

## **STRATEGIC SCRUTINY COMMITTEE**

Date: Thursday 23 September 2021

Time: 5.30 pm

Venue: The Guildhall, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Sharon Sissons Democratic Services Officer (Committees) on 01392 265115.

**Due to current social distancing restrictions brought about by the Corona Virus outbreak, this meeting is only open to members of the public who have registered to ask questions under Standing Order No. 19.**

The [live stream can be viewed here](#) at the meeting start time via Facebook.

### *Membership -*

Councillors Sills (Chair), Newby (Deputy Chair), Allcock, Atkinson, Branston, Buswell, Denning, Hannaford, Jobson, Mitchell, K, Moore, J, Pearce, Sheldon and Vizard

## **Agenda**

### **1 Apologies**

### **2 Minutes**

(Pages 5 -  
10)

To approve and sign the minutes of the Strategic Scrutiny Committee held on 10 June 2021.

### **3 Declaration 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 1985 - Exclusion of Press and Public**

It is considered that the Committee would be unlikely to exclude the press and

public during the consideration 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 the likely disclosure of exempt information as defined in the relevant paragraph(s) of Part 1, of Schedule 12A of the Act."

## 5 **Questions from the Public Under Standing Order 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 20<sup>th</sup> September 2021.

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 20**

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

Councillor Bialyk - Leader  
Councillor Sutton - Portfolio Holder for Net Zero Exeter 2030  
Councillor Foale - Portfolio Holder for Transformation and Environment  
Councillor Morse - Portfolio Holder for City Development  
Councillor Wood - Portfolio Holder for Leisure & Physical Activity

Advance questions from Members relating to the Portfolio Holders above should be notified to the Corporate Manager Democratic and Civic Support.

## 7 **Petition - received in relation to the Protection of Green Infrastructure in Pinhoe** (Pages 11 - 16)

To consider the report of the Deputy Chief Executive.

## 8 **Graffiti Service** (Pages 17 - 26)

To consider the report of the Director Net Zero Exeter & City Management.

## 9 **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/>

## **Date of Next Meeting**

The next scheduled meeting of the Strategic Scrutiny Committee will be held on **Thursday 18 November 2021** at 5.30 pm.

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## STRATEGIC SCRUTINY COMMITTEE

10 June 2021

### Present:

Councillor Luke Sills (Chair)

Councillors Allcock, Atkinson, Hannaford, Jobson, Moore, J, Pearce and Vizard

### Apologies:

Councillors Newby, Branston, Buswell, Denning and Mitchell, K

### Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Corporate Manager Democratic and Civic Support, Growth & Commercialisation Manager, Democratic Services Officer (SLS) and Democratic Services Officer (MD)

### In attendance:

Councillor Philip Bialyk	- Exeter City Council
Councillor Emma Morse	- Portfolio Holder for City Development
Councillor Rachel Sutton	- Portfolio Holder for Net Zero Exeter 2030

### In attendance:

Glenn Woodcock	- Co-Founder South West Food Hub
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## 12 **Minutes**

The minutes of the meeting held on 18 March 2021 were taken as read, approved and signed by the Chair as correct.

## 13 **Declaration of Interest**

No declarations of pecuniary interest were made by Members.

## 14 **Questions from the Public Under Standing Order 19**

In accordance with Standing Order 19, a member of the public, Mr P Cleasby submitted the following question:-

Will the relevant Portfolio Holder please explain the extent to which assessments of the \*embodied\* carbon emissions from new development, including emissions from demolition of properties on the development site, are taken into account when determining planning applications?

Councillor Emma Morse, Portfolio Holder City Development attended the meeting and gave the following response, stating that at present, no assessment was made of embodied carbon emissions when determining planning applications. The Council does not have Development Plan policies relating to this area of assessment and there is no National Planning Policy requirement to do so. There is also no national planning policy guidance relating to this type of assessment.

However, other Councils were also beginning work to consider such assessments and we will also explore what is possible through the development of our forthcoming Local Plan, learning from other Councils emerging work. The Council is committed to

achieving net zero and will therefore strive to develop the most appropriate and robust policy through which to assess and determine future applications and their compatibility with the city, ambitious net zero commitment.

Mr Cleasby asked a supplementary question that “bearing in mind that embodied carbon can consume up to 75% of a building’s life time carbon emissions, and accepting that this cannot be taken into account until 2024 in the new Local Plan, was there any recognition that this absence of assessment will make it difficult to achieve the Net Zero Exeter 2030 target?”

Councillor Morse agreed to send a written reply in response to Mr Cleasby.

## 15 **Questions from Members of the Council Under Standing Order 20**

In accordance with Standing Order No 20 the following questions, which had been circulated in advance to Members of the Committee, were submitted by Councillors J Moore and Vizard respectively.

- 1) Can the Portfolio Holder please update us on the progress of the Exeter City Living Clifton Hill Development?
  - Please can we be informed of the reasons for the delays to the planned timescale.
  - In particular, when is it likely that the removal of the sports centre will now commence.
  - The presence of the building which is now dilapidated and covered in graffiti, is creating a hidden area which is being utilised for drug use, drug dealing and other anti-social behaviour. There’s also a very real risk of someone coming to harm with reports from residents that people are entering the building and climbing up on to the roof.

