

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 23 February 2016

The Right Worshipful the Lord Mayor (Cllr Foggin)
The Deputy Lord Mayor (Cllr Robson)
Councillors Baldwin, Bialyk, Branston, Brimble, Brock, Bull, Buswell, Choules, Denham, George, Hannaford, Hannan, Harvey, Henson (part meeting), Holland, Laws, Leadbetter, Lyons, Morse, Mottram, Newby, Owen, Packham, Pearson, Prowse, Raybould, Sheldon, Shiel, Spackman, Sutton, Thompson, Vizard, Wardle and Williams.

1 **APOLOGIES**

Apologies for absence were received from Councillors Edwards and Crew.

2 **MINUTES**

The minutes of the Ordinary Meeting held on 15 December 2015 and the Extraordinary Meetings held on 20 and 25 January 2016 were taken as read and signed as correct.

3 **PLANNING COMMITTEE - 4 JANUARY 2016**

The minutes of the Planning Committee of 4 January 2016 were presented by the Chair, Councillor Bialyk, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 4 January 2016 be received.

4 **PLANNING COMMITTEE - 8 FEBRUARY 2016**

The minutes of the Planning Committee of 8 February 2016 were presented by the Chair, Councillor Bialyk, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 8 February 2016 be received.

5 **LICENSING COMMITTEE - 2 FEBRUARY 2016**

The minutes of the Licensing Committee of 2 February 2016 were presented by the Chair, Councillor Sheldon, and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 2 February 2016 be received.

6 **SCRUTINY COMMITTEE - COMMUNITY - 19 JANUARY 2016**

The minutes of the Scrutiny Committee - Community of 19 January 2016 were presented by the Chair, Councillor Wardle, and taken as read.

RESOLVED that the minutes of the Scrutiny Committee - Community held on 19 January 2016 be received.

7

SCRUTINY COMMITTEE - ECONOMY - 21 JANUARY 2016

The minutes of the Scrutiny Committee - Economy of 21 January 2016 were presented by the Chair, Councillor Brimble, and taken as read.

RESOLVED that the minutes of the Scrutiny Committee – Economy held on 21 January 2016 be received.

8

SCRUTINY COMMITTEE - RESOURCES - 27 JANUARY 2016

The minutes of the Scrutiny Committee - Resources of 27 January 2016 were presented by the Chair, Councillor Bull, and taken as read.

In respect of Minute 8 (Portfolio Holders Update) and in response to a Member, the Portfolio Holder for Economy and Culture advised that the review of governance arrangements for RAMM was being progressed and would be reported to the appropriate Scrutiny Committee when completed.

RESOLVED that the minutes of the Scrutiny Committee - Resources held 27 January 2016 be received.

9

EXECUTIVE - 26 JANUARY 2016

The minutes of the Executive of 26 January 2016 were presented by the Deputy Leader, Councillor Sutton, and taken as read.

In respect of Minute 10 (Annual Review of Support for Small Businesses) and in response to a Member, the Portfolio Holder for Economy and Culture reported that the Council had previously invested £42,000 in Exeter Business Support but that the proposal to now invest £25,000 was part of a partnership agreement with each of the neighbouring local authorities of East Devon, Mid Devon and Teignbridge District Councils, all of whom would be contributing £25,000. A larger budget of £100,000 would therefore be available which should have a greater impact and the new contract to manage business support was currently being put out to tender.

10

EXECUTIVE - 9 FEBRUARY 2016

The minutes of the Executive of 9 February 2016 were presented by the Deputy Leader, Councillor Sutton, and taken as read.

In respect of Minute 24 (Community Infrastructure Levy Funding for Sandy Park A379 Junction) a legal agreement had been entered into with Devon County Council to provide £1.025 million in Community Infrastructure Levy (CIL) funding to match fund the delivery of a newly configured junction on the A379 at Sandy Park. A Member felt that the County Council, as Highway Authority, should fund such schemes, although it was recognised that use of CIL funding for infrastructure purposes was appropriate. The Deputy Leader undertook to follow up the Member's suggestion that the County Council be asked to give higher priority to Exeter's highway infrastructure when bringing forward highway schemes.

RESOLVED that, with the exception of minute number 29 (General Fund/Housing Revenue Account Estimates and Capital Programme 2016/17), which was considered at the Extraordinary Council Meeting on 23 February 2016 preceding this meeting, the minutes of Executive held on 26 January 2016 be received and, where appropriate, adopted.

