

PLACE SCRUTINY COMMITTEE

Thursday 13 September 2018

Present:

Councillor Sills (Chair)
Councillors Wood, D Henson, Keen, Prowse, Pattison and Robson

Apologies:

Councillors Mitchell and Lyons

Also present:

Director (JY), Director (DB), Exeter City Futures Programme Director, Chief Finance Officer, Temporary Principal Accountant (SR), Temporary Principal Accountant (AR), City Surveyor, Senior Estates Surveyor, Senior Environmental Technical Officer, Economy and Enterprise Manager and Democratic Services Officer (SLS)

Anne Hunter – BID Manager (In Exeter)

In Attendance:

Councillor Peter Edwards	- Leader and Portfolio Holder City Development
Councillor Rachel Sutton	- Portfolio Holder Economy and Culture
Councillor Rosie Denham	- Portfolio Holder City Transformation
Councillor David Harvey	- Portfolio Holder Place & Commercialisation
Councillor Chris Musgrave	- Attending to ask a question Under Standing Order 20 (Item 36)
Councillor Cynthia Thompson	- Attending to speak Under Standing Order 44 (Item 42)
Councillor Matthew Vizard	- Attending in respect of Item 41
Councillor Laura Wright	- Attending in respect of Item 41

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MINUTES

The minutes of the meeting of Place Scrutiny Committee held on 14 June 2018 were approved and signed by the Chair as correct.

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DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

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QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER **20**

In accordance with Standing Order No 20, Councillors Prowse and Musgrave submitted their respective questions on the City Council's enforcement of litter and air quality.

A copy of the questions had been previously circulated to Members, and these, together with the appropriate responses from Councillor Harvey, Portfolio Holder

Place and Councillor Denham, Portfolio Holder City Transformation, respectively, is appended to the minutes.

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PORTFOLIO HOLDER PRIORITIES 2017/18 - YEAR END REPORT

Updates on the priorities of the Portfolio Holders for Place, City Transformation Energy & Transport, City Development, Health and Wellbeing, Communities & Sport and Economy and Culture respectively for 2017/18 were presented.

Leader and Growth and City Development

The Leader and Portfolio Holder for Growth and City Development presented the updates for City Development.

Place & Commercialisation

The Portfolio Holder for Place & Commercialisation highlighted the following areas:-

- ongoing consideration of options for increasing recycling rates and the opportunity to pursue a business case for future investment in the City's Material Reclamation Facility (MRF);
- the excellent news of an improved cleansing regime of the city centre; and
- the play facilities at the King George V Playing Fields, funded from a variety of sources, had been designed to benefit all of the local community, and hopefully following the approach would be replicated across the city.

The Portfolio Holder noted a Member's comment on the West Garth Play area. He also responded to comments on the opportunity to improve recycling rates amongst the student population. Officers liaised with Exeter University throughout the year and worked to encourage the student population to be more proactive in managing their rubbish and recycling. Other initiatives included additional rubbish collections at the end of term, including purpose built student accommodation with the appropriate number of bins. The Director (DB) added that additional recycling bins and a series of educational campaigns, the latest of which was about to commence with the new cohort of students, had all resulted in an improved situation.

The Portfolio Holder also confirmed that Faithfull & Gould had finished a study on the Belle Isle site. The Director (DB) added that improvements to the welfare facilities were proposed and a report to Committee would be made at the appropriate time.

A Member congratulated the Portfolio Holder and the team for the excellent recycling service in Exeter.

City Transformation

The Portfolio Holder for City Transformation reported the following updates:-

- the establishment of a Transport Steering Group with representatives from both the City and County Councils with an intention by Stagecoach to look at a data sharing agreement for specific projects; and
- a workshop hosted by the Exeter Cycling Campaign had produced 28 recommendations, which were accepted in principle, as well as a commitment to share good practice, and improve future engagement and communication to hopefully see real action on the ground.