Councillor Bialyk, Leader and Portfolio Holder Exeter City Living responded to Councillor Moore’s question and advised that the programme for Clifton Hill indicates an anticipated start on site in December 2021 / January 2022 which is when the demolition works will commence. Our development programme for the site has slipped as a consequence of a number of factors predominantly as a result of the delayed planning application for the development. The original timeline for development indicated the application going to Planning Committee in September 2020 but this was not possible until December 2020 due to last minute consultation issues and amendments to the application drawings to reflect this. This included providing access from the rear gardens of Portland Street onto the new development, securing as many existing trees on site for retention and increasing the garden sizes on some of the new homes and as a consequence reducing the number of overall homes on the site from 43 to 41.

We had hoped to have started demolition works last autumn 2020 but this was not possible due to planning and the consequential impact this had on our procurement timetable for appointing a contractor. Whilst we are currently in the process of tendering the works, this has been delayed due to the impact of Covid 19 and in any case we would not be able to commence development until outside the bird nesting period (post September). We are procuring the works through a two stage tender which means that our preferred contractor will be determined by July 2021 and they will have four months to reach an acceptable contract sum ahead of entering into contract. Current price uncertainties and the lack of available materials in the UK as a consequence of Brexit and Covid 19 is causing a challenge for all new development in the UK at the present time and this places further pressure on project timelines.

Exeter City Living (ECL) are taking all the measures they can to mitigate these challenges but there are limitations to what ECL can do given that this is an industry problem.

Once we commence on site, the former leisure centre will be demolished and construction work will start in earnest. Our current programme indicates that the development will be completed by summer 2024. It was appreciated that it was not ideal that development is delayed, as this impacts many stakeholders including the local community. We have checked the site security and the current temporary fencing arrangement as arranged by the Council, gives adequate security, however, should any residents witness unauthorised entry to the Sports Centre we hope they will report the incident to the Police. The Council do have a private security company engaged to patrol the site on a regular basis and it is hoped that this will act as a deterrent to prevent ongoing unlawful entry to the site. He assured the Member that he, too was concerned about the delay and he had been discussing such matters with the Directors on a regular basis.

Councillor Moore thanked Councillor Bialyk and asked whether there was anything that could be done to make the site look less inhospitable, as it did not make the community of Newtown feel a welcoming safe place. She suggested some hoarding or something similar to improve the outlook. In reply Councillor Bialyk confirmed that he would discuss this with Directors and the team responsible to improve the appearance of the site in this interim period. He reminded Members that the Council had forgone a large capital receipt in order to make the most of the space at the rear of the site for the use of the community and their enjoyment. The last thing he wanted to see was that it was not being used so he assured Councillor Moore that we would do whatever we could within our power to make some improvements.

Councillor Morse, the Portfolio Holder City Development responded to Councillor Vizard's following two questions:-

- 1) Please could the appropriate portfolio holder, director or officer provide some information on how regularly the council identifies cases and applies the Article 4 direction which restricts permitted development rights to convert properties into Houses of Multiple Occupation (HMOs) in areas that fall within this zone?

Councillor Morse stated that for clarity; she understood the question to be asking how often the Council identifies cases where the necessary permissions have not been secured in order to permit conversion to a HMO within the Article 4 area. Owing to limited resources, the Council was not able to undertake regular or proactive compliance monitoring in relation with the Article 4 Directive area. However, the Council has historically received enquiries from members of the public regarding HMO's within the Article 4 area – including situations where members of the public suspect that a property is being used as a HMO without the necessary permissions. The number of such complaints was however very low – there being two in 2017, one in 2018 and none since then. Such complaints would then be investigated.

Councillor Vizard asked if there was any public information available on our web site or if there was an option to report such concerns. In reply Councillor Morse said that officers were already looking into that suggestion.

- 2) What is the likelihood of HMO conversions in the Article 4 area 'slipping through the net', and how is the success of this restriction being measured in terms of preventing a further loss of residential character and of family homes to HMOs?

Councillor Morse advised that we measure the success of the Article 4 Direction based on the number of HMOs within the Article 4 area. Specifically, we look at changes to the overall number and percentage of HMO's in the Article 4 Area since it was last amended in 2013. However, due to our reliance on complaints to know about breaches of the restrictive policy and the limited capacity for additional monitoring and enforcement of the Article 4 restrictions, we do not have any data on the impact on-residential character. Further work is underway on this at the moment and more information will be available in due course.

## 16 **South West Food Hub**

Councillor Sutton as Portfolio Holder Net Zero 2030 introduced Glenn Woodcock, Co-Founder of the South West Food Hub. She reminded Members that the City Council could not deliver the ambitions of Net Zero on its own, and the support of others was needed from within the city. Glenn would be able to show how the South West Food Hub directly relates to Goal 6 of the Net Zero Exeter Plan and the importance of the city's relationship to the land and wider Devon rural economy. It would also help inform retailing on the High Street celebrating regional and local distinctiveness with an aspiration to include national brands, local crafts and produce with our high street shops, hotels, hospitals, local military bases, and prisons, buying food grown within Devon. The Hub would be able to take the initiative to effectively challenge the traditional way food was procured across the public sector to reduce the carbon impact, and to support the green economy.