**NOTICE OF MOTION BY COUNCILLOR SPACKMAN UNDER STANDING
ORDER NO. 6**

Councillor Spackman, seconded by Councillor Packham, moved a Notice of Motion in the following terms:-

“That this Council recognises the positive contribution that trade unions and trade union members make in our workplaces. This Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.

This Council notes with concern the Trade Union Bill which is currently being proposed by the Government and which would affect this Council’s relationship with our trade unions and our workforce as a whole. This Council rejects this Bill’s attack on local democracy and the attack on our right to manage our own affairs.

This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. Facility time should not be determined or controlled by Government in London.

This Council is happy with the arrangements we currently have in place for deducting trade union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and a cheap and easy to administer system that supports our staff. This system is an administrative matter for the Council and should not be interfered with by the UK Government.

This Council resolves to support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.”

In presenting the Notice of Motion, Councillor Spackman highlighted the serious flaws in the draft Bill emphasising that the proposals, rather than avoiding disputes, could increase the likelihood of industrial action. He believed therefore that the proposal would ultimately be disadvantageous to employers and hamper productive negotiations.

Councillor Packham, in seconding the motion, referred to the long history of the Trade Union movement which had contributed significantly to the improvement of employee conditions in this country listing the large number of achievements in improving conditions at work and for employees themselves. She referred to those bodies who were opposing the Bill and highlighted that, whilst some organisations were permitted to ballot their members on-line, it was proposed to deny this facility to Trade Unions.

Another Member criticised the Bill on the grounds that it singled out the public sector, that it would undermine collective bargaining and reduce public funding of trade unions. He emphasised that the improved conditions achieved by unions also led to improved services and therefore were of direct benefit to the public. Other Members, in supporting the motion, also agreed that the Bill was an attack on public services and that it went against the spirit of localism, removing powers of local authorities to negotiate with its own employees. Reference was made to the advantages of facility time, negotiated between employers and trade unions to suit

specific needs and to the role Unions played in contributing to improved performance by employers.

Another Member, whilst recognising the achievements of Trade Unions and the work in dealing with grievances, pay and conditions stated that he did not believe in strike action and asked that reference be included in the motion to remove the right to strike.

Whilst the majority of Members supported the motion some indicated their opposition.

Councillor Spackman, in response, urged Members to support the motion against an anti-democratic Bill and to ensure that this Council can continue its own locally agreed industrial relations strategy.

Exeter City Council resolved to:-

- (1) support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill; and
- (2) sought to continue its own locally agreed industrial relations strategy and would take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.

In accordance with Standing Order 27(1) a named vote on the motion was called for as follows:

Voting for:

Councillors Bialyk, Branston, Brimble, Bull, Buswell, Choules, Denham, George, Hannaford, Hannan, Laws, Lyons, Morse, Owen, Packham, Pearson, Raybould, The Deputy Lord Mayor, Sheldon, Spackman, Sutton, Vizard, Wardle and Williams.

(24 Members)

Voting against:

Councillor Shiel

(1 Member)

Abstain:

The Right Worshipful the Lord Mayor, Baldwin, Brock, Harvey, Henson, Holland, Leadbetter, Mottram, Newby, Prowse and Thompson

(11 Members)

Absent:

Councillors Edwards, Crew and Morris.

(3 Members)

The Notice of Motion was carried.

**NOTICE OF MOTION BY COUNCILLOR SHIEL UNDER STANDING
ORDER NO. 6.**

Councillor Shiel moved a Notice of Motion in the following terms:-

“Exeter’s roads are increasingly congested and this situation is made significantly worse by the frequency of road works and the wholly unacceptable time it takes to complete them. The City Council must determine to make every effort, by whatever means necessary, to reduce to an absolute minimum the intrusive, expensive and disruptive impact of all road works within the City.”

In presenting the Notice of Motion, Councillor Shiel referred to the increasing frustration felt by the travelling public regarding delays in both undertaking and completing highway works. When Chair of Scrutiny Committee - Community, he had invited representatives of the County Council to attend to explain the criteria for, and mechanisms associated with, undertaking highway works. He referred to Government regulations requiring the payment of penalty sums by companies failing to meet agreed timetables when undertaking works to major roads. He suggested that similar mechanisms should apply to works undertaken by the Highway Authority. He suggested the establishment of a Task and Finish Working Group to examine the issues and recommend appropriate action to monitor works.

Councillor Morse, in agreeing with the sentiments expressed within Councillor Shiel’s motion, referred to identical concerns raised at recent Exeter Highways and Traffic Orders Committee (HATOC) meetings. She believed, however, that the responses given at the meetings had been unsatisfactory.