In response to Members' questions, the Portfolio Holder responded as follows:-

- she welcomed the report and presentation from Exeter City Futures which set out the stance to reduce the city's congestion, and to look about doing things in a different way, along with advice from like-minded individuals in the start-up support at Exeter City Futures; and
- she acknowledged the relationship between congestion and air quality, and the air quality around surrounding roads such as the Heavitree Road or Alphington corridors presented a challenge due to the built constraints around the roads. Change would not happen overnight, and physical improvements to the network would be difficult, but it was important to improve the community for both pedestrians and cyclists and reduce the conflict with traffic by potentially creating corridors that were not dominated by cars. It was important to continue to take the right approach including offering transport alternatives and build on the good existing transport links to the city centre.

Economy and Culture

The Portfolio Holder for Economy and Culture reported the following updates:-

- support for the Innovation Exeter programme and the submission to establish an Institute of Technology within the city, with Exeter College and the University as partners;
- the consolidation of the work with Exeter City Futures; and
- the meshing of shared objectives as part of the inclusive growth agenda which had been successful in attracting hi-tech companies and academic research and scientists. It was an ambition that everyone who lived in the city had the best possible opportunity for employment, and for the city to grow its own world academics. The recent Jobs Fair offered a greater focus on the skills agenda, and was well supported by employers and potential employers.

Health & Wellbeing, Communities & Sport

The report for the Portfolio Holder for Health & Wellbeing, Communities & Sport was presented.

Place Scrutiny Committee noted the reports of the Portfolio Holders.

EXETER CITY FUTURES URBANISATION OVERVIEW

The Exeter City Futures, Programme Director, Liz O'Driscoll presented a report and presentation which provided an overview of the Exeter City Futures Community Interest Company (CIC) and its current operational structure, activities and goals, and analytical approach to city change, as well as details of the live projects to date.

The Programme Director referred to her previous presentation at this Scrutiny Committee when she first introduced the bold mission of Exeter City Futures for Exeter to resolve some of its urbanisation challenges, reduce social inequality as well as contribute to economic growth. The vision included bringing together local government, private sector and communities to jointly solve the transport and energy challenges and co-create a solution to inspire individuals to make their own changes. She referred to Exeter City Future's consultation and engagement work with residents and businesses which had resulted in a list of 12 draft transformational goals which were set out in the report, together with a list of

activities and live projects. The current membership of the CIC, included the University of Exeter, Exeter College, the Royal Devon and Exeter NHS Trust, and Devon County Council. A partner network of 61 commercial and community organisations across the city who supported the mission of Exeter City Futures was being established, as well as 43 individuals who had indicated their desire to be involved. There was now a clear programme of targeted support to help organisations identify their own challenges and bring city organisations together and harness individual effort as well as ensure a shared responsibility to help deliver greater coordination and focus. The team offered a collaborative working space in their office in Southernhay to enable communities and individuals to be with like-minded people to formulate projects or ideas.

The Programme Director responded to a Member's question on one of the transformational goals relating to the reliability and resilience of the transport network in Exeter and concern when diverted traffic was sent through the city. She noted the comment and advised that although the Police were not a member of Exeter City Futures, they were one of the first active partners who have signed up to the goals in support.

Place Scrutiny Committee supported the direction of Exeter City Futures and noted the 12 goals as a way to deliver against the Council's strategic objective of reducing congestion in Exeter.

2018/19 BUDGET MONITORING REPORT (QUARTER 1)

The Chief Finance Officer attended the meeting to provide an overview of the current budgetary position and also set his Section 151 comments in context. He reminded Members of their responsibility under the Local Government Act 2003 to monitor and take any necessary action, in respect of variations from the budget to protect the financial position of the Council. He explained the detail of the overspend, which included pay budgets for staff on the lower grades throughout the Council which were under pressure as a result of the final pay award, and with Place Scrutiny Committee to feel the biggest impact as it had the largest number of staff within its budget. He advised that the Council's reserves could dip below the minimum recommended level, if the financial position continued and so he requested Members to continue their support for the stance of prudent financial management. The Council's Strategic Management Board had been tasked to identify options to address the overspend.