Glenn Woodcock referred to the sum of over £1.2 billion, spent from the public purse on food supply within public sector establishments with the challenge now, being to address the buying habitats of individual procurement officers. The Food Hub have been working in partnership with the Crown Commercial Service, (CCS) the Government's commercial buying arm to make that change and support the delivery of a new approach to public sector food procurement. As part of pilot, to be launched in spring 2022, with roll out nationally in 2023, the Food Hub will albeit on a small scale contribute towards developing a more sustainable local food industry. The aims include:-

- a sophisticated online platform and dynamic purchasing system for local food supply from small and medium sized businesses to sell directly to public sector institutions.
- positive buying of seasonal food from local farmers offering a more sustainable food supply.
- the buying power of Exeter's institutions having a tangible and measurable impact on the local rural economy and foster a useful relationship between city and country, with every pound generating £3 of value.

Glenn made the following responses to Members' questions:-

- the Food Hub had not tendered for the pilot through any contractual arrangement, but had received limited funding.
- most small and medium enterprises (SMEs) did not have the scale to access large food supply contracts, but the new procurement platform will even out supply and offer an aggregated buying platform to create more certainty of sale for smaller producers.
- he welcomed elected representatives using their influence to promote food sustainability as widely as possible.
- he also welcomed the contribution the Council could exert and the offer of further engagement and dialogue.

The Chief Executive & Growth Director thanked Glenn for his presentation and referred to the opportunity to progress initiatives under the Net Zero 2030 Plan and engagement with Government on behalf of Exeter and the wider sub region in relation to the procurement platform. Part of the work should include working with businesses in Exeter from the supermarkets to the independent shops. There were challenges in ensuring informed choices and making the connection with retail and the provenance of locally grown food as well as ensuring a reduced carbon footprint.

Members also thanked Glenn for the presentation.

## 17 **Presentation on the Role of Scrutiny**

The Corporate Manager Democratic and Civic Support referred to the Council's review of Scrutiny in October 2019, which had agreed that a report back on its operation would take place after a year of operation. As Members were aware, the pandemic had resulted in a different approach to scrutiny, meaning it had concentrated on the Council's prioritisation of Covid related issues. He was now able to confirm that the review would resume, with a report to be made back to the Executive in the autumn. Members were reminded of the important role of scrutiny within the democratic process, which included:-

- responding to public questions.
- Member questions to Portfolio Holders on their particular spheres of responsibility within the Council.
- initiating a call-in of decisions by the Executive, adopting a more proactive approach which included members of scrutiny bringing matters published on the Council's Forward Plan to the two Scrutiny Committees for further investigation before consideration by the Executive, and
- more in depth studies of topics of interest through task and finish groups or a spotlight review.

Throughout the last year the Scrutiny Programme Board had continued to meet to inform the scrutiny agendas and has been working on a way which would encourage Members to take a more proactive approach by formally seeking suggestions for future topics of business. A pro-forma with guidance notes would be sent to those Members which would help frame their requests against certain criteria and which were mindful of the Council's resource commitments. The Programme Board would in time be able to form a work plan of future items of business for scrutiny.

A Member commented on a reduction in agenda topics and agreed that scrutiny should have a multi layered approach of regular items of business, consider items from the Council's Forward Plan as well as have some flexibility to respond to pertinent issues, as well as continue to offer support for the Council in the role of critical friend.

The Corporate Manager Democratic Services and Civic Support responded to a number of comments by Members: -

- another authority in Devon who had taken a similar approach to their scrutiny process, had taken a period of time to adjust and re-establish that role as a critical friend.
- the former pre-scrutiny approach led to a more protracted decision making process and was not always a benefit.

- more Members could now be involved in the scrutiny process and ensure that policy and budgets were scrutinised and managed as they should be to hold the Executive to account.
- the greater public participation was now embedded in the scrutiny process, but also at the Executive and Council, and
- the Council's financial challenges were spread across the organisation and it was necessary to be mindful of any suggestion of additional resources for scrutiny.

A Member suggested future business should also be on the Scrutiny agenda, as a way of being more transparent and to further engage Members. The Corporate Manager Democratic and Civic Support reminded the Member that there was already the opportunity to request an item on the scrutiny agenda provided that there was sufficient time before the meeting. The inclusion of the Scrutiny work plan, in time, would ensure Members were actively engaged. Councillor Sills and also Councillor Vizard as Chair of the Customer Focus Scrutiny Committee welcomed any suggestions made by Members to take back to the Board.

Members noted the update.

The meeting commenced at 5.30 pm and closed at 7.00 pm

Chair

## Date of Meeting:

### REPORT TO STRATEGIC SCRUTINY COMMITTEE

Date of Meeting: 23<sup>rd</sup> September 2021

Report of: Deputy Chief Executive

Title: Petition Received in Relation to the Protection of Green Infrastructure in Pinhoe.

