

EXECUTIVE

Date: Thursday 8 July 2021
Time: 5.30 pm
Venue: Guildhall, High Street, 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 Mark Devin, Democratic Services Officer on 01392 265477.

Because of 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 Bialyk (Chair), Wright (Deputy Chair), Foale, Ghusain, Harvey, Morse, Pearson, Sutton, Williams and Wood

Agenda

Part I: Items suggested for discussion with the press and public present

1 Apologies

To receive apologies for absence from Committee members.

2 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.

3 Local Government (Access to Information) Act 1985 - Exclusion of Press and Public

RECOMMENDED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of item 13 on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2, of Part I, Schedule 12A of the Act.

4 **Questions from the Public Under Standing order No. 19**

To receive questions relating to items on the Agenda from members of the public and responses thereto.

Details of questions should be notified to the Corporate Manager Democratic and Civic Support 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 5 July 2021.

Further information about speaking at a committee can be found here: [Speaking at a Committee](#)

5 **Exeter Civic University Agreement**

To consider the report of the Chief Executive & Growth Director. (Pages 5 - 24)

6 **Consultation Charter**

To consider the report of the Chief Executive & Growth Director. (Pages 25 - 38)

7 **Parliamentary Constituency Boundary Review**

To consider the report of the Electoral Registration & Returning Officer. (Pages 39 - 50)

8 **East Devon, Exeter, Mid Devon and Teignbridge Joint Strategy: scope, resourcing timetable and governance**

To consider the report of the Deputy Chief Executive. (Pages 51 - 64)

9 **Exeter Local Plan: Issues consultation document**

To consider the report of the Deputy Chief Executive. (Pages 65 - 86)

10 **New Statement of Community Involvement**

To consider the report of the Deputy Chief Executive. (Pages 87 - 118)

11 **Food Law and Health and Safety Enforcement Service Plan 2021 - 2022**

To consider the report of the Director Net Zero Exeter & City Management. (Pages 119 - 164)

12 **Funeral Service Provision Review 2021**

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

Part II: Items suggested for discussion with the press and public excluded

No representations have been received in respect of the following items in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

13 Members' Training

To consider the report of the Corporate Manager Democratic and Civic Support. (Pages 187 - 194)

Date of Next Meeting

The next scheduled meeting of the Executive will be held on **Tuesday 7 September 2021** at 5.30 pm in the Civic Centre.

A statement of the executive decisions taken at this meeting will be produced and published on the Council website as soon as reasonably practicable.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265115 for further information.

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REPORT TO EXECUTIVE

Date of Meeting: 8 July 2021

REPORT TO COUNCIL

Date of Meeting: 21 July 2021

Report of: Chief Executive & Growth Director

Title: Exeter Civic University Agreement

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

The report informs members about the emerging Exeter Civic University Agreement (CUA) and seeks approval for its adoption by the council.

2. Recommendations:

That Executive:

- (1) recommends approval of, and Council approves, the adoption of the CUA; and
- (2) delegates acceptance of further amendments to the CUA to the Chief Executive in consultation with the Leader of the Council

3. Reasons for the recommendation:

To formalise the council's future relationship with the University of Exeter and to endorse formal arrangements with the university and other key agencies in the city.

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

The CUA in itself will not have implications for resources. Projects that are identified as part of the CUA will be considered and approved on an individual basis.

5. Section 151 Officer comments:

There are no specific financial implications for council to consider arising from this report.

6. What are the legal aspects?

There is no specific legal implications for the council to consider arising from this report.

7. Monitoring Officer's comments

The concept set out of the CUA does not present any issues. However, each project may present different issues which may require legal input.

8. Report details

Globally, there are growing calls for higher education Institutions to become more civically engaged and socially relevant and there is increased public interest in the impact of universities on their localities and regions.

The University of Exeter is working towards the development of a CUA with its Exeter partners: RD&E Trust, Exeter College and Exeter City Council. The CUA will comprise place-based institutions working together over shared issues/concerns/ambitions.

CUAs are not just about forging an agenda for action but about improving ways of working which enhance the strategic relationships between the partners. The CUA process provides a unique opportunity to reflect on current partnership arrangements, reflect on what works (and what doesn't), and develop a new relationship framework that will cement the relationships between the university and anchor partners and provide an effective vehicle to transform the impact of the relationship for Exeter. This also provides the opportunity to building on best practice, nationally and internationally drawing on research and collaborative projects that the University of Exeter is engaged with.

The purpose of CUPs is to free up the resources, skills and knowledge held within the university and combine these with the skills, knowledge, resources and energy of community and partners, for mutual benefit. The rationale for CUPs is that they:

- Support problem solving locally - Universities have untapped resources and assets, which could be immediately useful for localities and communities struggling to address their own problems. Such assets include academic knowledge and expertise, the skills of academics and students, and the time and resource of students.
- Create an infrastructure for engagement - The second major rationale driving CUPs is a desire to create an infrastructure to allow communities/partners and universities to engage in ways that can have an impact, be effective, and be mutually beneficial. They represent an attempt to create the infrastructure that can sustain joint-working for the long term.
- Broker relationships - between people and organisations in the 'community' (however defined) and people within the university, including students, academics and staff.
- Facilitate activity - Once partnerships have been initiated, work to support their development and maintenance by ensuring effective communication and developing mutual understanding, as well as helping to design and find funding for projects and initiatives.

A steering group, comprising the anchor partners has been meeting since December 2020 to develop the evidence base and needs assessment, which has been organised around a number of themes. These have not been finalised yet but are broadly:

1. Environment, climate change and Net Zero
2. Innovation and Business
3. Skills and Education

4. Culture and tourism
5. Health and wellbeing
6. Community and Students

A copy of the outline Exeter CUA is attached at Annex A. A consultation exercise is underway to seek views of organisations and communities across the city. Feedback from that exercise will inform the final version, which is expected to be launched in September 2021.

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

The CUA underpins the strategic priorities contained in the corporate plan.

10. What risks are there and how can they be reduced?

There are no risks associated with adopting the CUA.

11. Equality Act 2010 (The Act)

11.1 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.

11.2 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.

11.3 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.

11.4 In recommending this proposal no adverse impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications

Environment, climate change and Exeter Net Zero 2020 are key themes in the CUA.

13. Are there any other options?

There are no alternatives.

Chief Executive & Growth Director, Karime Hassan

Author: Bruce Luxton

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

Background papers used in compiling this report:-

None

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



DRAFT

Exeter Civic University Agreement

University of Exeter

June 2021

Version 1

A University with and for Exeter

The Exeter Civic University Agreement recognises that the University is fundamentally linked to the place and people of Exeter. At the heart of this Agreement is a belief that partnership is the catalyst that sets progress in motion. Partnerships within our City are now more important than ever, as we seek to ensure a thriving yet sustainable economy, healthy and happy people, a vibrant culture and a spirit that connects us all with a pride of place and a determination to keep moving forward together.

The University is a major regional employer and important economic contributor to the local economy. A vibrant knowledge hub with global connections, it plays an important role through the impact of education, research and knowledge exchange activities underpinning the economic, health, social and environmental fabric of our region.

Working together as Exeter partners our ambition is to generate benefits for our City, its businesses, and its people. This Agreement builds on already strong partnership foundations, and a history of mutual engagement. Yet the challenges we face are greater than ever before, and the time is now right to build on these foundations so that we can exploit opportunity, address challenges, and co-create and deliver solutions.

The COVID-19 pandemic has created enormous challenges for our communities, for our economy and society. We hope that this Agreement will help underpin our collective efforts to drive forward local recovery and renewal, enabling us to face the challenges of the future together.

An Evidence-based, Mission-led Approach

The Exeter Civic University Agreement will build on the existing substantial engagement with partners and stakeholders in the City and will seek to make these relationships more strategic and productive.

Our priorities and activities are based on an analysis of local need, identified through an ongoing process of consultation with local stakeholders, partners and communities in the City.

