

## **CUSTOMER FOCUS SCRUTINY COMMITTEE**

Date: Thursday 30 June 2022

Time: 5.30 pm

Venue: Civic Centre

Members are invited to attend the above meeting.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Entry to the Civic Centre can be gained through the rear of the Customer Service Centre, Paris Street.

### *Membership -*

Vizard (Chair), Mitchell, M (Deputy Chair), Bennett, Ellis-Jones, Foale, Harvey, Holland, Newby, Oliver, Snow, Sparling, Sutton, Wardle and Warwick

## **Agenda**

### **1 Apologies**

### **2 Minutes**

(Pages 5 -  
10)

To approve and sign the minutes of the Customer Focus Scrutiny Committee held on 31 March 2022.

### **3 Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item.

Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

### **4 Local Government (Access to Information) Act - Exclusion of Press and Public**

It is considered that the Committee would be unlikely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed:-

“**RESOLVED** that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the particular item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraph(s) of Part I of Schedule 12A of the Act.”

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

Details of questions should be notified to the Corporate Manager Democratic and Civic Support via the [committee.services@exeter.gov.uk](mailto:committee.services@exeter.gov.uk) email by 10.00am at least three working days prior to the meeting. For this meeting any questions must be submitted by 10.00am on Monday 27 June 2022.

For details about how to speak at Committee, please click the following link - <https://exeter.gov.uk/council-and-democracy/councillors-and-meetings/public-speaking-at-meetings/overview/>

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

To receive questions from Members of the Council to the relevant Portfolio Holders for this Scrutiny Committee. The Portfolio Holders are:-

Councillor Denning - Portfolio Holder for Council Housing Development and Support Services  
Councillor Ghusain - Portfolio Holder for City Management and Environmental Services  
Councillor Pearce - Portfolio Holder for Communities and Homelessness Prevention  
Councillor Williams - Portfolio Holder for Recycling and Waterways

Advance questions from Members relating to the Portfolio Holders should be notified to the Corporate Manager Democratic and Civic Support via the [committee.services@exeter.gov.uk](mailto:committee.services@exeter.gov.uk) email.

**7 Presentation on the role of Scrutiny - Terms of Reference attached** (Pages 11 - 14)

The Corporate Manager Democratic and Civic Support will attend to make a presentation. The terms of reference for scrutiny are attached.

**8 Homelessness Task and Finish Working Group** (Pages 15 - 18)

To receive a progress update from the Chair of the Task and Finish Working Group.

**9 The Exeter (Local) Plan - Community Engagement** (Pages 19 - 24)

To consider the report of the Director of City Development.

## 10 **Forward Plan of Business**

Please see for noting a link to the schedule of future business proposed for the Council which can be viewed on the Council's web site -

<https://exeter.gov.uk/council-and-democracy/councillors-and-meetings/forward-plan-of-executive-decisions/>

Should Members wish to raise issues in respect of future business please notify Howard Bassett in advance of the meeting

### **Date of Next Meeting**

The next scheduled meeting of the Customer Focus Scrutiny Committee will be held on **Thursday 6 October 2022** at 5.30 pm in the Civic Centre.

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## CUSTOMER FOCUS SCRUTINY COMMITTEE

31 March 2022

### Present:

Councillor Matthew Vizard (Chair)  
Councillors Mitchell, M, Allcock, Atkinson, Denning, Mrs Henson, Pearce, Sparkes, Sparling, Wardle and Warwick

### Apologies:

Councillor Begley

### Also present:

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

### In attendance:

Councillor Bialyk	Leader
Councillor Wright	Deputy Leader and Portfolio Holder Council Housing Development and Services
Councillor Harvey	Portfolio Holder City Management
Councillor Ghusain	Portfolio Holder Communities and Culture
Councillor Williams	Portfolio Holder Supporting People

Councillor D. Moore attending under Standing Order No. 20.

### 1 **Ian Quance**

The Chair referred to the recent passing of Ian Quance who had been a Member of this Scrutiny Committee. He referred to his many qualities and passed on his condolences, and those of Committee Members, to Ian's family and friends. Members observed a minute's silent reflection.

### 2 **Minutes**

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 2 December 2021 were taken as read, approved and signed by the Chair as correct.

### 3 **Declarations of Interest**

No declarations of interest were made by Members.