### Is this a Key Decision?

No

### Is this an Executive or Council Function?

Executive

#### 1. What is the report about?

- 1.1 The City Council received a petition of more than 2,000 signatures regarding the protection of green infrastructure in Pinhoe. (Details of the petition are attached to the report) In accordance with the Council's Petition Scheme, the petition was considered by Full Council on 21 July. A wide ranging debate was had before it was resolved that the petition be referred to Strategy Scrutiny Committee for further discussion.

#### 2. Recommendations:

- 2.1 Members are asked to note and comment on the contents of the report.

#### 3. Reasons for the recommendation

- 3.1 Following the receipt of a petition Members are invited to discuss the issues. The discussion will provide helpful background information to inform the progress of the Local Plan and its potential future policy approach relating to the protection of green infrastructure in the city, particularly in Pinhoe.

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

- 4.1 The report is not proposing any specific action in addition to regular planning policy preparation and therefore there are no resource implications for the Council.

#### 5. Report details:

- 5.1 The City Council received a petition of more than 2,000 signatures regarding the protection of green infrastructure in Pinhoe. The petition itself proposed the need to safeguard Pinhoe's natural landscape and skyline, urgently protect the historic landscape and trees and to recognise the important roles these features have in improving wellbeing and maintaining local distinctiveness and character. The presentation noted the development which has taken place in Pinhoe since the 1960s and the impact this has had in terms of open space, landscape impact, ecology and traffic. The presentation also set out a series of measures to address some of these concerns such as the Clyst Valley Regional Park, the establishment of a natural asset network to support active travel and the need to develop community-led solutions to local issues. A particular focus of discussion was the start of a campaign to protect the hills to the north of the city through the establishment of a Ridgeline Park.

## Discussion of key issues

### Current planning policy

- 5.2 Current planning policy is provided by the Core Strategy and the Local Plan Review. Both these documents set out the importance of the hills to the north of Pinhoe and set out the importance of protecting them in terms of their green infrastructure role – a key thrust of the petition. On a strategic level, the current vision in the Core Strategy sets out the need to safeguard the hills to the north and northwest of the city. This is reiterated in the spatial approach for Exeter which states the need to steer development away from the hills. The concept of protecting this area is taken further in policy CP16 which identifies the green infrastructure network for the city and sets out the importance of protecting and enhancing various areas including the hills.
- 5.3 This Core Strategy policy approach runs in parallel with more detailed provisions in the Local Plan Review. Specifically, policy LS1 identifies large landscape setting areas around the city. This designation restricts development in these areas and aims to protect local distinctiveness and character, a key element of the petition.

### Future planning policy and Liveable Exeter

- 5.4 The City Council has recently embarked on the preparation of a new Local Plan which will be progressed over the next three years. The new Local Plan will review the current spatial approach for the city and will draw on the Liveable Exeter programme in setting the development strategy for Exeter. The Liveable Exeter programme aims to deliver high quality development in the city at a series of urban redevelopment sites on brownfield land. One of the key drivers for this strategy is the need to meet Exeter's housing requirement within the city's administrative boundary and avoiding development on the city's sensitive landscapes. This will be an important part of the new Local Plan. As well as setting out the development strategy, the new Local Plan will include policies to address the landscape, biodiversity and green infrastructure of the city including in the hills to the north. This content reflects the key concerns of the petition.
- 5.5 Over the course of the next three years, the new Local Plan will go through three public consultations covering the emerging vision, development strategy, potential development sites and policies for the city. These consultations will provide opportunities for the local community to articulate the concerns raised in the petition through the formal plan-making process.
- 5.6 Looking outside of the administrative boundary of Exeter, previously, some development has been allocated adjacent to Pinhoe in East Devon. Further discussions will be required with East Devon as they move forward with their new planning policy work.

### Transport Strategy

- 5.7 Devon County Council is the Local Transport Authority for Exeter and in this role has recently developed a new transport strategy for the city. This sets out the three key themes of greater connectivity, greater places for people and greater connectivity. Together these prioritise active travel and reflect the benefits that walking and cycling can bring to health and wellbeing, reducing carbon emissions, improving public spaces and enhancing the local environment. These concepts reflect the transport-related elements of the petition acknowledging the impact that

transport can have on community wellbeing and creating attractive spaces and routes. In addition to the current transport strategy, the County Council is working on a new Local Cycling and Walking Infrastructure Plan to identify the key active travel projects in the city which may provide further opportunities to develop routes such as those suggested in the petition.

#### Neighbourhood planning

- 5.8 Neighbourhood planning offers the potential for local communities to actively shape the future of their local area through the identification of local priorities and policies. The community in Pinhoe, already active in local planning matters, could use some of the concepts articulated in the petition to inform neighbourhood planning.

#### **Summary**

- 5.9 The concepts articulated in the recent petition regarding the protection of green infrastructure in Pinhoe are currently reflected in existing policy. Looking forward, there is an opportunity to shape the local area through engagement in the preparation of the new Local Plan whilst involvement in other areas of activity such as transport planning and neighbourhood planning also provide avenues through which the local aspirations in the petition can be pursued.

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

- 6.1. Although the report is for information, the content 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.

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

- 7.1 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.
- 7.2 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.
- 7.3 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.

7.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because: this report is for information only.