Over 100 organisations have contributed their time, thoughts and ideas. Independent researchers, Red Box Research were commissioned to undertake consultation with key stakeholders in the City, through face to face interviews, themed workshops, and focus groups. Devon Community Foundation were commissioned to consult with the voluntary, community and social enterprise (VCSE) sector in Exeter and Devon. Finally, an online survey was sent to partners and stakeholders from the public, private and voluntary sector in Exeter. A major public and community consultation is underway.

This consultation and evidence gathering identified five priority areas or “missions” where we believe that collaboration between the partners can add value. This mission-led approach,

supported by a Partnership Framework will enable us to make a step change in the way we collaborate. By identifying our shared priorities, as well as those of our stakeholders and communities in the City, we will try to understand the challenges, and aim to collectively find and deliver solutions together. Through this Agreement we will aim to make the most of our collective expertise and resources. Our commitment is to listen, learn and to deliver change.

Our Missions

Our missions present clear calls to action for the University and our partners. As partners we will work collaboratively to deliver positive change for the City.



Support the Sustainable and Inclusive Growth of the City...

Exeter plays a significant role as a driver for the wider regional economy, with a Travel to Work area that covers much of East Devon, Teignbridge and Mid Devon. Exeter functions as a hub for high value-added sectors and consequently highly paid jobs in the area, outperforming the wider region in terms of productivity and skills. Large employers dominate in the public sector – key employers include the Met Office, the Royal Devon and Exeter Hospital (RD&E), Exeter College, and the University of Exeter. Building a vibrant private sector will be important to the future success of the City.

Exeter needs to accelerate the transition towards a new economy that can attract and retain higher-skilled people, and drive growth in the wider county. Understanding Exeter's distinctive identity and potential for the growth of the wider region is vital to forging a path to a new economy that can successfully include surrounding areas, while offering real opportunities for access and advancement to all residents. This principle of sustainable and inclusive growth should be central to a bespoke devolution project for the city-region and

county. As partners we will work to ensure that the local economy is enhanced through access to research, innovation, support for business and skills.

Our Ambitions

- To launch a Net Zero Innovation Hub, supporting businesses and organisations with sustainable business transformation services, new R&D facilities and access to innovation support. This could provide a hub for entrepreneurs, companies, academics, students and citizens to share data, insight, ideas, and creativity.
- Exploit the University's knowledge assets to attract and support new business start-ups to the City and support existing businesses to grow and scale, bringing the University Enterprise Zone into the City.
- Support the economy with skills development, particularly for green and digital transformation and for health.
- Work collaboratively to enhance the reputation of the City as a place to do business and develop careers.

Deliver a Net Zero Exeter ...

In 2019, Exeter City Council declared a climate emergency, and its intention to be a carbon neutral city by 2030. In response, Exeter City Futures (ECF) curated a clear roadmap to carbon neutrality: the Net Zero Exeter 2030 Plan, which has now been officially adopted by Exeter City Council¹. The Net Zero Exeter 2030 Plan sets out ways in which individuals and organisations can play their part in achieving the net zero ambition. However, collaborating magnifies the speed and scale at which change can be realised.

Exeter has access to unparalleled expertise in climate science to develop the green skills and jobs our country needs for the future. We are a world leading hub for environmental science, with the highest concentration of climate scientists in any world city, including 5 out of the world's top 21 climate scientists. As the home of the Met Office and over 1,500 companies operating in the environmental business sector, environmental science is not just an academic pursuit but the beating heart of the local economy – something which is enabled by trail blazing partnerships between public partners, businesses and the University.

Meeting our Net Zero commitments will require new and innovative approaches, but we have the ability to bring together as a city, our unparalleled expertise and R&D assets in environment and climate research to meet this challenge.

Our Ambitions

- Create a vision for Exeter that leads the way in Net Zero innovation, creating a blueprint that the Government can use to set the rest of the UK on a quicker path to net-zero.

¹ <http://www.exetercityfutures.com/wp-content/uploads/2021/03/Net-Zero-Exeter-2030-Plan-PU.pdf>

- Work with partners to attract further green investment, support transformation of the city of Exeter's infrastructure and help SMEs manage their climate transitions.
- Work with partners through the vehicle of Exeter City Futures to deliver the Net Zero Roadmap.

Build a City of Aspiration and Opportunity...

Our City now boasts both a high level of educational attainment, excellent education institutions that include Exeter College (OFSTED outstanding and Rated Top College twice in five years by FE Week's annual NICDEX), and a Top 15 Russell Group University (ranked 149 in the QS World Rankings and 12th in The Times and the Sunday Times Good University Guide (2020)), both are rated as Gold in the Teaching Excellence Framework. Through a unique partnership between the University of Exeter and Exeter College we have developed one of the first two dedicated Mathematics Schools nationally (Ofsted rated outstanding at first appraisal) and helped forge the creation of the Ted Wragg Multi-Academy Trust.

Through initiatives such as the skills escalator for data analytics, we have sought to create pathways to data analytics skills and in doing so have developed a model which could be replicated for other strategic skills needs in the City and beyond. The prominence of the University of Exeter and Exeter College in the development of the South West Institute of Technology will also see a step change in the delivery of data, digital and advanced manufacturing skills in the City, including in green transitions, facing the government's 10 point green industrial plan.

Yet graduate retention is an ongoing challenge in Exeter with only 28% of University of Exeter students remaining in the South West region and 13% in the City. This represents a loss of talent for the City and wider region.

By working together as partners we have already demonstrated what can be achieved, but there is more we can do to truly transform the prospects of our population, providing access to skills and access to high paid employment.

Our Ambition

- Create a more formalised education alliance to accelerate the progress that has been made and build an Exeter Education Ecosystem that is truly exceptional.
- Work through the new alliance to address the future of skills and workforce needs, ensuring that we build a City of aspiration and opportunity, and gain true national and global recognition of our alliance. In doing so we will seek to become a national and global beacon for an exemplar education ecosystem.
- Work with partners to develop and deliver an effective City Skills Plan.

- Seek to retain our graduates in the City through opportunities for work experience, student projects linked to the needs of Exeter businesses and community, and support our students to establish their own businesses in the City.

Support an Ambitious Culture and Tourism Offer for the City...

Regionally, tourism is an extremely important sector and a key driver of productivity. Exeter has many of the assets required to develop a thriving and vibrant culture and tourism offer. It has a wealth of heritage and cultural assets, an impressive independent arts scene and a City Council which prioritises culture. The University of Exeter is a research intensive university with its own ambitious Arts and Culture Strategy.

Exeter Culture supports the city's arts ecology, and creating new strategic connections to other sectors. Hosted by the University of Exeter, in partnership with Exeter City Council, Exeter College, inExeter and the Arts Council England, it aims to ensure arts and culture are integrated within the city's broader strategic planning and to attract and retain creative talent. Exeter's place-based Cultural Strategy outlines five key themes: Environment; Wellbeing; Heritage Innovation; Creative Place making and Learning and Literacy.

Covid-19 has hit the visitor economy particularly hard with all businesses involved in tourism and hospitality being asked to close for prolonged periods.² The impact on events and venues, has been calamitous thus there is a clear challenge for partners to work together to support the revival of the City's cultural and heritage assets and businesses, both in the short term but also as a critical part of Place making.

Our Ambition

- To support the City in enhancing the visitor experience; becoming a leading sustainable visitor destination; and with its place-based cultural investment and development.
- Support Exeter as a UNESCO City of Literature³. A collaboration between the Exeter City Council, University of Exeter, Libraries Unlimited, Literature Works, Exeter Cathedral, Exeter Culture and Exeter Canal & Quay Trust this venture is jointly supporting the creative, social and economic potential of literature development for the city and the Greater Exeter area.
- Deliver a new Creative Arc for the City bringing together the University, the City Council and the Royal Albert Memorial Museum (RAMM) into a new strategic collaboration that will represent a new model of cultural partnership. This will act as a catalyst for economic development, support social change and build our global reputation as a Liveable City.