Councillor Morse, in seconding the motion, proposed the following amendment which Councillor Shiel supported.

The following to be added at the end of the motion:-

“ by requesting a new report to the Exeter Highways and Traffic Orders Committee following discussions with relevant City and County lead Members on Highways and Development (Councillor S Hughes and Councillor R Sutton), especially liaison for Exeter (Councillor Leadbetter) and lead officers coming up with a new plan to limit disruption to our thriving City.”

The Notice of Motion, as amended, was put to the vote and carried unanimously.

**NOTICE OF MOTION BY COUNCILLOR HARVEY UNDER STANDING
ORDER NO 6.**

Councillor Harvey, seconded by Councillor Mottram, moved a Notice of Motion in the following terms:-

“This Council recognises the need to encourage the widest possible public involvement with its meetings and therefore resolves to:-

- a) *Support Council Committee meetings and Full Council meetings being held out of the Civic Centre and Guildhall on a rolling basis, giving a greater opportunity for Exeter residents to engage with the Council’s decision-making processes;*
- b) *Support web broadcasts of Full Council and all Council Committee meetings (where such meetings are held in The Guildhall and Civic Centre);*

- c) *Support a Question Time to the Council Leader at the commencement of Full Council Meetings. This may or may not include questions written in advance.*

The Corporate Manager Democratic and Civic Support is asked to draw together a report on the above proposals, with a report on the practicalities of implementation to be brought to the Council's Executive at the earliest opportunity."

In presenting the Notice of Motion, Councillor Harvey referred to the value of encouraging greater participation in the democratic process.

Councillor Pearson proposed an amendment to the effect that the proposed report be brought to the appropriate Scrutiny Committee in the first instance rather than Executive. This was supported by Councillor Harvey.

The Notice of Motion, with the last line amended to read "... to be brought back to the Council's Scrutiny Committee - Resources or successor Committee at the earliest opportunity", was put to the vote and carried unanimously.

14

**NOTICE OF MOTION BY COUNCILLOR HARVEY UNDER STANDING
ORDER NO 6.**

Councillor Harvey, seconded by Councillor Leadbetter, moved a Notice of Motion in the following terms:-

"That Exeter City Council celebrates the 2016 centenary of the Cub Scouts.

The City Council recognises the contribution that the Cub Scouts make to communities across Exeter, with the wide range of events and activities delivered by Cub Scout groups.

The City Council recognises the benefits that children across the city gain from membership of the Cub Scouts through participation in a wide range of activities and also recognises the benefits that accrue to children through the awarding of a wide range of badges to celebrate their achievements.

As the Cub Scout movement continues to thrive in the city, the City Council confirms that it will take all available opportunities to support local communities across the city in seeking to grow and strengthen local Cub Scout groups.

In addition, the City Council places on record its thanks to the many volunteers who keep Cub Scout groups functioning across the city.

The City Council agrees to the Lord Mayor of Exeter hosting a special thank you reception and tea at the Guildhall, on behalf of the City Council, for Cub Scout leaders from across the city to mark the 2016 centenary of the Cub Scouts."

In presenting the Notice of Motion, Councillor Harvey referred to the good work of the Scout Group in Alphington and hoped that its role in the community would be reflected in the work of the Exeter Community Forum in developing a Community strategy.

Members supported the valuable contribution that the Cub Scouts make to communities across Exeter, with the wide range of events and activities delivered by Cub Scout groups and the benefits that children across the city gain from membership of the Cub Scouts.

The Notice of Motion was put to the vote and carried unanimously.

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

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

16 **SUPPORT TO THE DEVELOPMENT OF THE EXETER WELLBEING HUB**

The Portfolio Holder for Customer Access stated that this report had been brought direct to Council because of the tight timescale by which the funds were required by Exeter Council for Voluntary Service (ECVS) to enable the completion of the refurbishment of Wat Tyler House and allow ECVS to meet their financial commitments.

A loan of £250,000 to ECVS was proposed to cover the remaining refurbishment costs of Wat Tyler House and therein the completion of the Exeter Health & Wellbeing Hub. The Assistant Director Finance had reviewed ECVS' accounts to confirm the financial position of the organisation and it was anticipated that repayment costs could be met given that there would be on-going income to ECVS from the tenants of the Hub.

Councillor Morse moved the recommendation which was seconded by Councillor Bull. On being put to the vote it was carried unanimously.

RESOLVED to approve the investment via the provision of a loan of £250,000 to Exeter Council for Voluntary Service, subject to the terms and conditions identified in the circulated report.

(The meeting commenced at 6.39 pm and closed at 8.02 pm)

Chair