**8. Carbon Footprint (Environmental) Implications:**

8.1 No direct carbon/environmental impacts arising from the recommendations as the report is for information only.

**9. Are there any other options?**

N/A

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

Background papers used in compiling this report:-

None

Author: George Marshall Assistant Service Lead Local Plan

Contact for enquires:  
Democratic Services (Committees)  
Room 4.36  
01392 265275

**Title:** PROTECT GREEN INFRASTRUCTURE IN PINHOE

**Statement:**

We the undersigned petition the council to safeguard Pinhoe's natural landscape and skyline, urgently to protect our historic hedgerows and trees, and to recognise these wildlife habitats are essential to our community wellbeing and quality of life, as intrinsic features of our local distinctiveness and character.

**Justification:**

We call for formal protection of Higher Field as open green space vital to our community and the diversity of local wildlife, and for robust protection of its critical landscape position as part of the Pinhoe Ridgeline connecting to northern Exeter's distinctive woodland skyline, visible across the city. We call for protection and funded repair of wildlife habitats across Pinhoe within Exeter City Council's strategic vision for Liveable Exeter and the corporate plan to "tackle congestion and accessibility, promoting active and healthy lifestyles and building great neighbourhoods".

**Submitted by:** Kate Jago, EX1

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## REPORT TO STRATEGIC SCRUTINY COMMITTEE

Date of Meeting: 23<sup>rd</sup> September 2021

Report of: Director Net Zero Exeter & City Management

Title: Graffiti Service

### Is this a Key Decision?

No

### Is this an Executive or Council Function?

Executive

#### 1. What is the report about?

- 1.1 The Scrutiny Programme Board received a request from Councillor Vizard for a review of the graffiti removal policy and strategy, with a focus on whether the current service provision in Exeter is suitable and efficient for a modern, growing city. This is in the light of the challenging financial circumstances and the recent Covid-19 enforced pause in service. The report will help to identify what the role should be for Exeter City Council's (ECC) graffiti removal service what preventative measures could be utilised, and what part volunteer services, the community, and external organisations can play in the reporting and removal process. This report will also address the issues around whether allowances could, or should, be made for more artistic examples of graffiti, and whether the provision for formal spaces of expression of graffiti would help reduce incidents of unwelcome graffiti across the city.

#### 2. Recommendations:

- 2.1 Members are asked to note and comment on the contents of the report.

#### 3. Reasons for the recommendation

- 3.1 Graffiti is increasing within Exeter. As seen last year when the service was temporarily suspended for "in-year savings", graffiti during this 9 month period appeared and stayed within the community. This caused a great deal of concern for residents, business, ward members and officers for all the reasons stated above. In doing so it identified the importance of the graffiti to the residents and stakeholders in Exeter, and the need to review to ensure effective service provision and continuous improvement in accordance with the ECC's strategic objectives.

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

- 4.1 Currently the graffiti team comprises 1 operative, using a van with hot water, lance and chemicals. The Graffiti service often overspends each financial year, which is offset by savings elsewhere within the Public and Green Space overall Street Scene budget. This continued over spend allows no flexibility to extend graffiti provision within a balanced budget.
- 4.2 In the past the service applied a small charge of £25 to remove graffiti from private property, this resulted in very few graffiti attacks being removed as when asked for

payment, people said to ECC officers that they regard the removal of graffiti as “something they already pay for in their Council Tax”. This charge subsequently ceased in 2019 as a result of the constraint it applied to provision. The financial reports in Table 1 evidence that the charged process was not cost effective, reducing removal and failing to prevent over expenditure of budget prior to 2019.

Table 1. Graffiti Financial Systems Report (Period 1, 2015 – Period 3, 2021)

eFin Date	Financial Period	Cost Centre Name	Account Name	Budget 6	Actual Exp'	Variance
2015	I - 13	Graffiti Cleaning	Total Income & Expenditure	£41,040.00	£62,306.01	£21,266.01
2016	I - 13	Graffiti Cleaning	Total Income & Expenditure	£46,590.00	£185,805.96	£139,215.96
2017	I - 13	Graffiti Cleaning	Total Income & Expenditure	£130,450.00	£139,313.43	£8,863.43
2018	I - 13	Graffiti Cleaning	Total Income & Expenditure	£128,370.00	£152,138.90	£23,768.90
2019	I - 13	Graffiti Cleaning	Total Income & Expenditure	£89,030.00	£110,076.17	£21,046.17
2020	I - 13	Graffiti Cleaning	Total Income & Expenditure	£52,640.00	£66,811.74	£14,171.74
2021	P3	Graffiti Cleaning	Total Income & Expenditure	£32,023.86	£90,860.00	£58,836.14

4.3 The service should continue to receive the appropriate budget to ensure the core graffiti removal service. The service will continue to explore opportunities to work with business and other landowners to provide additional income where appropriate to help support this service. We should consider ring-fencing this income to assist with rising costs of chemicals and materials.

## 5. Report details:

5.1 Graffiti is still generally considered by the public a nuisance that lowers the tone of an area. In some cases it may even cause alarm and distress that a neighbourhood is in decline and feels threatening. The latter is very difficult to demonstrate other than anecdotally. However, public reports indicate that where graffiti has remained in a location for any length of time, it has often attracted more graffiti, and this is the point when people have reported feeling less safe in their neighbourhood. This is known as “broken window syndrome”.