² Heart of the South West LEP Tourism and Visitor Economy Recovery Plan 1 (2020)

³ <https://www.exetercityofliterature.com/>

Enhance the Health and Wellbeing of our Citizens...

Exeter is a discrete healthcare geography with 147,000 patients living within 5 miles of the city centre. As elsewhere, the healthcare system in Exeter comprises a number of different NHS organisations as well as a number of charities which provide NHS funded services, and play a key role in healthcare provision. Primary Care provision is delivered via 16 GP Practices which in 2014 formed Exeter Primary Care (EPC), while the main provider of Secondary Care in the city is The Royal Devon and Exeter NHS Foundation Trust.

Exeter has long taken an integrated approach to the delivery of care and wellbeing services. Across wider Devon, as elsewhere, we are moving towards an Integrated Care System (ICS) with Together for Devon representing a partnership of health and social care organisations working together with local communities across Devon, Plymouth and Torbay to improve people's health, wellbeing and care across the region.

Wellbeing Exeter is a partnership of public, voluntary and community sector organisations who have come together to explore better ways of working to reduce the call on professional health services, integrate health with social care and community, and improve wellbeing for individuals. One of the biggest health and wellbeing charities, Exeter City Community Trust (ECCT) works in partnership with Exeter City Football Club.

The University engages with and supports the sector in the city in myriad ways. The College of Medicine and Health works closely with the NHS to train the next generation of clinicians, to build clinical research excellence capacity and deliver health improvements in a regional context. It also works closely with the community and vounteray sectors.

As the city emerges from the pandemic and moves towards recovery, the challenges such are to securing funding to sustain and expand the successful networks and partnerships across the city, while meeting the skills needs of the health and care sector will be critical.

Our Ambition

- Work with regional stakeholders to co-develop solutions to everyday challenges and contribute to addressing health and wellbeing policy challenges that impact on the region.
- Work closely with NHS to attract the world's most talented clinicians and healthcare workers, training and retaining local talent to develop their careers in Exeter and Devon.
- Enable communities and VCSE organisations to access the University expertise through our research centres such as the Wellcome Centre for Cultures and Environments of Health, and initiatives such as the Community Law Clinic.
- Encourage active and healthy lifestyles through working closely with local organisations, and ensuring that where possible University facilities are open and accessible to the public.

Community and Student Engagement

Underpinning these missions will be a commitment to ongoing community consultation and engagement of the City's students, including:

- Establishing a new Community Panel to identify issues, challenges and opportunities, and support the development of an annual plan of community engagement.
- Hosting an annual Public and Community Engagement conference, The Exchange, to celebrate the positive influence of community and public involvement on university research.
- Promoting diversity and inclusion in our community through engagement and leadership.
- Supporting opportunities for student volunteering in the community and for “community engaged learning” to co-produce knowledge with and for the community.
- Supporting business and VCSE partners through student projects, professional pathways, internships and work experience.
- Promoting opportunities for students and researchers to work on regionally-identified challenges and work with local communities to develop solutions.

Governance

Central to this Agreement is the Partnership Framework, which sets out the ways in which the partners will work together to develop, deliver, monitor and refresh the Civic University Agreement.

The Partnership Framework is the outcome of discussion with individual partner representatives and with the Exeter Civic University Steering Group. It builds on best practice nationally and internationally and will be subject to ongoing review as the Partnership matures.

The aim is that this will embed close and strategic joint working both now and in the future and will provide a vehicle for co-creating solutions that will bring benefit to the City of Exeter and the wider sub region.

The Partnership Framework will provide the governance which will oversee the process of shared agenda setting by the four partner organisations.

Guiding Principles

The Partnership Framework will enable partners to work together to ensure that relationships are optimised, intelligence is shared, that innovative solutions to agreed challenges can be co-created, focusing resources on what matters most. The Partnership Framework aims to:

- Enable better communication between the partners and the community, setting out a clear mechanism for day to day working;
- Harness research expertise to address Exeter challenges, supporting priority setting and supporting co-production of solutions, providing a clear route to local impact;

- Be dynamic and organic – adapting to circumstance;
- Provide routes to global engagement;
- Actively engage students in the public and community realm, matching student interest to community need and supporting engaged learning⁴;
- Embed collaborative public engagement based on the principle of reciprocity, involving the flow of knowledge, information and benefits between the parties;
- Embed clear evaluation and review processes;
- Be transparent and accountable.

Partnership Framework

Governance Structure	<p>The Civic University Agreement will be overseen by a Civic University Partnership Board, chaired by the University.</p> <p>The Civic University Agreement will have a simple operating structure with leads from each institution comprising the coordinating team, with quarterly meetings at which lead members from each institution can bring issues/concerns to the table or share their current activity.</p> <p>Regular information updates will be provided for the Liveable Exeter Place Board.</p>
Mission	<p>The mission/s will be jointly agreed by the partners, taking on board alignment with existing City strategies.</p>
Agenda Setting	<p>The partners will identify areas of “common ground” where it is expected that joint working will add value to the core mission of each institution.</p> <p>The agenda will be shaped by participants on an ongoing basis and everyone commits to attending and listening respectfully to partners when they bring issues and ideas to the group.</p>
Brokerage	<p>Partners will identify lead connectors in each organisation that can broker wider relationships and be a point of contact across the partners, connecting them to wider networks. Over time we would expect to have a visible and transparent set of institutional networks that will facilitate the sharing of knowledge.</p>

⁴ Engaged learning” facilitates students to apply theory to real-world contexts outside of the University and to co-produce knowledge with and for the community. Engaged learning provides students with the skills which increase their employability, and improve their personal and professional development, while communities gain access to skills to help develop, evaluate or communicate their work.

Sharing Intelligence and Horizon Scanning	An annual “Exeter Horizons” conference will allow each institution to widen engagement across their workforces, identifying important issues, share intelligence, and identify the potential for a collective response.
Co-creation	<p>The Partnership will embrace a ‘social enquiry’ approach to working on identified issues or challenges that are brought to the CUA team. This would enable the identification of staff from each partner organisation best placed to engage in time-limited enquiry to: collate information about the issue, research best practice elsewhere, identify possible solutions, test them, and develop policy proposals for action (which could involve all the partners working together or applying for additional resources to deliver change).</p> <p>The CUA could access limited additional resources to support this enquiry work – paid for via a collective pot to cover essential staffing – and scrutinised by the members.</p>
Responding to opportunities	The partnership should have provision to develop Task and Finish Groups or Mission Groups to enable development of action plans and rapid responses from the partnership.
Community engagement	The partnership should adopt ways of working that support effective community engagement, set out clearly in the annual planning process.
Resourcing	<p>The University of Exeter’s Innovation, Impact and Business Department will provide resource to initiate and support the partnership.</p> <p>As the partnership develops and identifies new initiatives and projects, there will need to be agreement on how this is resourced, including provision for joint bids for funding.</p>
Communications	The partnership will adopt clear guidelines for promoting the partnership and its work and managing communication protocols.
Annual Planning Cycle	The key components of the Framework will need to be accompanied by a planning cycle which enables progress to be monitored, new issues and challenges to emerge and the CUA subject to formal review and update.

We will begin immediately by establishing: a Healthy Exeter Panel; a Stakeholder Task and Finish Group for Innovation and Business; an Exeter focused School-College-University Education Alliance; enhanced support for delivery of our Net Zero Roadmap; and; partnering a unique new Creative Arc to help support Arts and Culture in the City.

The University and its anchor City Partners, as signatories of this Civic University Agreement, are committed to working together to help overcome the major social, economic and environmental challenges that we all face, together for Exeter. We are bound by the

Partnership Framework set out in this document to seek to improve levels of prosperity, equal opportunity, sustainability, health and wellbeing for Exeter’s citizens, families and communities.

