sufficient resources to deliver the plan as expected?

During the discussion the following points were made:-

- The inspections had been noted as being positive engagements between the food business operators and officers;
- a 99% food hygiene compliance reflected how well the team was working;
- were the previous years compliance score known; and
- the development of the apprenticeship scheme was welcomed.

In response to questions and points from Members, the Service Lead – Environmental Health and Community Safety advised that:-

- the team had remained unchanged for a number of years and had adequate resources to discharge its statutory functions for food safety and health and safety; and
- the previous food hygiene compliance rating was between 97-98% for the previous year, but the conformed compliance rating would be confirmed.

RECOMMENDED that Council:-

- (1) approve the Food Law and Health and Safety Service Plan 2023/24; and
- (2) grant delegated authority to the Service Lead – Environmental Health and Community Safety to change the plan if necessary in the light of national guidance and/or to meet operational needs.

99

AIR QUALITY ANNUAL STATUS REPORT

The Executive received the statutory Annual Status report which contained the monitoring data from 2022 and a summary of the actions taken in that year to improve local air quality. The Council had a statutory duty to submit an Annual Status Report to the Department of Environment, Food and Rural Affairs (DEFRA) and to present the report to Members at a local level. The Council's role was to monitor and report on air quality in the city, with the approval for air quality matters being the responsibility of various partners.

Particular reference was made to the air quality monitoring process which was monitored through the two fixed air quality monitoring stations and 85 diffusion tube monitoring devices in deemed problem areas. The diffusion devices are temporarily setup and then sent to a laboratory for data analyses and the results are put through a Government report template for checking. Data is ultimately returned to Defra who report back to the Council. Members also noted that air quality had improved in the city over a 10 year period, with only Heavitree being in exceedance.

Members were also advised that a supplementary Defra Annual Appraisal report had been received prior to the meeting and had been circulated and tabled at the meeting and was available at supplementary document on the agenda. The Service Lead – Environmental Health and Community Safety provided an overview of the Defra report and findings.

Councillor Moore, as an opposition group leader, spoke on this item and welcomed the improvement of the air quality findings, but was mindful of the impacts of long term exposure to high levels of air pollution. She sought clarification on the air quality management area and whether that included the actions contained in the air quality management plan, and where some elements were no longer deliverable, that improvements needed be addressed.

Councillor Jobson, as an opposition group leader, spoke on this item and enquired if the report was dated for June, could it be brought to the Executive earlier to ensure it was up to date.

During the discussion the following points were made:-

- the report figures showed a good improvement trend on air quality in various areas around the city, including the Heavitree corridor;

- the report provided complex information, but had been presented in a very accessible and understandable document; and
- could details on the Defra project be provided?

Portfolio Holder for Corporate & Democratic Services and Environmental Health advised that the Council had achieved four years of NO² compliance and the monitoring of 90 sites had shown air quality hotspots had been reduced to just one area of exceedance which a large improvement. He highlighted that there was large amount of air quality information available, through the Council, Devon County Council and Defra.

In response to questions and points from Members, the Service Lead – Environmental Health and Community Safety advised

- the air quality action plan was set for a review in 2024 and would also look at reviewing the air quality management area;
- air quality data was required by June, for submission to various partners for input, including that of Defra. By bringing the report later, it would include any government commentary for completeness; and
- in September 2022, a bid was put into Defra, for the Defra project, which was developing new technology to improve information gathering and the bid was confirmed as successful in April 2023. With the funding from Defra, work has been underway to develop virtual sensors to predict pollutant levels in traffic corridors, using AI technology to look at input values, display estimates of daily pollution concentrations and make appropriate predictions for inclusion in future reporting.

RECOMMENDED that Council note the statutory annual status report.

(The meeting commenced at 5.30 pm and closed at 8.05 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 17 October 2023.

SEATING IN THE GUILDHALL Agenda Annex

		Deputy Lord Mayor Councillor Read (G)	Chief Executive	Lord Mayor Councillor K.J. Mitchell (LD)	Democratic Services Team Leader	Service Lead Legal Services	
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Democratic Services Officers				Director Corporate Services	Director Finance	Director
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Councillors	Councillors	Councillors	TABLE	Councillors	Councillors
Warwick (L)	Miller (L)	Bialyk (L)		Moore, (G)*	Jobson (C)
Atkinson (L)	Hannaford (L)	Wright (L)		Mitchell, M.N. (LD)*	Leadbetter(C)
Patrick (L)	Snow (L)	Morse (L)		Fullam (LD)*	Holland (C)
Ellis-Jones (L)	Begley (L)	Denning (L)		Sparling (G)*	Sheridan (C)
Lights (L)	Vizard (L)	Williams, R.T. (L)		Ketchin (G)*	
Allcock (L)		Parkhouse (L)		Bennett (G)*	
Branston (L)	Knott (L)	Foale (L)		Rees (G)*	

Cllr Asvachin (L)	Cllr Williams M.J. (L)	Cllr Wardle (L)	Cllr Wood (L)	Cllr Pearce (L)			Cllr Harvey (I)
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L: Labour: 25
G: Green: 6*
LD: Liberal Democrat 3*
C: Conservative: 4
I: Independent 1

* Known as the
Progressive Group

Portfolio Holders

Bialyk: Leader
 Wright: Deputy Leader and Culture and City Centre Strategy
 Parkhouse: Climate and Ecological Crisis
 Williams, R.T.: Place and City Management
 Denning: Council Housing Development and Support Services
 Wood: Leisure Services and Physical Activity
 Foale: Corporate and Democratic Services and Environmental Health
 Morse: City Development
 Pearce: Communities and Homelessness Prevention