It was noted that the report provided Members with the detail of any major differences by management unit, between the approved budget and the outturn for the financial year up to 30 June 2018 in respect of Place Scrutiny Committee. The current forecast had suggested that the net expenditure for the Committee would increase from the revised budget by a total of £271,663, after transfers from reserves and revenue contributions to capital, representing a variation of 2.67% from the revised budget. This included supplementary budgets of £755,800 already agreed by Council. The report also included the outturn update in respect of the Place Capital Programme, and detailed significant variations by management and any material differences to the revised budget in respect of the revenue and capital budgets. The Capital Programme included a total spend of £442,109 in 2018/19 with £4,539,620 of the programme potentially deferred until 2019/20.

Place Scrutiny Committee noted the report.

SOUTH STREET REGENERATION

The City Surveyor provided an update on the current and future development opportunities in South Street, which would also strengthen the important link between the city centre and the Quayside. A practical approach was being taken to progress a number of priority improvements for South Street and included an incremental approach with “Early Interventions” to produce immediate impact as well as generate momentum for longer term projects, including improved links to the Quay. The report did not seek specific scheme approval, but many of the interventions would require cooperation and support from Devon County Council as the Highway Authority. A set of Urban Design Proposals for the South Street area, prepared by the Exeter based consultants, Lacey Hickie Caley, was included as an appendix to the report.

The Chair referred to the initial design discussions and welcomed the early interventions or quick wins but he enquired about the time frame for delivery. The City Surveyor confirmed that consultation with a range of partners including Devon County Council would need to take place, but officers were keen to move on with some of those quick wins as soon as possible. He also responded to a Member’s question about a pedestrian scheme in Chester included in the report, which was for illustrative purposes and emphasised that the future possibilities of South Street depended very much on the reality and constraints of the existing layout.

Place Scrutiny Committee noted the report and requested Executive support for the following:-

- (1) Urban Design Proposals by consultants Lacey, Hickie and Caley and implementation on an incremental basis subject to appropriate consultation and budget availability;
- (2) proposals to be incorporated into the developing City Centre Strategy; and
- (3) officers with the help of Devon County Council and others to explore the implementation of the Early Interventions set out on Page 50 of the Urban Design Proposals report.

PUBLIC SPACE PROTECTION ORDER (PSPO) SPOTLIGHT REVIEW REPORT

Councillors Vizard and Wright presented their written report of the review of the implementation of the Public Spaces Protection Order (PSPO) undertaken in June 2017. The Spotlight Review Group included Members, City Council officers and representatives from the Police and considered the impact of the first six months of implementation. The Police had found the PSPO initiative to be a particularly flexible tool, and although challenges remained, more collaborative working through the PSPO would ensure that these could be dealt with more swiftly and effectively.

Councillor Vizard explained that the Review Group had rigorously reviewed the PSPO, and explored a number of issues around the perception, effectiveness and application and the effect on Police resources. The review showed that the PSPO was having a positive impact with the Police benefiting from using the Order as an additional preventative measure, which was borne out by the low level of arrests outlined in the report. He hoped the public would start to see benefits from the PSPO, in the run up to the review in two years’ time.

Sector Inspector Simon Arliss attended the meeting and welcomed the opportunity to discuss this at the Review Group. He referred to the forthcoming University of Exeter Fresher's Week and suggested that both the PSPO as well as guidance for students would provide a useful set of parameters for new students coming into the city setting out clear expectations on acceptable behaviour for all.

Place Scrutiny Committee noted that the current PSPO was working well in its current form and therefore should continue.

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TRAVELLER RELATED ISSUES

Councillor Mrs Thompson attended the meeting under Standing Order 44.

The Director (DB) introduced a briefing note which he had been asked to prepare following a request for consideration of this topic by Councillor Mrs Thompson at a meeting of the Exeter Strategic Board. Information had been collated, and included a copy of the current protocol and details of a formal response to a Government consultation on powers for dealing with unauthorised development and encampments. The City Surveyor and Senior Estates Surveyor were also in attendance having both dealt with traveller issues for a number of years.