### 4 **Questions from the Public under Standing Order No. 19**

No questions from members of the public were received.

### 5 **Homelessness Strategy Task and Finish Working Group Briefing Paper**

The Chair introduced the circulated terms of reference prepared by Councillors Denning and M. Mitchell for a Homelessness Task and Finish Working Group in order to review the current position regarding homelessness in Exeter and the impact of recent changes in Government policy, such as changes in Universal Credit entitlements

It was proposed that the review would input into the development of the Exeter Homelessness Strategy 2022-2025 as well as monitoring the development plan for the Strategy to ensure that all relevant stakeholders were appropriately engaged. As part of the development of the Strategy, it would review any Government changes in policy that lead to a negative impact on people's ability to maintain their accommodation and ensure that any appropriate mitigations that are within the Council's resource availability are included in the Homelessness Strategy.

The paper set out the suggested terms of reference and process for the Task and Finish Working Group, the Group to be chaired by the Deputy Chair of this Scrutiny Committee with six Members to be nominated by Group Leaders.

Customer Focus Scrutiny Committee noted the terms of reference with Group Leaders to be asked to nominate Members after the May Elections when new memberships of Committees were known. The Scrutiny Programme Board would be asked to set out a timescale for the review.

## 6 **Questions from Members of the Council under Standing Order No. 20**

In accordance with Standing Order No. 20, the following questions had been submitted by Councillor D. Moore and had been circulated in advance to Members of the Committee. In the absence of Councillor D. Moore at this point in the meeting, the questions were read out by Councillor Sparling. The responses of the Portfolio Holder are set out in italics.

### **Questions to the Portfolio Holder for City Management - Councillor Harvey**

#### **Councillor D. Moore**

The Council has again won the contract from Devon County Council for weed control on the city's streets. Please can the Portfolio Holder provide the following information:-

A. The quantity of glyphosate that will be used to deliver this contract this year and for each of the previous two years.

#### **Response**

*The Devon County Council highways contract covers two fixed sprays per annum over an approximate distance of 1,300 miles of public highway. The spray rate is specifically calibrated for the correct application at 8kph over that fixed distance, and therefore there is no significant variance in glyphosate levels used year on year. The Council reduced the spraying frequency from three sprays down to two sprays in 2020 and the results were acceptable. The Council continued with two sprays in 2021 and levels of use were approximately 648 litres for the full contract, this is based on driver recorded litres used. The base data for 2020 is available but usage levels were not calculated due to ongoing staffing shortages as a result of the pandemic, but levels will be similar to 2021.*

B. Outside of this contract, the quantity of glyphosate used by the Council this year, and for each for the past two years, and what measures you plan to reduce its use.

## **Response**

*As with question A, no final usage figures have been collated for 2020 (although the base data has been recorded) as the priority was on service continuity over the Pandemic. The Council have steadily reduced glyphosate usage outside of the highways contract over the last few years, from a high of 195 litres in 2017 to an estimated 90 litres in 2020 and down to 60 litres in 2021. There have also been no changes in efficacy or the costs of alternatives on the market since the last review in 2020 and they remained financially unsustainable in relation to current revenue budgets. With recent rises in the cost of glyphosate this may have changed and we will review this again later in the year when resources allow. This will be reported to this Committee in October.*

### **Question to the Portfolio Holder for City Management - Councillor Harvey**

#### **Councillor Sparkes**

How successful was the scheme whereby residents could opt out of weed spraying entirely on their street? Do you know the numbers that signed up?

The Director Net Zero and City Management responded that he did not have the exact figures but understood that the scheme had not been particularly successful.

## **7 Food Waste Collection: A Timeline of Plans and Decision making**

The Director Net Zero Exeter and City Management presented the update report on Food Waste Collection. The report included as an appendix the report on Exeter Combined and Kerbside Recycling Services Comparison produced in June 2021 by Apse solutions. The Director's report set out the following:-

- timeline, original plans and how the Council got to where it is now;
- impact - the outbreak of the Covid-19 Pandemic;
- impact - shift in shopping and waste habits;
- impact - vehicle testing and planning review;
- impact - the HGV/LGV driver crisis;
- decision to retain the current service model with added food waste collection;
- benefits of retaining co-mingled collections and added food waste;
- how the first phase of the food waste service is performing;
- next steps and challenges; and
- other related projects.