Signatories



Professor Lisa Roberts, Vice Chancellor of the University of Exeter



Cllr Phil Bialyck, Leader, Exeter City Council



*Suzanne Tracey, Chief Executive Royal Devon and Exeter NHS Foundation Trust
RD&E Hospital, Exeter*



John Laramy, Exeter College Principal and Chief Executive

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Equality Impact Assessment: *Exeter Civic University Agreement*

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

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.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive – 8 th July 2021 Council – 21 st July 2021	Exeter Civic University Agreement	That Executive: <ul style="list-style-type: none"> • recommends approval of, and Council approves, the adoption of the CUA 	No adverse impact identified

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
		<ul style="list-style-type: none"> delegates acceptance of further amendments to the CUA to the Chief Executive in consultation with the Leader of the Council 	

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral		CUA is a policy framework.
Disability: as defined by the Equality Act – a person has a disability if they	Neutral		CUA is a policy framework.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.			
Sex/Gender	Neutral		CUA is a policy framework.
Gender reassignment	Neutral		CUA is a policy framework.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral		CUA is a policy framework.
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral		CUA is a policy framework.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Neutral		CUA is a policy framework.
Pregnancy and maternity including new and breast feeding mothers	Neutral		CUA is a policy framework.
Marriage and civil partnership status	Neutral		CUA is a policy framework.

Actions identified that will mitigate any negative impacts and/or promote inclusion

None identified

Officer: Bruce Luxton

Date: 9 June 2021

REPORT TO CUSTOMER FOCUS SCRUTINY COMMITTEE

Date of Meeting: 1 July 2021

REPORT TO EXECUTIVE

Date of Meeting: 8 July 2021

REPORT TO COUNCIL

Date of Meeting: 21 July 2021

Report of: Chief Executive & Growth Director

Title: Consultation Charter

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

The report seeks agreement to adopt a Consultation Charter, which sets out the Council's commitment to best practice in consultation.

2. Recommendations:

That Executive recommends approval of, and Council approves, the Consultation Charter.

3. Reasons for the recommendation:

To formalise the council's commitment to consultation and to ensure consistent arrangements.

To ensure that communities in Exeter and interested parties have an opportunity to inform proposals for council policies/decisions and changes to those policies/decisions.

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

The charter in itself will not have implications for resources. Previous and existing consultations have largely followed the arrangements in the Charter and budgets for each consultation are approved on an individual basis.

5. Section 151 Officer comments:

There are no specific financial implications for Council to consider arising from this report.

6. What are the legal aspects?

There is no legal obligation to have a charter but the council is obliged to consult in certain circumstances and having a charter in place will ensure a consistent approach to consultation.

7. Monitoring Officer's comments

A consistent, transparent approach to consultation is commendable and the Monitoring Officer would commend this approach to consultation.

8. Report details

Members will recall that, at its meeting on 9th February 2021, Executive resolved to recommend Council's adoption of the draft Consultation Charter subject to consideration by the Scrutiny Programme Board (SPB) at its meeting on 18 February 2021. The SPB subsequently resolved to convene a Spotlight Review Group to consider the Charter in more detail.

The Spotlight Review Group met on 16 March 2021. The group comprised councillors Atkinson, Buswell, Leadbetter, D. Moore and Wardle with Councillor Atkinson appointed Chair. Councillor Atkinson had referred Members to the Guide to Community Engagement report - New Conversations - produced by the Local Government Association. The Review Group had considered the LGA document in detail and agreed that it would be appropriate to amend the draft Charter to incorporate elements from the LGA document. In addition, it was agreed that consultation plans should be prepared for all council consultations to build in the detail contained in the LGA Guidance.

To recap, the Council carries out numerous consultations every year, both formal and informal. In order to ensure that common and consistent principles are applied in all cases, the Consultation Charter has been developed in accordance with best practice guidance from the Local Government Association and other local authorities, including Bristol and Hounslow. Importantly, the Charter has been informed by The Consultation Institute and its 7 principles of best practice: visibility, accessibility, transparency, disclosure, fair interpretation, publication and integrity (overarching).

In addition, the publication of a Consultation Charter was an action in the Corporate Equality Plan. It supports Equality Impact Assessments by clarifying what specific or general consultation we will do to assess specific impacts.

The Charter contains principles that explain how and when we will undertake consultation and what consultees can expect. Copies of the revised Charter, incorporating the revisions made by the Spotlight Review Group, and a template for consultation plan, as agreed by the group, are included at Annex A.

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

The Charter underpins the priorities for a well-run council and value-for-money services.

10. What risks are there and how can they be reduced?

There are no risks associated with adopting the charter. Adoption will ensure that the council meets best practice consultation standards.

11. Equality Act 2010 (The Act)

11.1 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.

11.2 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.

11.3 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.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

No direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

There are no alternatives.

Chief Executive & Growth Director, Karime Hassan

Author: Bruce Luxton

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

Background papers used in compiling this report:-

[New Conversations: LGA guide to engagement | Local Government Association](#)

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

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Consultation Charter

Introduction

Exeter City Council recognises that to deliver effective services and to make decisions that meet the needs of its residents, business and visitors it must consult on the formation and development of its services and policies.

Consultation is just one element of community engagement and feedback and includes activities such as:

- complaints and suggestion schemes
- interviews, polls, surveys and questionnaires
- user and focus groups
- public meetings and residents' panels

This charter sets out our commitment to meeting best practice in consultation and complying with statutory requirements. The Charter covers all consultations, but recognises that some consultations e.g. boundary changes or the Local Plan, are governed by statutory arrangements or dedicated frameworks, which may include specific requirements.

Scope

1. We will consult residents and other stakeholders whenever a decision will directly affect them and when they might have a reasonable expectation that they should be involved. Consultation subjects may extend beyond the remit of the council's responsibilities and any consultation can be proposed through the scrutiny process. Examples of consultations are:
 - Proposals to redevelop areas of the city e.g. South Street
 - Proposals for new facilities e.g. a leisure centre, or skate park
 - Proposals for new equipment e.g. play equipment or park furniture
 - Proposals for how we deal with our assets e.g. tree strategy
 - Proposals to change our services e.g. closure of toilets, opening hours, service levels
 - Proposals to change a policy e.g. taxi licensing
2. All consultations will follow the four 'Gunning Principles', which dictate that consultation:
 - i. must happen before the decision is made
 - ii. must give sufficient context and information
 - iii. should provide enough time for people to think things over
 - iv. should demonstrate real deliberation and thought over the results

Visibility

3. All our consultations will be published on the Council's website so that residents and stakeholders can easily see what is up for decision and how to participate. A schedule of proposed consultations will be published annually on the council's website on 1st April and updated throughout the year.

4. Major consultations (e.g. city-wide or affecting a large number of people) will be publicised by press release and we will use our publications and social media to promote them.
5. The views of those people, communities or areas most affected by a proposal, and those we would expect to contribute, will be sought. However all members of the public and other stakeholders are welcome to respond to a consultation whether or not they have been specifically invited to do so.

Accessibility

6. Surveys and questions and supporting information will be written in an objective, accessible to enable intelligent consideration and responses.
7. We will provide a named contact for each consultation so that residents and stakeholders know who they can speak to about proposals.
8. Taking into account the nature of the decision, a diverse range of respondents and their advocates, including the views of groups frequently excluded or overlooked, will be sought. The views of non-users, especially when service changes are being consulted on, will also be sought.
9. Consultation plans will consider how people with impaired sight or hearing or people whose first language is not English are able to participate fully.
10. Where groups of people with characteristics protected by the Equality Act 2010 may be particularly affected, the consultation plan will identify who they are and how they will be involved, and an Equality Impact Assessment will be included in the final report.
11. We will allow enough time for consultees to consider and respond to the consultation and the information we have provided. Wide scale public consultations, e.g. citywide or large parts of it, should run for a period of not less than six weeks.

