

## **THE MEETING OF EXETER CITY COUNCIL**

Guildhall  
Tuesday 16 October 2012

The Right Worshipful the Lord Mayor (Cllr Newby)  
The Deputy Lord Mayor (Cllr Prowse)  
Councillors Baldwin, Bialyk, Bowkett, Branston, Brock, Bull, Choules, Crew, Crow, Dawson, Denham, Donovan, Edwards, Fullam, Hannaford, D J Henson, Mrs Henson, Laws, Leadbetter, Lyons, Macdonald, Martin, Mitchell, Morris, Mottram, Owen, Payne, Pearson, Robson, Ruffle, Sheldon, Shiel, Spackman, Sutton, Tippins, Wardle and Winterbottom

44

### **URGENT BUSINESS**

The Lord Mayor moved and Councillor Shiel seconded that the following item be taken as urgent business because of the need for Council to be fully appraised of, and decide upon, the formal authorisation to allow, at short notice, a final settlement to BAM, the Council's main contactor for the RAMM development project.

45

### **APPOINTMENT OF RECORDER**

**RESOLVED** that His Honour Judge Francis Gilbert QC be formally installed as Recorder of the City.

Judge Gilbert welcomed his appointment and returned thanks.

46

### **MINUTES**

The minutes of the meeting of Council held on 17 July 2012 were taken as read and signed as a correct record.

47

### **OFFICIAL COMMUNICATIONS**

The Lord Mayor announced that His Royal Highness, the Earl of Wessex had officially re-opened the Royal Albert Memorial Museum that morning.

48

### **PLANNING COMMITTEE - 23 JULY 2012**

The minutes of the Planning Committee held on 23 July 2012 were taken as read.

The following Councillor declared an interest:

<b>COUNCILLOR</b>	<b>MINUTE</b>
Winterbottom	79 (knows applicant)

**RESOLVED** that the minutes of the Planning Committee held on 23 July 2012 be received.

49

### **PLANNING COMMITTEE - 3 SEPTEMBER 2012**

The minutes of the Planning Committee held on 3 September 2012 were taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 3 September 2012 be received.

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**PLANNING COMMITTEE - 17 SEPTEMBER 2012**

The minutes of the Planning Committee held on 17 September 2012 were taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 17 September 2012 be received.

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**PLANNING COMMITTEE - 1 OCTOBER 2012**

The minutes of the Planning Committee held on 1 October 2012 were taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 1 October 2012 be received.

52

**LICENSING COMMITTEE - 24 JULY 2012**

The minutes were presented by Councillor Owen, the Deputy Chair of the Committee, as Councillor Macdonald, the Chair, had declared an interest at the meeting on 24 July in respect of Minute 38 (Sex Entertainment Venues and Sex Establishments).

Subject to the amendment of the minutes to include a declaration of a personal interest by Councillor Macdonald in respect of Minute 38, the minutes of the Licensing Committee held on 24 July 2012 were taken as read.

The Portfolio Holder referred to the background to the policy in respect of the regulation of sex establishments and confirmed that a full consultation with residents and interested parties on the current policy would be undertaken in the New Year. A report back to the Licensing Committee would be made seeking consideration on options for the Council's future policy on this matter.

**RESOLVED** that the minutes of the Licensing Committee held on 24 July 2012, as amended, be received and, where appropriate, adopted.

53

**LICENSING COMMITTEE - 25 SEPTEMBER 2012**

The minutes of the Licensing Committee held on 25 September 2012 were taken as read.

**RESOLVED** that the minutes of the Licensing Committee held on 25 September 2012 be received.

54

**SCRUTINY COMMITTEE - COMMUNITY - 4 SEPTEMBER 2012**

The minutes of the Scrutiny Committee - Community held on 4 September 2012 were taken as read.

The following Councillor declared an interest:

<b>COUNCILLOR</b>	<b>MINUTE</b>
Choules	45 (employee of the University of Exeter)

**RESOLVED** that the minutes of the Scrutiny Committee - Community held on 4 September 2012 be received.

55

**SCRUTINY COMMITTEE - ECONOMY - 6 SEPTEMBER 2012**

The minutes of the Scrutiny Committee - Economy held on 6 September 2012 were taken as read.

