

**COUNCIL**  
**(HELD AS A VIRTUAL MEETING)**

Tuesday 23 February 2021

**Present:-**

The Right Worshipful the Lord Mayor, Councillor Peter Holland  
Councillors Mrs Henson, Atkinson, Bialyk, Branston, Buswell, Foale, Foggin, Ghusain,  
Hannaford, Harvey, Henson, D, Leadbetter, Lyons, Mitchell, K, Mitchell, M, Moore, D,  
Moore, J, Morse, Oliver, Owen, Packham, Pearson, Quance, Sheldon, Sparkes, Sutton,  
Vizard, Wardle, Warwick, Williams, Wood and Wright

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Martin, Newby and Sills.

2 **MINUTES**

The minutes of the Ordinary and Extraordinary meetings of the Council held on 15 December 2020 were moved by the Leader Councillor Bialyk, seconded by the Deputy Leader Councillor Sutton, taken as read and approved for signing as correct at the earliest possible convenience.

3 **OFFICIAL COMMUNICATIONS**

The Lord Mayor passed on his condolences, and those of Council Members, to Councillor Sills and his family, whose Great Nan had passed away and to the family of Jeremy Setter, Hereditary Freeman of the City of Exeter and a previous custodian of the Lammas Fair White Glove since March 1987, who had also passed away. He had been the 6<sup>th</sup> family member who had held the Freemanship since 1857.

The Lord Mayor also reported the following:-

- his participation in marking Holocaust Memorial Day with a short message on the Council's Facebook page;
- being able to catch up through a zoom call with the Regional Naval Commander (Wales and Western England area), Brigadier Jock Fraser and the Commanding Officer of HMS Defender Vince Owen and being updated on the activities of Exeter's affiliated ship during the last year, HMS Defender having been granted Freedom of the City in March 2014;
- Rob Heard having been awarded an MBE in the New Year's Honours List for his outstanding contributions towards the armed forces community. In July 2016 he had risen to prominence with the 19240 Somme installation, made up of small shrouded figures, which had been exhibited in Exeter's Northernhay Gardens for a week to commemorate the soldiers who had fallen on the first day of the Battle of the Somme, 1 July 2016 having been the 100<sup>th</sup> anniversary;
- support given to his chosen Charity as part of a virtual half marathon held on the weekend of 13 and 14 February 2021, John Street, Corporate Manager Democratic and Civic Support, having participated, running in a very acceptable time of one hour and 56 minutes and raising in excess of £600; and

- the commencement of Fairtrade Fortnight on 22 February 2021 running to 7 March 2021.

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### **PUBLIC QUESTIONS**

The Lord Mayor reported the receipt of two questions from the public.

#### **Mrs. C. Thompson to Councillor Bialyk, Leader.**

Mrs. Thompson was not present and both her questions were read out by the Corporate Manager Democratic and Civic Support.

#### **Question 1.**

Do Entities controlled or significantly influenced by the Local Authority such as those documented in the Statement of Accounts have access to, or are able to benefit from, the Local Authority's Statutory Powers?

#### **Response**

The Leader responded that this was a very difficult question to answer given its generality but could only answer by saying the Council generally exercises its statutory powers for the public good.

#### **Question 2.**

Could the Leader explain the procedures in place, which demonstrate the Intra Loans made to a Housing Development Company (used to sell homes on the open market) as noted re. accounting period 2019/20 are able to be repaid if and when demanded by the City Council?

#### **Response**

The Leader responded that the Loans made to the Housing Development Company are covered by a formal legal agreement, with an agreed repayment schedule. There are clauses within the agreement, which allow for the immediate repayment in the event of a default.

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### **PLANNING COMMITTEE - 14 DECEMBER 2020**

The minutes of the Planning Committee of 14 December 2020 were presented by the Chair, Councillor Morse, and taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 14 December 2020 be received.

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### **PLANNING COMMITTEE - 18 JANUARY 2021**

The minutes of the Planning Committee of 18 January 2021 were presented by the Chair, Councillor Morse, and taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 18 January 2021 be received.

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### **LICENSING COMMITTEE - 2 FEBRUARY 2021**

The minutes of the Licensing Committee of 2 February 2021 were presented by the Chair, Councillor Owen, and taken as read.

**RESOLVED** that the minutes of the Licensing Committee held on 2 February 2021 be received.

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### **STRATEGIC SCRUTINY COMMITTEE - 21 JANUARY 2021**

In the absence of both the Chair and Deputy Chair, the minutes of the Strategic Scrutiny Committee of 21 January 2021 were presented by a Member of the Committee, Councillor Owen and taken as read.