Councillor Mrs Thompson referred to a public meeting held at the Isca Centre organised by the Friends of Exhibition Fields to discuss a number of issues around a traveller incursion onto Eastern Fields, which had resulted in fly tipping and anti-social behaviour, and consideration of how the fields could be better protected in the future. She confirmed that a group of travellers had also pitched on the Station Road playing fields in Pinhoe, and there had been other instances around the city. The Councillor also referred to a forthcoming meeting on 17 September to discuss the recent incursions in Pinhoe with residents, the Police and City Council officers. She said that local residents wanted to have some plan of action in place as well as the due process by the local authorities of Exeter City Council and Devon County Council. She congratulated the local authority who acted very respectfully and swiftly to manage each of the recent situations, which often took place over the weekend when the Council offices were closed. She was aware that residents had concerns over the level of damage and antisocial behaviour and of the response from the Police.

A Member welcomed the detailed summary of incidents and enquired about the outcome of the Government consultation. The Senior Estates Surveyor stated that the consultation had closed in July and the Government were currently considering responses. A Member also reiterated Councillor Mrs Thompson's comments and his contact with residents who had been disappointed by the more recent Station Road playing fields incursion. He was aware that the Council was responsible for a large number of sites with a limit on the level of defences, but he suggested that it was key to look at the number of access points to City Council land. He reminded Members of the Council's protocol, and appreciated that whilst this issue might not touch on all Exeter residents, it was very personal to the residents and his fellow ward Councillors who had to experience the incursions close to hand.

Councillor Wood proposed that a Spotlight Review on this subject would be useful as soon as was practically possible. This was seconded by Councillor Pattison. He suggested that it would be useful to look at the current protocol, any additional measures that could be introduced to prevent or restrict travellers moving onto a site. It would also be useful to have an overview of the actions taken and protocols used once the travellers had moved onto the site, together with any additional measures that could be introduced to prevent or restrict incursions by travellers.

Members supported the formation of a Spotlight Review to discuss Traveller related issues.

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LOCAL AIR QUALITY MANAGEMENT

The Director (JY) introduced the statutory Annual Status report, which the Council was legally required to submit to the Department of Environment, Food and Rural Affairs (DEFRA). The Council was required to use the DEFRA template to report data as part of the national analysis around air quality. A copy of the DEFRA response to the submission was circulated with the papers and officers would use this feedback to continue the dialogue with partners around the revised Air Quality Action Plan being developed. The 2018 Annual Status Report and a summary of the monitoring data could be viewed on the air quality pages on the City Council's web site.

The Senior Environment Technical Officer responded to a Member's question about the monitoring site ID reference, within the report. She also responded to a question on the positioning of air quality monitors and the Member's concern about the high levels of nitrogen dioxide recorded by a number of monitoring sites within the city. She explained that the annual mean NO₂ monitoring results included an average for the year, and the objective level of compliance was 40, but the level was exceeded on a number of sites such as on East Wonford Hill. The data in the Annual Status Report would underpin the revised Air Quality Action Plan which, following the formal consultation process, would be presented to Members for their consideration later in the year.

Place Scrutiny Committee noted the statutory annual status report.

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INEXETER ANNUAL UPDATE

The Economy and Enterprise Manager presented a report which updated Members on the fourth year of trading for In Exeter, which also outlined the next 12 months to BID renewal which was due to take place in October 2019. The report included a full update on progress on the delivery of the Business Plan 2015 – 2020. She referred to the In Exeter Board which comprised individuals elected from businesses across the BID levy area. She also confirmed that Councillor David Harvey, had been appointed as the Exeter City Council representative. There was currently a vacancy for the Devon County Council representative.

Ann Hunter, the BID Manager, attended the meeting and made a presentation on the activity delivered by In Exeter, which included engagement with the majority of the 550 businesses from the core of the city centre, using printed traditional newsletters as well as e-news briefings and face to face meetings. The Directors of the Board represented a micro area of the city and met regularly to consult with those businesses. A key project was the launch of the Independents Advisory Group, which allocated funding for projects, and it was important to recognise the value and impact of those independent retailers. An Independents Guide had been launched, and a number of reactive projects such as a gift card to encourage shoppers to use the independent retailing sector. Other In Exeter projects included a substantial print run of a comprehensive Eat and Drink Guide, commissioned street artwork by local artist Alwen Bowen, as well as a programme of city dressing and events throughout the year. Ann also spoke about plans for the busy Christmas period, with a refocus of the Christmas Light Switch On event and more planned free activities throughout the whole festive period. This included a collaborative project to produce a combined Christmas guide with Exeter Cathedral,

the Guildhall Shopping Centre and Princesshay, and was due to be circulated in November.