Transparency and disclosure

12. Consultation plans will be produced for all consultations. They will include what we are consulting about, and why, who we are consulting, how we will consult them, the timetable for the consultation, who will make the final decision and how we will provide feedback. Consultation plans will follow guidance in 'New Conversations – the Local Government Guide to Engagement'¹
13. Whenever practical, the Council will involve key stakeholders or their representatives in shaping what we will consult on or how we will consult.
14. Where the Council has a preferred option, we will clearly state this in the consultation documents and explain how and why that preference was chosen. Where specific options have been rejected, we will explain why we do not consider them practical. Where options are offered, they should be realistic and deliverable.
15. Any complaints about the consultation will be published so that decision-makers can assess the effectiveness of the consultation before making their decision.
16. Consultations will be at a time when proposals are at a formative stage to allow the results to influence policy or proposal development.

¹ [New Conversations: LGA guide to engagement | Local Government Association](#)

Fair interpretation

17. We will carefully consider all responses to each consultation, analyse responses promptly and objectively and ensure that the product of consultation is conscientiously taken into account when finalising a decision.
18. We will review and evaluate the effectiveness of each consultation to ensure learning is fed into future consultations.

Publication

19. We will publish results detailing the responses received, and explaining how we have taken these into account in arriving at a decision.



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Draft

Consultation Plan

To be completed for all consultations in line with the council's Consultation Charter
For sign off by service lead and Corporate Manager (Executive Support)

1. Title of consultation	
2. Responsible officers	
Director	
Service lead	
Consultation lead officer	
3. Purpose of the consultation	
<i>Explain why the council is consulting on this issue. Where the council has a preferred option, state this and explain how and why that preference was chosen. Where specific options have been rejected, explain why we do not consider them practical. Where options are offered, they should be realistic and deliverable.</i>	
4. Timing, duration and key milestones	
<i>Set out when will the consultation take place and for how long (6-8 weeks minimum)</i>	
<i>Set out other key milestones e.g. date of report to committee, data analysis schedule and date of publication of results and feedback</i>	
5. Equality Impact Assessment	
<i>Confirm that a EQIA has been completed and date</i>	
6. Consultees and how they will be consulted (survey, public meeting, exhibition, focus group)	
Consultee	Method
<i>Those most affected by the proposal (state who)</i>	
<i>Exeter residents</i>	
<i>General public</i>	
<i>Members (ECC and DCC)</i>	
<i>Partners and other statutory stakeholders</i>	
<i>Other stakeholders</i>	
7. Public Sector Equality Duty	
<i>Set out any special provisions that are required to ensure that people with protected characteristics are able to partake in the consultation.</i>	
Characteristic	Special provision
<i>Age</i>	

<i>Disability(includes mobility, sensory, learning and mental health)</i>			
<i>Race/ethnicity(includes Gypsies and Travellers),</i>			
<i>Sex and gender</i>			
<i>Gender identity</i>			
<i>Religion and belief</i>			
<i>Sexual orientation</i>			
<i>Pregnant women, new and breastfeeding mothers,</i>			
<i>Marriage and civil partnership</i>			
8. Supporting information			
<i>What background information will be provided for consultees and in what format?</i>			
9. Publicity			
<i>How will consultees be made aware of the consultation and the results?</i>			
10. Accessibility			
<i>How will you ensure that consultation material meets accessibility and readability standards? (See intranet)</i>			
11. Demographics			
<i>What demographic data, if any, will be collected on consultees?</i>			
12. GDPR			
<i>If personal data is being collected, confirm that this has been agreed with the Data Protection Officer and that an appropriate privacy statement is included in any surveys.</i>			
13. Resource implications			
<i>Set out which internal resources will support this consultation or provide details of external resource requirements and means of funding.</i>			
14. Carbon Footprint (Environmental) Implications:			
<i>How are carbon/environmental impacts arising from the consultation being addressed?</i>			
15. Approval			
<i>Service Lead</i>		<i>Corporate Manager (Executive Support)</i>	
Name		Name	
Signature		Signature	
Date		Date	

Equality Impact Assessment: Consultation Charter

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

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.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
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<p>REPORT TO CUSTOMER FOCUS AND EXECUTIVE</p> <p>Date of Meetings: 1 and 8 July 2021</p> <p>REPORT TO COUNCIL</p> <p>Date of Meeting: 21 July 2021</p>	<p>Consultation Charter</p>	<p>That Executive recommends approval of, and Council approves, the Consultation Charter.</p>	<p>All. Because the charter states the need for diverse communities to be consulted and information to be made accessible</p>
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Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
<p>Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).</p>	<p>Positive</p>		<p>NB The only negative might be where we have conflicting views from different groups of protected characteristics but these would need to be</p>

			dealt with on a case by case basis and the EQIA that is carried out for that particular project would address these issues.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Positive		
Sex/Gender	Positive		
Gender reassignment	Positive		
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Positive		
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Positive		
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Positive		
Pregnancy and maternity including new and breast feeding mothers	Positive		
Marriage and civil partnership status	Positive		
<u>Actions identified that will mitigate any negative impacts and/or promote inclusion</u>			

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REPORT TO EXECUTIVE

Date of Meeting: 8 July 2021

REPORT TO COUNCIL

Date of Meeting: 21 July 2021

Report of: Electoral Registration & Returning Officer

Title: Parliamentary Constituency Boundary Review

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

This report seeks the Council's view on the recently published Parliamentary Constituency Boundary Review as it affects both the existing Exeter and East Devon Parliamentary constituency's boundaries, as well as the City itself.

2. Recommendations:

It is recommended that the full Council:-

- (1) Decides which of either of the Pinhoe or Priory City Council wards should be suggested for inclusion in a revised Parliamentary Constituency to the east of the City;
- (2) Suggests that the name of any new parliamentary constituency to the east of the city includes a reference to the fact that it includes a significant proportion of the city within its boundary, with the suggestion being Exmouth and East Exeter; and
- (3) Instructs officers to inform the Boundary Commission for England of its views on its proposals.

3. Reasons for the recommendation:

3.1 To ensure that full Council makes a decision on this matter, thereby ensuring all councillors are part of the decision making process.

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

None specific to this report.

5. Section 151 Officer comments:

There are no financial implications for Council to consider contained within this report.

6. What are the legal aspects?

The Council is, via its Returning Officer, obliged to run Parliamentary elections ensuring they follow relevant electoral law.

7. Monitoring Officer's comments:

This report raises no issues for the Monitoring Officer.

8. Report details:

8.1 It is worth pointing out at the very outset of the detail of this matter, that the review being undertaken by the Boundary Commission, is only addressing the boundaries pertaining to parliamentary constituency boundaries, and therefore relates to the election of Members of Parliament. It does not impact on decisions of a local government nature relating to matters within the City Council boundary, which stay with the City Council itself. Similarly, decisions of a County Council nature which affect Exeter, will remain within the County Council for electoral divisions in the City.

8.2 Members will be aware that the City Council's administrative area straddles two existing Parliamentary Constituency boundaries – Exeter and East Devon, with some 80,676 of the city's electorate being in the Exeter constituency, and the remaining 11,512 of the city's electorate being in the East Devon constituency.

8.3 As such, all of the city wards, with the exception of parts of the Priory, St Loyes and Topsham city wards, form the Exeter Parliamentary Constituency, with an electorate of 80,676.

8.4 Parts of Priory, St Loyes and Topsham city wards, form part of the East Devon Parliamentary Constituency, which has an electorate of 75,387.

8.5 Periodically, the Boundary Commission for England undertakes a review of parliamentary constituency boundaries, so as to ensure that as far as possible each constituency has an equal electorate, thereby ensuring equality of representation in Parliament.

8.6 As far as possible, the Boundary Commission tries to have regard to local ties, geographic factors, local government boundaries, existing constituencies, and minimising disruption caused by any proposed change.

8.7 To do this, it uses local government wards as the building blocks for proposed constituencies, but would consider splitting a ward where there is a strong case for doing so.

8.8 Taking into account the electorate across England as at 2 March 2020, it has recommended in this latest review, that each constituency must have an electorate as at 2 March 2020, that is no smaller than 69,724 and no larger than 77,062, and it is the intention to put legislation into place for this, with this being currently expected to be done in late 2023.