5.2 Due to the nature of the ad-hoc and informal incidents of graffiti attacks, officers believe that official graffiti walls will not reduce or eliminate the scattergun approach to tagging across the city. However, official graffiti walls will enable those graffitiists that may have moved on from random tagging to producing graffiti artwork to have somewhere to display their artwork. This artwork is unlikely to be left untagged as we have seen in locations across the city. As was witnessed in Lockdowns 1 & 2 in 2020, when this service was paused, there was a large build-up of graffiti, leading to increased complaints and anecdotal evidence of the public feeling more vulnerable in their neighbourhoods. In order to continuously tackle this issue, the Council will need to decide on whether this service is of value to the City and its Citizens. Officers

believe that this service is essential in protecting Exeter’s neighbourhoods and preventing the feeling of declining service provision.

- 5.3 The current ECC graffiti policy is outlined on the graffiti reporting portal on the Council Website. It says “We aim to remove racist or offensive graffiti as soon as we can, however, the removal time may depend on constraints imposed by circumstances, for example, where the graffiti needs specialist equipment or the owner’s permission is required”.

Table 2 shows the total reported levels of graffiti since April 1 2021. A total of 1133 reports have been made during a four month period. Showing demand for a graffiti removal service remains high.

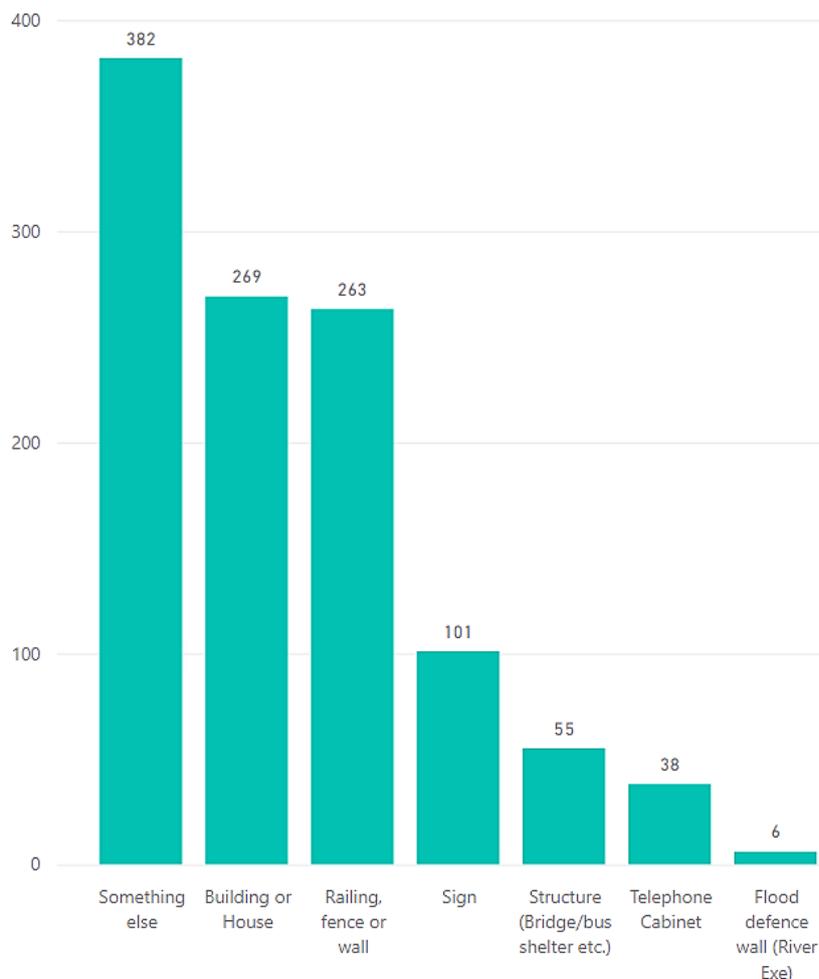
Table 2. Graffiti Total Report (01/04/2021 – 16/08/2021)

<u>Structure</u>	<u>Neither</u>	<u>Offensive</u>	<u>Racist</u>	<u>Total</u>
Building or House	242	32	2	276
Flood defence wall (River Exe)	5	1	0	6
Railing, fence or wall	204	62	3	269
Sign	94	4	4	102
Something else	356	29	3	388
Structure (Bridge/bus shelter tc.)	40	14	1	55
Telephone Cabinet	34	2	1	37
<b>Total</b>	<b>975</b>	<b>144</b>	<b>14</b>	<b>1133</b>

**Service Constraints:**

- 5.4 One particular constraint to the service has been, until recently, where Graffiti has appeared on land that is not the responsibility of ECC. Where Graffiti is found on an external agency or landowner site, private business or residence, ECC have neither responsibility, nor permissions respectively, to remove it. Where this has occurred in the past it has led to increased reporting, poorly perceived customer service as a result of the failure to effectively remove the graffiti, and additional resource requirements through the complains management and investigation process.
- 5.5 Measures have now been taken to address this. Where graffiti is on property that is owned by an external agency or organisation such as; Network Rail; Environment Agency (EA); Devon County Council (DCC); Open Reach etc. The reporting individual is now advised to report directly to the relevant landowner. The ECC website will no longer accept reports of graffiti on non-ECC land, instead redirecting the reporting person to an appropriate website, or telephone number, for the other known landowners. ECC Power BI graffiti report system, shows in graph 1 that between April 1 2021, and August 8 2021, the implementation of the new system has redirected 200 enquiries. This can be seen in the recorded numbers for road signs, structures, telephone cabinets and flood defence.