Preparations had commenced for the BID renewal, which would include a programme of engagement throughout 2019, before the ballot was held in October 2019. A new Business Plan for the next five years would be worked up with businesses, stakeholders, Exeter City Council and Devon County Council. Ann responded to a Member's comment on the range of support offered, which included a useful and visible point of contact for both retailers and the public; business support with training and development courses, and additional support in relation to recycling and waste. They continued to look at multiple contract servicing and worked with trade waste contractors to rationalise the offering. She accepted an invitation from a Member and the Chairman of the Exeter Tidy Group to be a guest speaker at a future Group meeting. She also agreed to obtain further information about the Devon County Council representation. The Economy and Enterprise Manager also agreed to provide an update on a staff car parking redemption scheme for staff.

Place Scrutiny Committee noted the report and presentation by the Manager of In Exeter.

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RECYCLING PLAN REVIEW

The Director (DB) introduced a report which detailed the City Council's current performance in waste reduction and recycling, and the reasons behind the current trends. It also provided an update on progress on the annual Recycling Plan, and sought ongoing support and suggestions from Scrutiny for recycling initiatives.

Officers were constantly looking at ways to increase throughput and recycle material from outside of the city to provide additional income. He directed Members to the detail included in the report which offered an analysis of material recycled from November 2017. The chart showed that 80% of material placed in the residual bin was either reusable or recyclable and so there was likely to be scope to consider recycling food waste at some point in the future. The Director also referred to the 2018 annual recycling statistics for Devon, and included a number of suggestions to tackle a reduction in recycling, including a refresh of the way in which recycling is carried out in the city. A change could generate renewed interest.

Place Scrutiny Committee noted the current trends on waste reduction and recycling, and supported the ongoing actions planned for 2018/19 set out in the report.

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EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE DCC

The minutes of the Exeter Highways and Traffic Orders Committee (Devon County Council) held on 30 July 2018 were circulated for information.

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

Chair

MEMBER QUESTIONS TO PORTFOLIO HOLDER at Place Scrutiny Committee – 13 September 2018 - Questions from Councillor Prowse

Response to be made by Councillor David Harvey Portfolio Holder Place & Commercialisation

Question 1

I understand that the outsourced enforcement team have commenced duties in this City and no doubt concentrating on 'offenders' ' responsible for dropping litter.

Can the Portfolio Holder brief the Committee on the success to date?

Response – There had been an excellent success.

Question 2

Are they just limiting themselves to litter enforcement?

Response - Although the primary focus was on litter issues, the contractor was able to deal with other environmental enforcement such as fly posting. He also advised that this may be explored later during the 12 month pilot scheme, but the initial task was to help reduce the amount of litter discarded, by changing people's behaviour through both education and enforcement. The uniformed presence of the team on the street and in parks was expected to provide a deterrent to other forms of anti-social behaviour too.

Question 3

How many 'offenders' have been dealt with by way of on the spot penalties?

Response - During August, 224 fixed penalty notices were issued to individuals. This had mainly been in the city centre area whilst the team has undergone training but penalties had been issued in a number of more outlying areas such as St David's Station and Cowick Street. Of the 224 issued 129 have already been paid.

Question 4

Are those who have been stopped and dealt with been requested or offered the facility to pay on the spot?

Response - Anyone fined could make immediate payment via the enforcement company's mobile phone app. No payment via either cash or card could be made to the enforcement officers.

Councillor Prowse asked a supplementary question about individual's private information Councillor Harvey responded and stated that no personal information was required or collected by the enforcement officers.

Question 5

Has anyone run away before being dealt with?

Response – There had been two instances where individuals had run off before the officer could deal with them. Their company policy was not to give chase.

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**MEMBER QUESTIONS TO PORTFOLIO HOLDER at Place Scrutiny Committee –
13 September 2018 - Questions from Councillor Musgrave**

Response to be made by Councillor Denham Portfolio Holder City Transformation

Question 1

Is the Portfolio Holder embarrassed that Labour have broken another promise to the people of Exeter by failing to deliver an air quality action plan as required by law?