8.9 The Exeter Constituency has a current electorate of 80,676 and is therefore deemed too large in the latest comparator figures. The current East Devon constituency which has an electorate of 75,387.

- 8.10 This has necessitated a review of the current boundaries of both these parliamentary constituencies to ensure they are within the parameters set for electorates, as well as to avoid the splitting of city council wards if possible, which, as stated above, is currently the case.
- 8.11 The Boundary Commission has therefore proposed that the existing arrangement be extended to include all of the Priory, St Loyes and Topsham city wards, thereby ensuring that the new Exeter parliamentary constituency electorate falls within the range set by the Boundary Commission, and does not continue the current practice of splitting city council wards.
- 8.12 This concept is to be welcomed in principle as it eases the administrative arrangements for all concerned when running a parliamentary election, including the electors themselves.
- 8.13 This would mean that in the case of the Priory ward, the proposed new parliamentary boundary would stretch into the city as far as Barrack Road. As such, this is an extension of the existing arrangement, and meets the Boundary Commission's criteria of not continuing to split electoral wards. However, it could be argued that this extension of the parliamentary boundary could be considered too far into the urban heart of the City, particularly when it would include the Royal Devon & Exeter Hospital site within its new boundary.
- 8.14 An alternative view would be for the existing Pinhoe ward to be included in the new parliamentary constituency instead of the Priory ward. This would ensure that all three of the most easterly city council wards, which border the east Devon administrative area, are included in the new constituency, allowing for there to be a contiguous boundary between the two authorities. It could also be argued that Pinhoe retains some of its rurality with a distinctive "village" centre, which may sit better with the more rural constituency of Exmouth. However, it would mean that electors in the whole of this area would be transferred on block to a new constituency (for them), which could lead to confusion at the time of an election.
- 8.15 Members may wish to note that the electorates for both the Priory and Pinhoe wards are identical at 6,399. As such therefore, this suggested switch of city ward would make no difference to the electorate of either the Exeter constituency, or the proposed Exmouth constituency (which the Boundary Commission state will be 71,713 and 76,661 respectively which sits within the limits set).
- 8.16 It is therefore suggested that the Council decides which of the two wards (in addition to St Loyes and Topsham) it feels most appropriate should be included in the new Exmouth constituency, and make representations to the Boundary Commission accordingly. Maps which show the two options are attached as appendices to this report.
- 8.17 Members may also wish to consider making representation on the name of the proposed new constituency so that it makes reference to the fact that almost 25% of the city's electorate (3 of its 13 wards) would be included in the new constituency. It is

suggested that the name be changed to Exmouth and East Exeter to recognise this fact.

8.18 The views of the Returning Officer of the East Devon constituency on the above suggestions is "I can see that Pinhoe rather than Priory makes more sense from a city perspective and certainly would sit better with Broadclyst and my "west end", your East of Exeter.

8.19 The full timetable for the Boundary Commission's review is set out at Appendix C.

8.20 It is also worth noting that the Boundary Commission's consultation period is open to anyone, with the closing date for comments on these initial recommendations being no later than 2nd August. Any comments should be sent direct to the Boundary Commission as the decision maker, rather than to the City Council which is a consultee.

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

9. Easily identifiable boundaries for all aspects of government and local government ensure that administrative arrangements for the running of elections are simplified, providing value for money for elections.

10. What risks are there and how can they be reduced?

10. The Returning Officer will ensure that appropriate arrangements are put in place to ensure that the legislative requirements arising from the Boundary Commission's review, are fully enacted to ensure the smooth running of the Parliamentary election.

11. Equality Act 2010 (The Act)

There are no equality issues arising specifically from the content of this report, or its implications. .

12. Carbon Footprint (Environmental) Implications:

No direct carbon/environmental impacts arising from the recommendation

13. Are there any other options?

To not comment on the Boundary Commission's draft proposals, although due to the impact on the city's electorate, it is felt better to comment.

Electoral Registration & Returning Officer, John Street

Author: Electoral Registration & Returning Officer

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

Background papers used in compiling this report:-

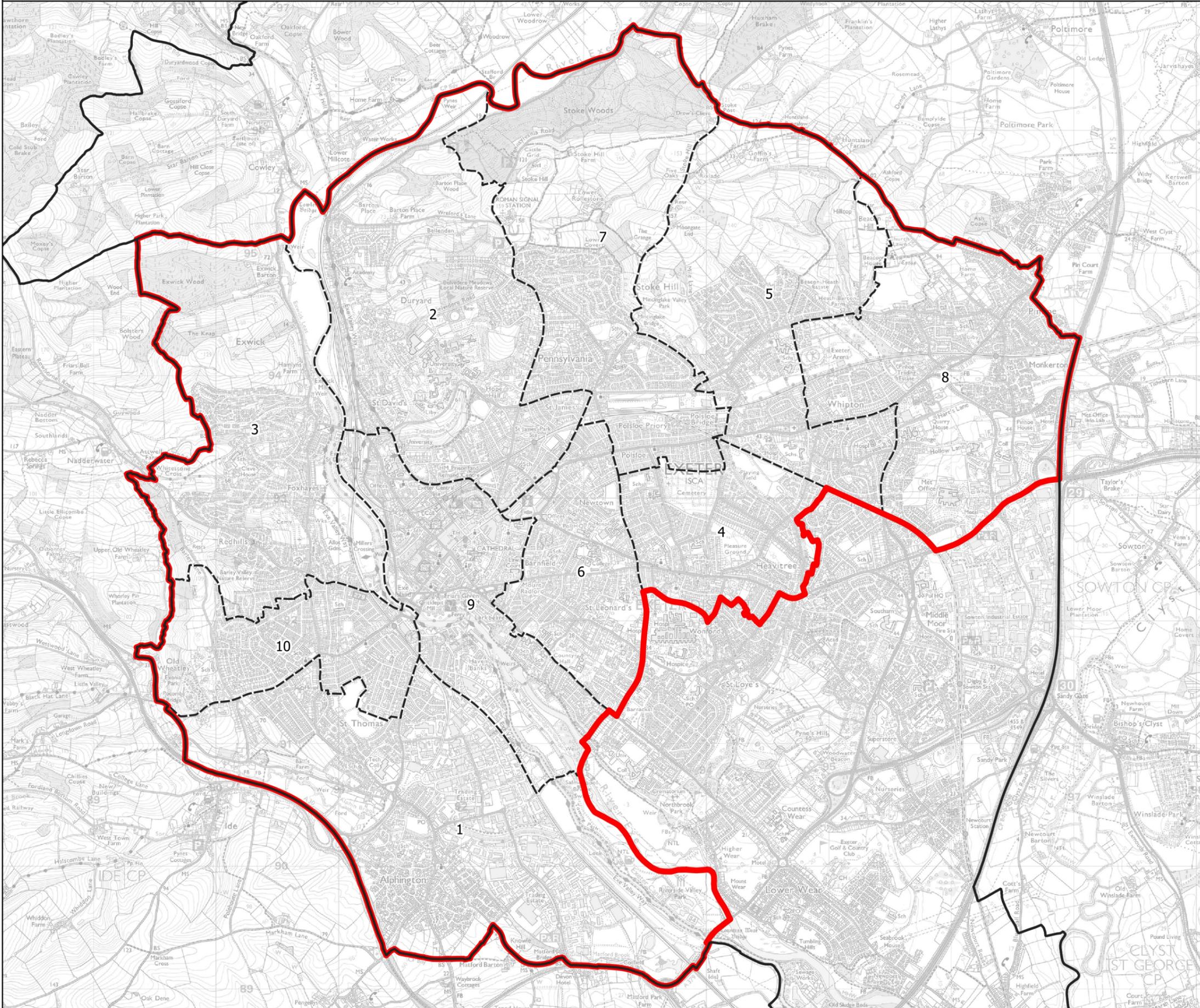
None

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

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- Wards:
- 1 Alphington
 - 2 Duryard & St. James
 - 3 Exwick
 - 4 Heavitree
 - 5 Mincinglake & Whipton
 - 6 Newtown & St. Leonard's
 - 7 Pennsylvania
 - 8 Pinhoe
 - 9 St. David's
 - 10 St. Thomas