The Waste Collection Manager advised that the collection of food waste in the pilot area of Alphington had commenced and was progressing well. The service would start tipping in the City Council yard from 7 April 2022, in new sealed food waste skips, rather than a long trip to Greendale. This would free up some time and would allow the service to be extended to include additional streets in Alphington as soon as possible. He also referred to recruitment challenges and necessary upgrades to the depot.

The following responses were given to Members' queries:-

- due to a number of issues, it was difficult to anticipate when the full roll-out of the scheme would commence and how many rounds would be added. Future rollout was dependent on the availability of drivers, vehicles, tipping facilities and on the announcement of legislation and Government funding;

- at present, only small food waste skips were being used at the depot in compliance with the Council's environmental operating permit. The larger permanent food waste bays were being designed now by a specialist who would be retained to oversee the procurement and project management of the new facility, including securing a licence from the Environment Agency. The Environment Agency set high standards with regard to odour and fly/pest control and a sealed drainage system was required by the Agency to prevent food liquors etc. seeping into the water courses and sewers;
- in respect of the timescale for delivery, the Pandemic had caused a significant delay, added to which was the time it took to procure vehicles. Although vehicles were now rented, the cost of purchasing a single electric refuse vehicle was in the region of £470,000. It had not been possible to commit to obtaining new vehicles before assessing the impact of the proposed changes to waste and recycling collections which are subject to a much delayed Government consultation. The design of the vehicles would be progressed following the Government announcement in respect of waste collection generally, including the Deposit Return Scheme, although there was no indication when an announcement would be made. Once the uncertainty relating to the Government announcement was resolved, work could commence on re-purposing existing refuse vehicles if possible or purchasing new ones, as it would only be then when container size could be specified;
- the difficulty in recruiting additional drivers and loaders had been exacerbated by the imminent retirement of two staff members. Although the private sector hourly rates for drivers were similar to those of the Council, the longer hours on offer were often more attractive to employees, especially a younger cohort. For loader positions, the Council was competing against the rapidly expanding warehousing and logistics industry, where good rates of pay and the indoor nature of many of these jobs was very appealing;
- recruitment was also hampered by the high level of vacancies in the overall job market;
- although the current re-cycling rate of 27% was low, it was anticipated that it would rise to over 50% with the full implementation of the rollout. Whilst the current North Devon rate was 53%, this reflected a greater volume of residual waste collected. Future reports on the City Council service would reflect these metrics;
- the City Council charged other authorities for the use of its Materials Reclamation Facility (MRF) thereby generating a profit from the separated materials. This has had to stop for the time being as the MRF was too unreliable to guarantee the service. The proposed investment would modernise the MRF, increase throughput, improve recovery rates and make this service viable again;
- although the national pay scale was used, the individual rate for loaders/drivers was not nationally agreed. The pay rates for agency loaders was broadly similar, but greater for drivers. The number of agency staff had been reduced during the Pandemic for safety reasons and this level was being maintained; and
- the report included a schedule of frequently asked questions which will be included on the City Council web site as the most appropriate means of updating the public on the progress of the rollout.

The Portfolio Holder for City Management referred to issues around extended producer responsibility relating to the huge volume of packaging involved in food etc. deliveries to supermarkets etc. which was being examined by the Government. Because of the uncertainty surrounding the many issues referred to, he urged patience regarding the full rollout and asked all to commit to the agreed system and not seek an alternative which would incur additional costs and, potentially, reputational damage.

Customer Focus Scrutiny Committee noted the report and thanked the Director, the Waste Collection Manager and the Cleansing Services Team for their work.

## **8 Exeter's Clear Streets Charter Review**

The Director Net Zero Exeter and City Management presented the report on the Exeter Clear Street Charter Review. The Charter had been adopted by Devon County Council and Exeter City Council in 2018 and the report set out the responsibilities of both and who manages which issue.

The highest profile issue was advertising boards (A Boards) which were one of the most common annoyances for disabled people. A Boards were managed under highway legislation by the County Council as Highway Authority. No business had a right to put an obstruction on the public highway but the County and City Councils had recognised the need for businesses to advertise, especially in the current climate and, due to the reduced levels of pedestrian activity following the lock down, there had been a reluctance to enforce too strongly the promotion of businesses in the city centre.