Response - No promises had been broken, and they were currently in the process of finalising a revised Air Quality Action Plan (AQAP) for Exeter. The draft AQAP was published at the beginning of the year, and contained a series of proposals to ease congestion and improve air quality in the city. In February, a statutory three month public consultation was launched on the Plan and over a thousand face to face opportunities were provided in the city and provided valuable feedback. The responses were being assimilated and the results of the consultation would be publicised in due course.

Councillor Musgrave asked a supplementary question about being advised at a previous Scrutiny Committee that the results would be available for the September meeting.

Councillor Denham, said that she shared the frustration, but this was partly because the consultation had been so successful and the assimilation of the high levels of engagement had taken far longer than anticipated. It was hoped to receive the full information for November enabling a much better action plan for the city.

Question 2

How long has Exeter City Council been in breach of the requirement to have an action plan in place?

Response – Councillor Denham confirmed that following work, a revised plan would be in place shortly. DEFRA were aware of the timescales that the City Council was working towards and have not raised any concerns. The time taken to work on this, reflects the importance of the issue, the complex nature of the problems and solutions and the need to build consensus.

Councillor Musgrave asked a supplementary question, and enquired if it was correct that the City Council had been without an Action Plan since 2017.

Councillor Denham replied and stated that the Action Plan had gone beyond the life that we originally envisioned for it.

Question 3

Why isn't Exeter's illegal and widespread high levels of air pollution air quality a priority for this administration?

Response - Councillor Denham confirmed that there are not 'widespread high levels of air pollution' but there were 'hot spots' concentrated in particular areas. Levels of air pollution have been reducing in Exeter. In 2011 there were 20 monitoring locations in the city where nitrogen dioxide levels were above the objective. In 2017 there were eight. This was really good news for public health and shows that the City and County Councils have not been inactive over this period, although it was recognised there was still much to do to tackle the issue.

The issue remained a priority, which is why work had taken place with partners, both in the public and private sector to cut congestion and the resulting air pollution. The City Council

announced in March that Dr Liz O'Driscoll had been seconded as Programme Director to head up the city-wide transformation programme known as Exeter City Futures. It will address some of the big challenges facing the city, including traffic congestion. She reminded Members that Dr O'Driscoll was at the meeting to provide a presentation on Exeter City Futures, as well as a report on Air Quality. It was important that we all work together to try and improve the availability of information on air quality in the city.

Councillor Musgrave asked a supplementary question about the 66% level of one of the Council's own monitoring stations which was either on or very close to the legal limit.

Councillor Denham asked the Senior Environmental Technical Officer to assist with the response and she stated that the monitoring locations were not spread evenly around the city, but were in locations where there were higher volumes of traffic and air pollution, which provided an opportunity to capture the data.

Question 4

When can we expect an Action Plan, as required by law?

Response - It was currently anticipated that the revised AQAP would proceed through the democratic process in November.

Question 5

Does the Portfolio Holder have any specific and immediate actions or plans on the table to address the appalling lack of action and imagination on Exeter's air quality?

Response - There was no lack of action or imagination on this subject. In fact a considerable amount of work was continuing, including.

- the City Council had upgraded its continuous air pollution monitoring equipment and goes beyond what is legally required. The data gathered will feed directly into the decisions made by the city and county councils as work continues to improve air quality, tackle congestion, and ultimately improve the health of our population.
- while many councils have been cutting continuous monitoring sites because of financial constraints, Exeter's example has been praised by DEFRA, who recognise the significant investment the City Council has recently made to upgrade the equipment.
- the City Council had also been praised by DEFRA for expanding its diffusion tube network. In 2016 we added new sites to monitor the impact of housing development in key growth areas.
- in 2017, new sites were added to check for compliance with the objective at houses close to two busy junctions which had not recently been assessed. Both these sites met the required standard for nitrogen dioxide - but monitoring will continue.
- in 2018, new diffusion tubes were added to the network on off-road cycle paths so that we can highlight the difference between pollution levels here and beside busy roads.
- She anticipated that the Action Plan would be far more ambitious and it was more appropriate to take longer to get it in place, a Plan that could be delivered.