**RESOLVED** that the minutes of the Scrutiny Committee - Economy held on 6 September 2012 be received.

56

**SCRUTINY COMMITTEE - RESOURCES - 19 SEPTEMBER 2012**

The minutes of the Scrutiny Committee - Resources held on 19 September 2012 were taken as read.

**RESOLVED** that the minutes of the Scrutiny Committee - Resources held on 19 September 2012 be received.

57

**FINAL ACCOUNTS COMMITTEE - 20 SEPTEMBER 2012**

The minutes of the Final Accounts Committee of 20 September 2012 were taken as read.

**RESOLVED** that the minutes of the Final Accounts Committee of 20 September 2012 be received.

58

**EXECUTIVE - 18 SEPTEMBER 2012**

The minutes of the Executive held on 18 September 2012 were taken as read.

In relation to Minute 89 (Appointment of Representatives to serve on Outside Bodies), the following appointments were made:-

- Mrs D. Baldwin to Exeter Municipal Charities (Church List)
- Councillor Spackman to St. Sidwells' Parish Lands and Other Charities.

**RESOLVED** that the minutes of the Executive held on 18 September 2012 be received and, where appropriate, adopted.

59

**EXECUTIVE - 2 OCTOBER 2012**

The minutes of the Executive held on 2 October 2012 were taken as read.

The following Councillors declared personal interests:

<b>COUNCILLOR</b>	<b>MINUTE</b>
Choules	94 (Chair of Wear United Community Group)
Prowse	104 (Member of Devon County Council)

In relation to Minute 102 (Membership of Committees), the following appointments were made:-

- Councillor Owen to replace Councillor Macdonald as Chair of the Licensing Committee, Councillor Macdonald to remain a member of the Committee and Councillor Dawson to replace Councillor Owen as Deputy Chair of the Licensing Committee; and

- Councillor Baldwin to replace Councillor Leadbetter as a Member of the Scrutiny Committee - Economy.

Councillor Edwards moved and Councillor Baldwin seconded the establishment of a Political Structure Review Member Working Group to comprise Councillors Baldwin, Bialyk, Bowkett, Crow, Morris, Pearson, Ruffle and Shiel.

Council agreed the motion unanimously.

Responding to Members who were concerned about the significant financial implications of a proposed leisure complex (Minute 104 - Proposal to Build a New Swimming and Leisure Complex on the Bus and Coach Station Site), the Leader, with reference to the recent opening of John Lewis, stated that investment in new developments was important to maintain the economic vibrancy of the City. He also reported that consultants would be engaged to review the City's car parking stock in relation to meeting the needs of the re-development of the bus and coach station site including the proposed swimming and leisure complex.

**RESOLVED** that the minutes of the Executive held on 2 October 2012 be received and, where appropriate, adopted.

60

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

The following Councillors declared interests and, where indicated\*, left the meeting during consideration of this item:

<b>COUNCILLOR</b>	<b>INTEREST</b>
Crew	Member of the GMB Union
Laws	* Member of Devon County Council
Mitchell	* Employed by the Royal Devon and Exeter Hospital Trust
Morris	Employed by Ben Bradshaw MP
Ruffle	Retired and active Member of the NUT and retired and inactive member of the Unite Union

Councillor Bialyk, seconded by Councillor Crew, moved a Notice of Motion in the following terms:-

**“Regional and Local Public Sector Pay**

That the Exeter City Council notes:

- The Chancellor of the Exchequer announced in the 2012 Budget the Government's desire to introduce 'more market facing' public sector pay. This could mean regional or local public sector pay.
- This recommendation has come in advance of the Pay Review Bodies reporting on the issue in July and September 2012.
- There has been no independent assessment of the impact and consequences this policy could have for public services or the economies of low pay regions.