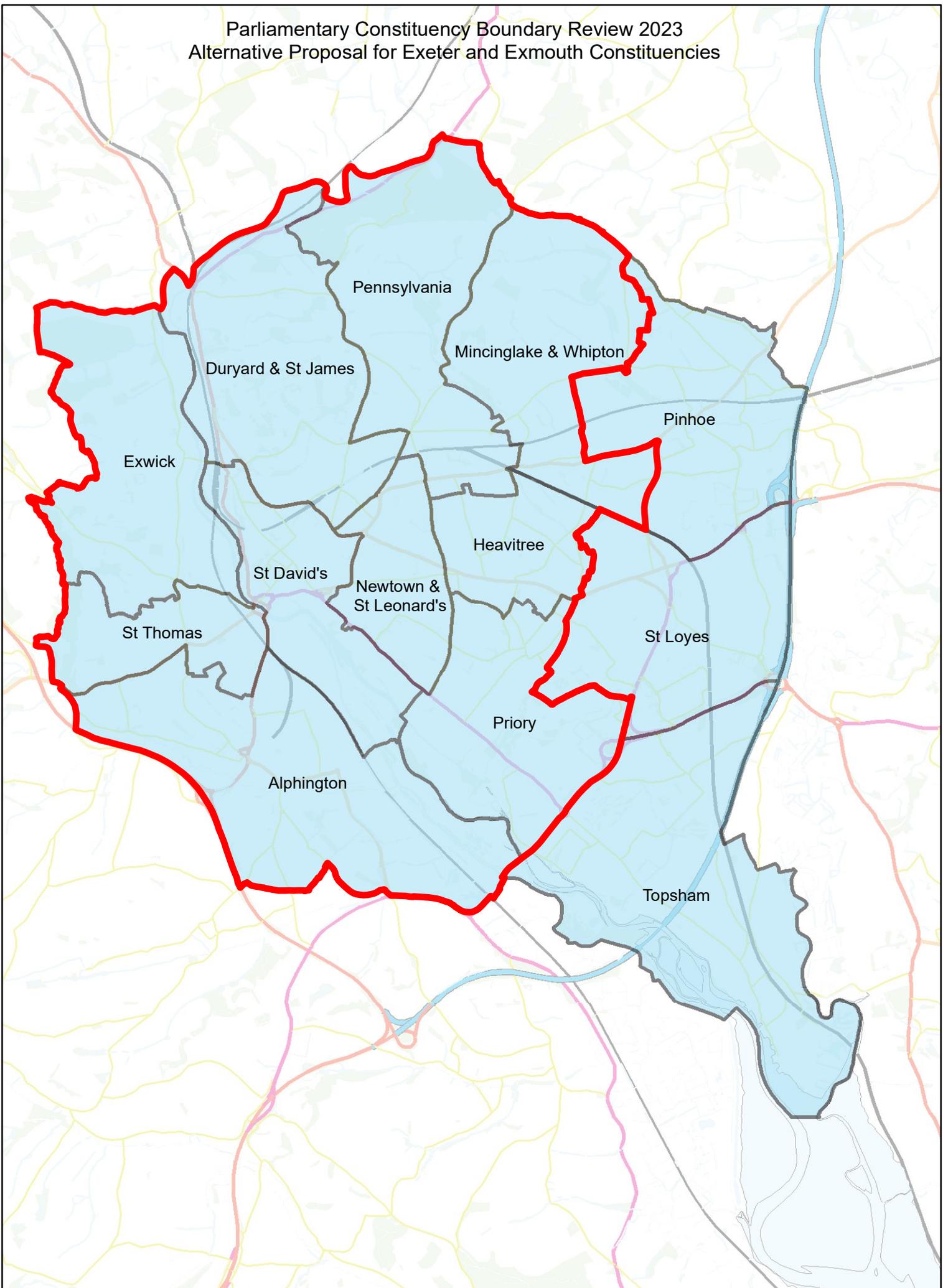
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Parliamentary Constituency Boundary Review 2023
Alternative Proposal for Exeter and Exmouth Constituencies



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APPENDIX C

BOUNDARY COMMISSION TIMETABLE FOR REVIEW OF PARLIAMENTARY BOUNDARIES

8 June - 2 August 2021: Consultation on initial proposals

There is an eight week period of public consultation on our proposals, during which we encourage people to give us their views through this website, in particular describing alternatives they believe would be better.

Early 2022: Secondary consultation and public hearings

All of the responses to the first consultation are published and there is a six-week period of 'secondary consultation', during which people can give us their views on what others have said in the first consultation. There are no new proposals from us at this stage. During this six week period, we will also hold a limited number of public hearings in each English region (more details of these hearings will be made available closer to the time).

Late 2022: Third and final consultation

After analysing all the responses from the first and second consultations, we will make appropriate changes to our initial proposals and publish these 'revised proposals' for a final four-week period of public consultation.

By 1 July 2023: Final report and recommendations

After analysing all the responses to the third consultation, we will make appropriate changes to our revised proposals, and submit our final report and recommendations. This is the end of our involvement in the process.

Late 2023: Recommendations made into law

Within four months of the last of the four Commissions submitting their report, the UK Government must prepare the Order that would bring all their recommendations into law. Following recent changes, this Order no longer needs the approval of Parliament: it is sent directly to the Privy Council. If the Privy Council approves, the new constituencies are used at the next General election following that (not at any interim by-elections).

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REPORT TO EXECUTIVE

Date of Meeting: 8 July 2021

REPORT TO COUNCIL

Date of Meeting: 21 July 2021

Report of: Deputy Chief Executive

Title: East Devon, Exeter, Mid Devon and Teignbridge Joint Strategy: scope, resourcing timetable and governance

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 This report seeks formal agreement of the scope, resourcing, timetable and governance arrangements for preparing a non-statutory Joint Strategy for East Devon, Exeter, Mid Devon and Teignbridge Councils.

2. Recommendations:

2.1 That Executive recommends that Full Council support the scope, resourcing, timetable and governance arrangements set out in section 8 of this report to Executive for preparing a non-statutory Joint Strategy for East Devon, Exeter, Mid Devon and Teignbridge Councils.

3. Reasons for the recommendation:

3.1 Following the end of work on the Greater Exeter Strategic Plan (GESP), a non-statutory Joint Strategy covering strategy and infrastructure matters is considered to be the most appropriate way of ensuring a collaborative and co-ordinated approach to meeting development needs across the sub-region. The scope, resourcing, timetable and governance arrangements proposed in this report are considered to offer the most appropriate way to deliver a Joint Strategy in a timely manner.

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

4.1 As set out in the report to Executive of 1 December 2020 and to Full Council of 15 December 2020, the resources required for preparing the Joint Strategy will be less than were previously committed for the GESP. This is because a non-statutory plan:

- will not be subject to statutory consultation arrangements or a public examination;
- will not include development allocations, which require extensive site investigation work and master planning;

- can draw on the significant amount of evidence already collected for the GESP. Additional evidence may be required to support the Joint Strategy, but it will not be above what would have been required for the GESP; and
- will require less staff resource than the preparation of a statutory plan.

4.2 Sufficient funds are available in the GESP budget to cover the proposed approach to preparing the Joint Strategy set out in this report.

5. Section 151 Officer comments:

5.1 There are no additional financial implications for Council to consider contained in this report.

6. What are the legal aspects?

6.1 The need for Exeter City Council to work collaboratively with neighbouring authorities on strategic planning matters is established by the 2011 Localism Act and the NPPF, which set out that local authorities have a legal Duty to Cooperate with other local authorities and organisations to seek to address strategic planning matters that are driven by larger-than-local issues and are likely to have an impact beyond the immediate District. Section 33A of the Planning and Compulsory Purchase Act 2004 sets out that to maximise effective working on strategic matters throughout the preparation of plans, authorities have a duty to engage constructively, actively and on an ongoing basis.