The Deputy Chair referred to a statement and photographs provided by Peter Hill and circulated to Members, Peter, a former Councillor, having submitted a question to the previous meeting of this Committee on this issue. Peter had also raised the issue of the Street Charter and, specifically, A Boards at the January meeting of the Exeter Highways and Traffic Orders Committee (HATOC). The County Council's Neighbourhood Highways Manager had advised that, with levels of pedestrian activity increasing after the Pandemic, targeted inspections in the city centre would be increased to identify and remove obstructions.

The Director advised that one of the City Council's most important contributions to the Charter was the design of public open spaces, for example, a contrast in the colour of paving where there is a change of level. These principles had been adopted on recent developments at the bus station and St Sidwell's Point and would be continued for the development of CityPoint. The City Council, through its street cleansing crews, also flagged up issues for action. The Director also referred to the criteria for electric charging points to ensure they were not a hazard and advised that information on the Charter was disseminated via the County Council website.

Customer Focus Scrutiny Committee noted the report.

## **9 Forward Plan of Business**

Members noted the Forward Plan.

The meeting commenced at 5.30 pm and closed at 6.37 pm

Chair

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## **Terms of Reference for Scrutiny Committees**

### **Membership**

The membership of all committees is determined by the Council at its Annual Meeting. The membership may be varied during the year only with the consent of the Council.

### Scrutiny Functions & Procedures

#### **Scrutiny Functions**

1. The aims of the Scrutiny process are to:-
  - add value to Council business and decision-making;
  - hold the Executive to account;
  - monitor the budget and performance of services;
  - assist the Council in the development of policy and review the effectiveness of the implementation of Council policy;
  - review relevant central government policy development and legislation to assess the impact on the City and make recommendations to Executive.

#### **Scrutiny Programme Board (“SPB”)**

2. The purpose of the Scrutiny Programme Board is to manage scrutiny in a way that ensures the functions of overview and scrutiny are fairly balanced across all aspects of the Council’s work, with a view to improving services, reducing inequalities and improving outcomes for the people of Exeter. The Scrutiny Programme Board will meet on a bi-annual basis.

#### **Role of the Scrutiny Programme Board**

- To set priorities for the annual scrutiny work programme;
- To ensure that work is allocated fairly across the two scrutiny committees and reflects all aspects of the Council’s work by providing oversight and direction to the committees’ work programmes;
- To ensure corporate and cross cutting business is dealt with by the relevant committees;
- To review performance against the relevant corporate priorities and inform work programmes as appropriate;
- To receive for information, and oversee implementation of, recommendations made by each of the two Scrutiny Committees;
- To plan and oversee implementation of the process for annual Budget Scrutiny;
- To produce an annual scrutiny report to Council (in conjunction with the scrutiny committees);
- To review national best practice and guidance in relation to scrutiny and recommend any changes to the way scrutiny is undertaken as a result.

### **Membership**

The Scrutiny Programme Board will consist of one member nominated by the Leader (who shall not be a member of the Executive) together with the Chairs and Deputy Chairs of each of the two scrutiny committees.

**Chair** - the Chair of the Board will be from the group in administration.

**Deputy Chair** - the Deputy-Chair will be from the main opposition group.

### **Role of the Scrutiny Committees**

The relevant scrutiny committee will:

- hear call-ins, Councillor's call for action and petitions;
- approve the creation of time limited working groups for issues within its remit;
- monitor performance against the relevant corporate priorities;
- receive finance and performance reports;
- agree recommendations to Executive, Council and partner organisations;
- agree appointments of co-opted representatives;
- monitor the forward plan;
- review new and developing legislation to assess its impact on the city;
- consider and introduce schemes to involve the public in developing policy;
- work with national, regional and local organisations to promote the interest of local people.

### **Strategic Scrutiny Committee**

Responsibility for

- Relevant policies in the Exeter Plan
- Corporate Health & Safety
- Response to Central Government's Policy Making
- Climate change and sustainability
- Council wide/strategic matters
- Hear call-ins relevant to the role of the committee

Partnership links

- Growth Board
- Joint Committee for Heart of the South West
- Heart of the South West Local Enterprise Partnership

**Membership** - There are fourteen members of the Committee including the Chair and Vice Chair. None shall be members of the Executive Committee.

**Chair** - The Chair will be nominated and elected at full council and will be a member of the Scrutiny Management Board.