Graph 1. Count of Incidences by Building Type, (1/04/21 – 8/08/21)



5.6 Evaluating the impact of the reporting system update, it could be perceived that ECC has admonished responsibility and lost engagement in the graffiti concerns city wide. However, whilst the service is now directing reports to individual land owners, ECC have continued to engage and maintain close working relationships with those agencies. The importance of continued partnership working, for both removal and prevention purposes has not been forgotten. To that end, ECC continue to support those agencies with expertise, and by collaborating and carrying out works on their behalf where they have requested and paid for the service. This is most aptly evidenced with the flood defence, in which the collaboration between ECC and the EA is ongoing.

5.7 The second primary constraint to service provision is capacity. Currently the graffiti service operates one operative over a 37 hour a week. In this, the direct time available for active graffiti removal, or the 'actual capacity', of the service is less than 29 hours. Table 3, shows the breakdown of the recordable capacity reductions.

Table 3. Service Capacity Restraints

<b>Daily Activities</b>	<b>Capacity Reduction Daily (minutes)</b>	<b>Capacity Reduction Weekly (minutes)</b>	<b>Hours Lost conversion</b>
Vehicle Safety Inspection	15	75	1.25
Water Tank refills	40	200	3.33
EMP Welfare/ break	30	150	2.50
Vehicle off load	10	50	0.83
<b>TOTALS * 95</b>		<b>475</b>	<b>7.92</b>
* These figures do not account for the additional time losses of: refuelling, travel between sites, stock replenishment, toilet welfare stops. These are additional, reducing the 'Actual capacity' of the service below 29 hours.			

The resource and financial implications related to this can be seen in section 4 of the report.

- 5.8 To date the service has taken a number of steps to ensure effective service provision in spite of the limited available capacity. By redirecting non- ECC enquiries as previously discussed, there has been up to 200 less sites, between April and August, for the service to carry out site visitations on. This has enabled that time to be redirected to ECC and residential removal work. ECC's Growth and Commercialisation team were successful in securing external funding in April, this has enabled the extension of the graffiti service to a 7 day working service. This extension is also mirrored in the partnership removal works paid for by the relevant authorities, where graffiti is removed outside of the core working week, directly extending service capacity.
- 5.9 Most recently ECC's graffiti service has collaborated with residents to reduce the resource requirements in an extensively and repetitively attacked lane. Hoopern Lane residents were successful in securing £4000 grant funding to help them address the ongoing anti-social behaviour in the lane. After seeking advice from the ECC graffiti team, it was agreed that the funding would be used to apply anti-graffiti paint to the surfaces throughout the lane, in an effort to enable residents to undertake small works themselves. In addition it was considered that it would reduce resource requirements for the ECC Graffiti team through a reduction in time spent on site.
- 5.10 In removing the graffiti recently after the paint application, officers found that it significantly reduced labour requirement. Pictures 1, and 2 show the most recent pre and post removal efforts for the site. Officers estimate it reduce labour by as much as 70%, taking only 40 minutes rather than an anticipated 3.5 hours to remove. However, the upfront resource requirement, and the materials costs, are prohibitive and not achievable within existing revenue budgets making external funding necessary. The process for just the Hoopern Lane site cost £3500 with 80 hours of labour required, this cost can be evaluated against the financial and resource implications in section 4 of this report. The service continues to look for external funding, and where funding is made available the application of anti- graffiti paint is a viable means to reduce the demand that individual sites generate.

Picture 1. Before Removal

Picture 2. After Removal



Enforcement/ Prevention:

Enforcement and Prevention are key considerations in any behaviour based ASB.

- 5.11 The use of graffiti walls, and graffiti murals, as preventative methodologies have been applied in both the ECC asset and POS context, and by external agencies to their own frequently graffitied structures. As a result there is collective anecdotal evidence to indicate how successful they are as preventative strategies in their own right.
- 5.12 Currently ECC have Graffiti walls in Exwick Station Road play area, and Belmont Park. In addition, the Phoenix Arts Centre utilises all of it walls for graffiti art expression, providing individuals request to use them. The walls are frequently used for large murals, which is testament to the popularity of the provision, however tags and additional graffiti continues to appear on the peripheries of each site despite the use of those walls. Picture 3. Is the current graffiti wall at Belmont, and Picture 4 is the surrounding graffiti on the site. These indicate that individuals utilise surrounding structures as an extension to the mural wall where ever they are in place. The continued targeting of the City wall in Northernhay and Rougement, next to the Phoenix mirrors this as well. This is a base indication that whilst popular, the walls are unlikely to be a cost effective prevention strategy unless surrounding areas are free of built infrastructure, as there will always be the need to extend beyond the boundaries of the existing provision.