Exeter City Council believes:

- The Government's case is based on the claim that public sector pay is 'crowding out' the private sector. This is not supported by evidence, particularly at a time of high unemployment. There are currently 2073 JSA claimants in the Exeter area.
- This approach also ignores the real reasons for the differences between public and private sector pay. For instance, there are more high skilled workers in the public sector (such as teachers and nurses), and a smaller pay gap between top and bottom earners and a smaller gender pay gap.
- Public sector employers already have some flexibility to adjust pay in response to local conditions, and higher rates are paid in London and the South East.
- All other English regions and devolved nations stand to be affected by this, with the possibility of years of pay falling behind the cost of living.
- Workers in the Exeter area are paid £512 pa less than the national average.
- 65% of public sector workers are female.

Exeter City Council further believes:

- Regional or local public sector pay would have a harmful effect on the City.
- It will make it harder for schools and other public services to recruit and retain good quality professionals who could earn more for doing the same job elsewhere.
- There are 31,200 public sector workers in Exeter area and reducing their real terms pay each and every year will dramatically reduce spending power and have a negative impact on the private sector.
- This policy will not improve the pay of private sector workers but instead could encourage further depression of wages in all sectors.
- We do not want to be forever defined as a 'low pay' city.
- This policy is therefore counter to our city vision and ambitions for the future.

Exeter City Council resolves:

- To write to the Chancellor of the Exchequer and Chief Secretary to the Treasury stating this council's opposition to plans for regional and localised public sector pay.
- To write to all local MPs within the next month outlining concerns about the impact that this policy would have on services and the local economy.
- To sign up to the Pay Fair campaign and raise awareness of the implications and risk of this policy locally, regionally and nationally."

In presenting the Notice of Motion, Councillor Bialyk stated that the desire of the Coalition Government to introduce regional or local public sector pay would have an adverse impact on regional economies and that Devon and Cornwall in particular would be badly affected. A number of Councils, including Plymouth and Cornwall, had unanimously opposed the proposal and he hoped that the City Council would do the same. He also urged Members to agree to the City Council signing up to the Pay Fair campaign. Councillor Crew, in seconding the motion, referred to the greater proportion of skilled workers working in the public sector and stated that any reduction in pay levels for this group would impact adversely on the local economy. He also referred to an Institute of Directors survey where the majority of members were not opposed to current public sector pay levels.

Some Councillors felt that greater flexibility in the regional public sector pay formula would stimulate rather than hinder economic growth and that the work force accepted lower wages away from London and the South East because of the quality of life in the South West. Councillor Leadbetter advised that the Cabinet of Devon County Council had requested an economic impact study on the likely effect on the area of the Government's proposal because of the concerns that regional pay structures could be harmful to local economies.

In supporting the motion, a Councillor referred to the opposition from the Chair of the Devon and Cornwall Business Council to the Government's proposal as it was felt that it would lead to a greater imbalance between London and the South East and the rest of the country. He stated that legislation had already been enacted in 2006 to enable the introduction of regional pay variations and that this had already been introduced by the Courts of Justice and that a number of NHS Trusts were looking to follow.

Other Councillors supported the retention of national pay structures for the public sector. They felt that introducing regional pay settlements would reduce incomes and therefore spend in the local economy which would be detrimental to local businesses.

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

Voting for:

Councillors Bialyk, Bowkett, Branston, Mrs Brock, Bull, Choules, Crew, Dawson, Denham, Edwards, Fullam, Hannaford, Lyons, Macdonald, Martin, Morris, Owen, Payne, Pearson, Robson, Ruffle, Sheldon, Spackman, Sutton, Tippins and Wardle (26 Members)

Abstain:

Councillors Baldwin, Crow, Donovan, D Henson, Mrs Y A C Henson, Leadbetter, The Right Worshipful the Mayor Councillor Newby, Mottram, The Deputy Lord Mayor Councillor Prowse, Shiel and Winterbottom.

(11 Members)

The Notice of Motion was carried.

61 **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, Schedule 12A of the Act.

62 **RAMM PROJECT - SETTLEMENT**

The Chief Executive presented the report informing the Council of the current negotiations in respect of BAM's final account and seeking authority for additional capital expenditure to enable full and final settlement.

**RESOLVED** that Council approve the settlement of BAM's final account as set out in the Chief Executive's report.

(Report circulated to Members)

(The meeting commenced at 6.00 pm and closed at 8.00 pm)

Chair