**RESOLVED** that the minutes of the Strategic Scrutiny Committee held on 21 January 2021 be received.

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### **CUSTOMER FOCUS SCRUTINY COMMITTEE - 11 FEBRUARY 2021**

The minutes of the Customer Focus Scrutiny Committee of 11 February 2021 were presented by the Chair, Councillor Vizard and taken as read.

In respect of **Minute No. 5 (Waste and Re-cycling Collection Service)**, and in response to a Member asking when a report would be submitted on the costs and operational consequences of the new food waste and re-cycling service and the anticipated date for its introduction, the Portfolio Holder for City Development made the following points:-

- changing the operation of a complex, multi-million pound waste and recycling collection service required care to ensure the right decision was taken on the way forward;
- the service needed to be re-evaluated in light of the Covid Pandemic, as evidence from a neighbouring authority operating a kerbside collection had shown increased volumes of food and cardboard collection causing increased journeys to tip materials;
- the costs and operational consequences of changing and updating the vehicle stock, including the possible use of electric and/or hydrogen vehicles, as well as processing equipment would need to be assessed as well as any implications on staff numbers;
- the Council's Net Zero Exeter 2030 target was also an important consideration;
- it was necessary to obtain costs from suppliers on the upgrade of the Materials Re-cycling Facility and then tender for the contract; and
- it was anticipated that a comparison report would be received within the next two months for report to the Executive and, until that point, it was not possible to anticipate a date for the rollout of a new service.

**RESOLVED** that the minutes of the Customer Focus Scrutiny Committee held on 11 February 2021 be received.

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### **STRATA JOINT SCRUTINY COMMITTEE - 11 JANUARY 2021**

The minutes of the Strata Joint Scrutiny Committee of 11 January 2021 were presented by the Chair, Councillor Atkinson, and taken as read.

**RESOLVED** that the minutes of the Strata Joint Scrutiny Committee held on 11 January 2021 be received.

**STRATA JOINT EXECUTIVE COMMITTEE - 25 JANUARY 2021**

The minutes of the Strata Joint Executive Committee of 25 January 2021 were presented by Councillor Pearson, the nominated representative of the Leader, and taken as read.

In respect of **Minute No. 6 (Strata Business Plan 2020/21 and Beyond)**, Councillor Pearson moved and Councillor Morse seconded the recommendation and following a vote, the recommendation was carried.

**RESOLVED** that the minutes of the Strata Joint Executive Committee held on 25 January 2021 be received and, where appropriate, adopted.

Councillor Lyons abstained from voting as her grandson worked for Strata.

**EXECUTIVE - 12 JANUARY 2021**

The minutes of the Executive of 12 January 2021 (with the exception of minute number 8 which had been considered at the Extraordinary Council meeting immediately preceding this meeting) were presented by the Leader, Councillor Bialyk, and taken as read.

**Minute No. 5 (General Buller Statue Review)** was debated under the Executive minutes of 9 February 2021.

In respect of **Minute No. 6 (Tree Replanting Programme Following Ash Dieback Disease in Exeter)**, and during discussion the following points were made:-

- Ash Dieback was an insidious disease attacking Ash trees across the whole of the country and it was anticipated that 99% of these trees in Exeter, including some 178 on Council owned land, would succumb;
- there would be significant degradation to the Exeter landscape and the identified funding was necessary for safety and replanting purposes with species indigenous to this country to be planted;
- in addition to recent planting at Library Fields, Pinhoe, the trees having been sourced from the Devon Wildlife Trust by Pinhoe residents, some 2,000 trees had been planted on the Monkerton Ridge to create a community woodland; and
- significant work and investment was being made to maintain and enhance the city's tree canopy cover which was one of the highest in the country.

The Leader, in response to a Member's question as to whether it was possible for tree replacement to be carried out on a three for one basis, confirmed that full consultation had been undertaken and would continue with the Devon Wildlife Trust and all other appropriate agencies and that the agreed way forward was for a two for one replacement of the trees.

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

In respect of **Minute No. 7 (2021/22 Budget Strategy and Medium Term Financial Plan)**, the Leader moved and the Deputy Leader seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 9 (Housing Rents and Service Charges 2021/22)** the Leader, in response to a Member's question regarding the potential impact of the 1.5% rent increase on those on low incomes and affected by the Pandemic and also those in receipt of benefits, assured Members that every assistance would be given by the Council to help residents if they got into financial difficulty with Council rent.