**Deputy Chair** - The Deputy Chair will be nominated and elected at full council

**Urgent Decisions** - The Chair with relevant responsibilities will be consulted on urgent decisions to be made.

### **Customer Focus Scrutiny Committee**

Responsibility for:-

- Corporate Performance Monitoring
- Financial Performance Monitoring
- Annual Budget Setting Process

(Amended March 2020)

- Service specific/operational matters
- Hear call-ins relevant to the role of the committee

#### Partnership links

- Health and Wellbeing Board
- Exeter Community Safety Partnership
- Strata

**Membership** - There are fourteen members of the Committee including the Chair and Vice Chair.

**Chair** - The Chair will be nominated and agreed by full council and will be a member of the Scrutiny Programme Board.

**Deputy Chair** - The Deputy Chair will be nominated and agreed by full council

**Urgent Decisions** - The Chair with relevant responsibilities will be consulted in relation to Urgent decisions to be made within the Scrutiny Committee's terms of reference.

#### **Excluded matters**

The following matters cannot be considered by a Scrutiny Committee:

- any matter relating to a planning decision;
- any matter relating to a licensing decision;
- any matter relating to the business of the Audit & Governance Committee;
- any matter relating to an individual or body if s/he/they have, by law, a right to a review or right of appeal;
- any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a Committee meeting .

The Monitoring Officer in consultation with the Chair (or Deputy Chair in the chair's absence) of the relevant Committee will determine whether a matter is an excluded matter.

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## Terms of Reference and outline programme for the Task and Finish Group

### Customer Focus Scrutiny Committee

**Date of Referral** – 7 October 2021

**Proposer** - Councillor Barbara Denning

**Nature of the Scrutiny Topic**..... a review to be undertaken on potential evictions, the homeless and housing.

### Membership

Councillor M Mitchell (Chair)  
Councillor A Jobson  
Councillor J Moore  
Councillor T Oliver  
Councillor T Rees  
Councillor R Sutton  
Councillor A Wardle

### Scrutiny Process regarding this Topic

**Stage 1 – Briefing Meeting for Task and Finish Group Members : Meeting Date 27<sup>th</sup> June 2022**

#### Terms of Reference

- To consider the work programme including the key issues to be addressed and timetable.
- To agree a Briefing document for each witness. These documents will contain the key issues and questions about which the Task and Finish Group require the person/organisation to provide information and responses.
- Agree a timescale for the return of written submissions allowing time for Members to review material prior to any evidence session.
- Public Involvement - the nature of the work of this Task and Finish Group should be promoted on the City Council website and interested bodies or individuals should be invited to submit evidence in person or writing.

### Stage 2 – Causation and Prevention

Prior to taking formal evidence, the Group will consider the responses received and identify key elements and questions that need to be further explored during the session.

- Gathering evidence regarding the pattern and causes of homeless in Exeter over a period of time and in regard to national trends and similar cities the size of Exeter.
- Review of the impact of issues relating to the pandemic, cost of living rises and recent Government policy changes and their likely impact upon the homeless situation in Exeter.
- Consideration of early intervention and prevention strategies.

**Evidence providers** – Exeter City Council, Exeter Well Being, Citizens Advice and Shelter

### **Stage 3 - Handling the process of homelessness**

Prior to taking formal evidence, the Group will consider the responses received and identify key elements and questions that need to be further explored.

- How Exeter City Council handles homeless cases and the resource implications.
- The involvement of other statutory bodies and voluntary agencies.

**Evidence providers** – Exeter City Council, Devon County Council, Citizens Advice, Social Housing rep, Shelter spokesperson, potentially some case studies.

### **Stage 4 – Assessing the evidence**

Drafting a report and recommendations to be presented to the Customer Focus Scrutiny Committee.

Contents of the initial meeting of the Task and Finish Group circulated on the request of the Groups' Chair to help Members understand the style of approach to scrutiny

1 - Councillor Denning – the Proposer of the Scrutiny to outline the rationale for the scrutiny proposal

2 - Consideration of the proposed work programme below and suggested evidential material and outside contributors.

- a- Do the structure/issues raised in the Work Programme meet the need of the proposed scrutiny?
- b- Consideration of the range of evidence to be provided by Exeter City Council - see below for list of evidence.
- c- What other bodies/individuals do we wish to invite to submit evidence and/or appear at a session?
- d- What are the key questions/issues we wish to raise with outside contributors?
- e- Gathering evidence from others - public involvement?
- f- Agree the time scale for evidence submission and future meeting dates.