Picture 3. Belmont Kick/ Graffiti Wall

Picture 4. Belmont Surrounding Structure



- 5.13 Murals as a means to reduce tagging and graffiti attacks have been utilised by DCC as part of the subway improvement process in the last 10 years. Starting initially in Coombe street subway, DCC have extended their murals though all of the Exbridge subways. DCC have worked with partners including Exeter Graffiti Academy to apply

the murals at a cost to DCC. Subsequent to the murals being painted, officer's report there was a decline in the level of reports within the subways, and that level has continued to remain low where the graffiti is bold and encompasses the full wall around Exbridge. Coombe Street however has continued to be targeted post installation indicating that design and location are possible factor impacting the success of murals as a deterrent against tagging.

- 5.14 In May 2021, Exeter City Council in partnership with Devon and Cornwall Office of the Police and Crime Commissioner (OPCC) where successful in securing Home Office grant funding for the Safer Street Project. The project includes funding for Graffiti prevention measures and clear up, [£8,000] and for Parks Improvements [£10,000] to help sever the link between the ASB and crime. The Community element of the project will look at prevention measures such as murals engaging with both external organisations, specifically utility companies, as well as the community to best identify where preventions will be most effective. Community project lead officer and Community supporting team will continue to meet in September with a view to utilising grant funding to maximum effect.
- 5.15 In addition, to the Exeter City Council in partnership with Devon and Cornwall OPCC as part of the Safer Street Project, ECC continues to support police enforcement processes. The data that is captured via the online reporting portal can be produced on the request of Police to assist with an investigation / prosecution. This has happened on a number of occasions, and we will continue to work with the police on these matters. We have to acknowledge in this report however, that other agencies, including the Police are under similar pressures to the Council, and this results in the necessary prioritising of services.

Continuous development and community working:

- 5.16 The continuous improvement of the service remains vital to ensure cost effective provision. This report has shown that there are effective short term measures that can improve areas, through either the use of harmonising or agreeable mural art work or the application of costly anti-graffiti paint. The financial constraints identified in section 4 of the report evidence that this cannot be achieved within existing revenue budgets, and that to continue to improve ECC's response to graffiti, we will require ongoing engagement with the community and external agencies. This will include continuing to foster collaborative relationships with existing partners, DCC, EA, In Exeter, and OPCC as well as building new relationships with utility companies and with the community via the Community Builders, and with individuals themselves.
- 5.17 The chemicals the Council uses to remove graffiti are strong and powerful and as such we only permit trained personnel to use them. However with appropriate budget availability we could look at sourcing other materials that community groups could use to remove graffiti from shiny surfaces like street signs / posts, lamp columns etc. However, this good intention may well result in lost information / reporting if communities carry on removing graffiti without reporting it, unless the community group reports the graffiti and then removes it. This change would need to be integrated into our online reporting page.

5.18 We will continue to encourage people to report graffiti where its seen and this is born out in the Graffiti BI Report whereby 2240 self-service (online) reporting versus 10 people calling the office to report the graffiti during the period 01/04/20-05/08/21. This shows a willingness by the public to report graffiti via the web site at a time to suit them. In addition we will continue to refine ownership information on the BI report system to enable better identification of where the highest prevalence of issues lie enabling a more targeted approach to collaborative working.

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

6.1 Graffiti continues to have a significant impact on Exeter's neighbourhoods, reducing 'liveability' through the blight of tagging and the oppressive atmosphere that visual ASB brings to an area. The graffiti service tackles this head on, helping to build better neighbourhoods and redress that decline. It has continued to provide the best service possible within the context of the financial restraints handed down through central governments grants loss. The service not only continues to supply residents for no charge, but has improved efficiencies to date through digitisation, on line reporting refinement, and continued partnership working. Improving service provision wherever possible and providing a value for money service.

## **7. What risks are there and how can they be reduced?**

7.1 The risks associated with the suspension or failure of the graffiti service were evidenced between the 23/07/20 and 01/04/21, and the loss of the service for COVID emergency budget savings. During this period the levels of graffiti throughout the city increased, with large scale tagging in not only residential areas but along arterial routes such as Heavitree road and the Waitrose wall attack. As a result, resident satisfaction declined. Officers received higher levels of emailed communication, and complaints, direct from residents pressuring for the reinstatement of the service.

7.2 Additionally, suspending the service resulted in a significant backlog in graffiti and increased resource pressures to bring levels back to a sustainable level. This risk is reduced where the service continues to operate consistently.

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

8.1 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.

8.2 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.

8.3 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.

8.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because: this report is for information only.

## **9. Carbon Footprint (Environmental) Implications:**

9.1 No direct carbon/environmental impacts arising from the recommendations as the report is for information only.

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

10.1 The available alternative options are:

- To cease graffiti removal. This will result in an increase in complaints and a decline in neighbourhood standards. In ceasing the graffiti removal service, the service would save the revenue budget cost associated with graffiti Operations.
- Graffiti operations could be extended to a 7 day a week service, providing a more extensive service for residents. This would require the employment of one full time operative and a see a significant increase in chemical use annually requiring a correlating increase in revenue budget.

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

Background papers used in compiling this report:-

None

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