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

**RESOLVED** that the minutes of the Executive held on 12 January 2021 be received and, where appropriate, adopted.

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### **EXECUTIVE - 9 FEBRUARY 2021**

The minutes of the Executive of 9 February 2021 (with the exception of minute number 14 which had been considered at the Extraordinary Council meeting immediately preceding this meeting) were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 15 (Capital Strategy 2021-22)**, the Leader moved and the Deputy Leader seconded the recommendation and following a vote, the recommendation was carried unanimously.

In respect of **Minute No. 16 (The Prudential Code for Capital Finance in Local Authorities (Incorporating the Annual Statement of Minimum Revenue Provision))**, the Leader moved and the Deputy Leader seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 17 (Treasury Management Strategy Report 2021/22)**, the Leader moved and the Deputy Leader seconded the recommendation and following a vote, the recommendation was carried unanimously.

In respect of **Minute No. 18 (Annual Pay Policy Statement 2021/22)**, the Leader moved and the Deputy Leader seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 19 (Gender Pay Gap)**, the Leader moved and the Deputy Leader seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 20 (Delegation of Powers to Amend Polling Districts and Polling Places)**, the Leader moved and the Deputy Leader seconded the recommendation and following a vote, the recommendation was carried unanimously.

In respect of **Minute No. 21 (Amendments to the Council's Constitution Relating to Planning Decision Making)**, the Leader moved and the Deputy Leader seconded the recommendations and following a vote, the recommendations, as amended in the last line of recommendation (2) to read "the relevant ward members" were carried unanimously.

In respect of **Minute No. 22 (Consultation Charter)**, the Leader reported that the Scrutiny Programme Board had referred the Charter to a Spotlight Review for consideration, the recommendations of that review to be reported to the Customer Focus Scrutiny Committee on 1 April 2021, Executive on 9 April 2021 and Council on 20 April 2021.

**Minute No. 23 (General Buller Statue Update)** was taken in conjunction with Minute No 5 of the Executive meeting of 12 January 2021.

During discussion the following points were raised:-

- grateful for the input of those who had attended the Task and Finish Group who had provided valuable insight into the life and times of General Buller and to those who had shared their experiences of racism in daily life;
- welcome the proposal for an Anti-Racism Strategy Working Group and seek an assurance that Members will be advised of the timetable for the production of the strategy, that the working group will be properly resourced, that all aspects of services provided by the Council will be reviewed and that there will be an opportunity for community advocates to be involved;
- welcome the opportunity for Councillors and staff to participate in training and development as an important element to help to seek systematic changes in society in relation to racism which remains in communities and institutions;
- diversity training should not be confined to racism, but cover the seven protected characteristics within the Equalities Act 2010; and
- welcome the proposal for a public art working group to develop a public art strategy and hope that it will include a focus on seeking to increase the representation of women in public art.

The Leader remarked that his Group intended to fully participate in the training and awareness raising and that there would be appropriate staff involvement in consultation with staff unions on the matter.

The Portfolio Holder for Communities and Culture confirmed that the scope and timetable for developing the Anti-Racism Strategy would be addressed once the Working Group was established.

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

In respect of **Minute No. 24 (New Office for Exeter Corn Exchange)**, the Leader moved and the Deputy Leader seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 25 (Public Spaces Protection Order Renewal)**, the Leader, in response to a question from a Member, undertook to provide a figure on the amount raised through fixed penalty notices.

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

In respect of **Minute No. 27 (Temporary Extension of the Commercial Manager Post)**, the Leader moved and the Deputy Leader seconded the recommendations and following a vote, the recommendations were carried unanimously.

**RESOLVED** that the minutes of the Executive held on 9 February 2021 be received and, where appropriate, adopted.

#### **COMMITTEE MEMBERSHIP**

**RESOLVED** that the following changes in committee memberships, following a change in the Council's political make-up, be noted.

### **Planning Committee**

The withdrawal of Councillors Ghusain and Wright and the addition of Councillor Martin.

### **Licensing Committee**

The withdrawal of Councillor Oliver.

### **Strategic Scrutiny Committee**

The Leader moved and the Deputy Leader seconded the appointment of Councillor Lyons as a Member of the Strategic Scrutiny Committee and following a vote, the recommendation was carried.

**RESOLVED** that Councillor Lyons be appointed a Member of the Strategic Scrutiny Committee.

(The meeting commenced at 7.31 pm and closed at 8.45 pm)

Chair