3 - Format of future sessions – Proposed two-part meetings. The first part of the session Members discuss the evidence submitted in advance and determine the questioning approach; topics, questioning order. This is not intended to preclude any Member participating when they wish, but it may be helpful if there is a structure that ensures that core evidence is gathered. The second part of the meeting involves Members formally scrutinising the evidence presented at the meeting. It is hoped that having given each witness a brief and evidence being submitted in advance lengthy presentations can be avoided to concentrate on scrutinising the responses and the issues. Need for consideration of how to share information with partners and others as the work progresses.

4- Initial consideration of the structure and content of the Task and Finish Group's Report.

5 - Provisional list of evidence from Exeter City Council (Housing Needs)

- Four year profile (graph format) of demand to Exeter City Council Housing Advice service denoting key data and trends of numbers of households approaching for advice and numbers where a homelessness application was taken and a homelessness prevention or relief duty was taken by the Council.

- Graphs to show the last 12 months of the primary reasons why households have presented to the Council for housing advice and/or to make a homelessness application. This includes the primary causation being affordability/cost of living, landlord/housing market-driven, domestic abuse related, institutional (e.g. prison, hospital) leaver, health-related including mental health, social care, substance use etc.
- Referral sources (if household or individual is not self-presenting) e.g. from partner agencies including statutory homelessness referrals.
- Online/digital referrals evidencing methods of homelessness approach to the Council.
- Early intervention work.
- Prevention work.
- Time-lined process of average homelessness application (with indicative costings per stage).

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## REPORT TO CUSTOMER FOCUS SCRUTINY COMMITTEE

Date of Meeting: 30 June 2022

Report of: The Director of Planning and Development

Title: The process for preparing the Exeter Plan: Community Engagement

### Is this a Key Decision?

No

### Is this an Executive or Council Function?

Executive

### 1. What is the report about?

- 1.1. Following discussions with Members including at Planning Member Working Group, the report explains the community engagement process for preparing the Exeter Plan (the local plan).

### 2. Recommendations:

- 2.1. Members are asked to note the content of the report and provide observations on the engagement process for the Exeter Plan.

### 3. Reasons for the recommendation:

- 3.1. The discussion will provide useful input to shape future engagement processes organised for the Exeter Plan with a view to informing the delivery of high quality development and places.

### 4. What are the resource implications including non-financial resources?

- 4.1. Community engagement is an important part of the plan-making progress with various consultations being required by legislation. The report reflects the significant engagement activities proposed which will help to support the preparation of the Exeter Plan. Although additional specific engagement activity beyond that already planned is not detailed in the report, it should be noted that significant further public engagement would have implications in terms of staff time and expense.

## **5. Section 151 Officer comments:**

- 5.1. The report in itself contains no additional financial implications for Council to consider.

## **6. What are the legal aspects?**

- 6.1. This report summarises the consultation required as a minimum by the Town and Country Planning (Local Plan) (England) (Regulations 2012) in preparation for a new Local Plan for Exeter. How these consultations accord with the City Council's recently published Statement of Community Involvement (SCI) (a statutory requirement under the Planning and Compulsory Purchase Act 2004) are also set out. Additional steps being taken to consult members of the public which go above and beyond those statutory requirements are also set out.

## **7. Monitoring Officer's comments:**

- 7.1. This is an informative report giving Members the opportunity to make observations and noting the statutory requirements to be followed in formulating the Local Plan. The Deputy Monitoring Officer has no additional comments.  
Simon Copper (Deputy Monitoring Officer)

## **8. Report details**

### Introduction

- 8.1. The City Council is currently preparing a new local plan called the Exeter Plan. Community engagement is a key part of the plan-making process and therefore the Council is reviewing the engagement activities planned. This is also closely linked to the work on Liveable Exeter which is currently progressing via a number of work streams.

### The democratic process

- 8.2. The democratic process for progressing the Exeter Plan requires formal decisions at key milestones. Formal consultations require Executive approval while Council is required to approve the submission of the plan for examination by the Planning Inspectorate and the final adoption.
- 8.3. In addition, Planning Member Working Group receives updates on the progress being made in preparing the plan, evidence documents and plan content. The group is used as a sounding board for Members to discuss issues relating to planning policies and associated development projects.

### Statutory requirements and formal consultation

- 8.4. The process for preparing the Exeter Plan is strictly managed through legislation (the Town and Country Planning (Local Planning) (England) (Regulations 2012) which sets

out the need for consultation with specific groups at defined milestones in the preparation of the plan. These requirements are for consultation at an early stage in the process to define the scope of the plan and then once the plan has reached a final draft stage called publication.

- 8.5. The Council recognises the need to go beyond these requirements and therefore has already committed to organising three formal consultations on the preparation of the plan. In addition to the 'Issues' consultation which was held between September and November 2021, consultations will be held on a draft plan and a final publication draft in future. If at the Examination of the Plan the Inspector requires modifications, further consultation will also be held. The next formal consultation on the Exeter Plan is to be held in September of this year.

#### Informal engagement

- 8.6. In addition to the statutory consultations, further informal engagement will be undertaken on specific issues considered by the Exeter Plan. In many cases, these activities will be arranged in partnership with other Council departments or external partners. This approach enables the Council to make the most of opportunities to explore linkages between projects and also make best use of resources.
- 8.7. A key part of this will be through joint working with Liveable Exeter. As an example, the Council is currently working in partnership with the RAMM and Exeter Culture to stage workshops on the 'Future of the High Street' while a summer-long exhibition in the RAMM will be held to explain more about Liveable Exeter. These activities will be using Lego models and other interactive activities to engage in a different way. Also in July, the Council is launching a city-wide consultation on the 'Future Place' of Exeter, which will be asking local people about a vision for their future neighbourhoods and districts. This work will all feed into the Exeter Plan.

#### The Statement of Community Involvement and Consultation Charter

- 8.8. The way in which the Council will consult on the Exeter Plan is set out formally in the Statement of Community Involvement (SCI) – a statutory Council document. The Council has been working up a new SCI in the last year and the new document is scheduled to be considered for adoption by the Council in July. Although not a requirement, the Council held a consultation on the draft SCI last year.
- 8.9. The SCI provides a high-level framework for engagement and consultation on both planning policy preparation and planning applications. It sets out the need for a wide range of methods for consultation depending on the stage of work. This includes the use of both digital and in-person activities, methods for notifying interested people and specifically covers the need to involve under-represented groups. New ways of engaging innovatively and interactively are currently being investigated for the next round of the Exeter Plan consultation to be held in the autumn.
- 8.10. In addition to the SCI, the engagement activities planned for the Exeter Plan will also accord with the Council's Consultation Charter. This sets out a number of key

requirements for Council consultations relating to the visibility, accessibility, transparency, interpretation and publication of results from consultation activities. Following the Consultation Charter will help to improve the engagement of the community in the plan-making process.

### Summary

8.11. In summary, the process for preparing the Exeter Plan is clearly managed by a series of constitutional provisions to enable Member engagement in plan-making. This is supported by further statutory and local requirements to ensure community engagement. More informally, through links with the Liveable Exeter work streams, further engagement will be held to support the Exeter Plan. This will use varied and innovative ways to engage with the communities.

8.12. This discussion with Members will be helpful in forming future consultation activities to support the Exeter Plan as it progresses.

## **9. How does the decision contribute to the Council's Corporate Plan?**

9.1. The content of the report relates to three corporate priorities set out in the Council's Corporate Plan:

- Delivering Net Zero Exeter 2030;
- Promoting active and healthy lifestyles; and
- Building great neighbourhoods.

## **10. Equality Act 2010 (The Act)**

10.1. Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- Advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- Foster good relations between people by tackling prejudice and promoting understanding.

10.2. In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

10.3. In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

10.4. In making these recommendations no potential impact has been identified on people with protected characteristics as determined by the Act because the report does not include specific proposals.

## **11. Carbon Footprint (Environmental) Implications**

11.1. There are no direct carbon/environmental impacts arising from the recommendations because the report does not include any specific proposals.

## **12. Are there any other options?**

12.1. There are no options for consideration because the report does not include any specific proposals.

## **Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

Draft Statement of Community Involvement:

[\(Public Pack\)Agenda Document for Executive, 31/05/2022 17:30 \(exeter.gov.uk\)](#)

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