7. Monitoring Officer's comments:

7.1 This joint non statutory plan will be an important document that sets the vision and infrastructure plan for the Greater Exeter Area. However, whilst it will be a material planning consideration, it will have less weight than a statutory plan.

8. Report details:

8.1 On 15 December 2020, Full Council resolved in principle to prepare a joint non-statutory plan for the Greater Exeter area in partnership with East Devon, Mid Devon and Teignbridge District Councils and with the support of Devon County Council. The joint plan (hereafter referred to as the Joint Strategy) will include joint strategy and infrastructure planning matters and will be prepared in place of the statutory Greater Exeter Strategic Plan (GESP), on which all of the authorities were working in partnership until then end of 2020. The same resolution was made by the relevant committees of each authority during December 2020 / January 2021.

8.2 The reasons for recommending the preparation of the Joint Strategy in place of the GESP are set out in full in the 15 December report and are not reiterated in detail here. In summary, in place of the statutory GESP, a non-statutory Joint Strategy covering strategy and infrastructure matters:

- is considered to be the most effective way of addressing the shared and inter-linked planning concerns that affecting the four authorities;
- will help to fulfil legal Duty to Cooperate requirements, thereby assisting with the preparation of each authority's Local Plan;

- will demonstrate continued joint-working by the authorities on planning matters, which is vital to help lever in funding to the area to support delivery, particularly for critical strategic infrastructure;
- will help to establish a recognisable 'brand' for the area, which may assist when making bids for Government (or other) infrastructure and delivery funding; and
- will enable the local authorities to continue to share expertise and jointly commission relevant evidence to support their Local Plans, with potential cost saving and consistency benefits.

8.3 The 15 December report advised that proposals for the Joint Strategy's scope, resourcing, timetable and governance would be brought to Full Council at the earliest opportunity. This report seeks Full Council's agreement of those details, which have been directed by discussions with Leaders and relevant Portfolio Holders / Executive members, together with the Chief Executives and/or relevant Directors of the four local authorities and representatives from Home England and the Local Enterprise Partnership (LEP). The relevant committees of East Devon, Mid Devon and Teignbridge District Councils have, or will shortly be, considering the same recommendations, with the aim of achieving an agreed approach to joint planning in the sub-region.

Scope of the Joint Strategy

8.4 In order to achieve the benefits of preparing the Joint Strategy set out in paragraph 8.2 above, and as further directed by the discussions referred to in paragraph 8.3 above, the proposed scope of the Joint Strategy is to:

- provide an opportunity for the authorities to jointly identify a clear, ambitious future for the area;
- demonstrate a commitment to joint working on strategic matters;
- distil the key strategic issues facing the area, to enable each of the authorities' Local Plans to respond in a way that reflects local conditions and support joint evidence preparation where appropriate;
- act as a prospectus to lever-in external funding to overcome strategic issues and unlock development;
- Be a non-statutory-living document which can be easily kept up to date to reflect evolving priorities and local conditions.

8.5 As regards the bullet points two and three, the Joint Strategy will not be a statutory plan and therefore will not set the planning policies of the four authorities. This will be the role of Local Plans and Members will recall that a Local Development Scheme setting out the timetable for preparing the new Exeter Local Plan was agreed at Executive on 1 June 2021. Instead, the Joint Strategy will provide an overarching framework that allows strategic planning and delivery matters to be considered collaboratively.

8.6 As regards the final bullet point above, it is proposed that the Joint Strategy should not be a one-off document. Instead it can be updated over time and as necessary to

reflect the content of Local Plans as they are adopted, or new strategic infrastructure priorities and projects as they emerge.

Resourcing

8.7 The Leaders have considered the following range of options for resourcing progress on the Joint Strategy:

- Divide the work equally between officers from the four authorities;
- Re-establish a dedicated team of officers from available resources within the authorities;
- Externally recruit a Project Manager to lead the project and work alongside a group of officers from the authorities (who would provide support in a limited time capacity);
- Complete an initial draft of the Joint Strategy in-house, then engage a consultant to progress the work on behalf of the authorities, supported in a limited capacity by a group of officers;
- Engage a consultant to prepare the Joint Strategy on behalf of the authorities, supported in a limited capacity by a group of officers.

8.8 Appendix A provides some high-level commentary on the pros and cons of the five resourcing options.

8.9 In considering the options, Leaders have been clear that the Joint Strategy should be prepared promptly, so that its aforementioned benefits can be realised as soon as possible. At the same time, following the demise of the GESP, the four local planning authorities are prioritising work on their individual statutory Local Plans. Collectively, the authorities do not have the in-house resources available to prepare the Joint Strategy alongside Local Plans.

8.10 For these reasons, it is proposed to engage a consultant to prepare the Joint Strategy on behalf of the authorities (option 5). In doing so, the consultant will be expected to make use of the considerable body of joint planning evidence that was prepared for the GESP. Details of how the consultant's work will be managed are provided in paragraph 8.17 and 8.18 below. The consultant will be required to demonstrate the skills and knowledge needed to ensure the effectiveness of the Joint Strategy as a significant proposition to the Government and be able to present and undertake consultation on the Joint Strategy in creative ways.

8.11 Sufficient funds are available in the GESP budget to cover the proposed approach to resourcing.

Timetable

8.12 The proposed timetable for preparing the first version of the Joint Strategy is as follows:

- Jun-Jul 2021: Formal agreement by relevant authority committees of scope, timetable, resourcing and governance of the Joint Strategy
- Jul-Aug 2021: Engage a consultant to prepare the Joint Strategy
- Sept-Dec 2021: Review previous joint planning work and prepare the draft Joint Strategy
- Jan-Feb 2022: Undertake Member and stakeholder engagement
- Mar-Apr 2022: Finalise draft Joint Strategy
- May-June 2022: Seek formal agreement from relevant authority committees of the draft Joint Strategy
- Jul-Aug 2022: Publicly consult on the draft Joint Strategy
- Aug-Sept 2022: Finalise the Joint Strategy
- Sept-Oct 2022: Seek formal agreement from relevant authority committees to adopt the Joint Strategy

8.13 The proposed timetable to achieve adoption of the first version of the Joint Strategy is reasonably swift, in order that the benefits set out in paragraph 8.2 of this report can be realised as soon as possible. The Strategy will not be a statutory planning document and therefore will not be subject to the same statutory requirements for stages of public consultation and Examination as a Local Plan. This means that it can be prepared more speedily than a Local Plan. However, given the proposed scope of the Joint Strategy, it is important that members, stakeholders and local communities are given an opportunity to have their say on the content of the document. Time for such consultation is therefore included in the proposed timetable.

8.14 There are sufficient funds available in the GESP budget to take the Joint Strategy through the stages set out in the timetable, including public consultation.

8.15 Since the Joint Strategy will not be a statutory document, Members should note that the proposed timetable is not a Local Development Scheme and may therefore be subject to change. However, there is a clear intention to adopt the Joint Strategy no later than October 2022.

8.16 The stages of preparation needed for any future iterations of the Joint Strategy will depend upon the nature of revisions to the document. It should not be necessary to publicly consult on revisions that arise from the adoption of Local Plans, as these will already have been subject to statutory public consultation through the Local Plan adoption process.

Governance

8.17 The diagram at appendix B summarises the proposed governance structure for the Joint Strategy.

8.18 In summary, the proposed governance arrangements will see the Joint Strategy prepared by a Project Lead (the appointed consultant), supported in a limited capacity by a small working group of experienced planning and/or delivery officers from each of the authorities. The work of the Project Lead will be managed by a

Project Assurance Group (PAG) comprising the planning or delivery leads from each authority. PAG will in turn report to a Principals group comprising the Chief Executives or Directors from each authority and representatives from Homes England and the LEP acting in an advisory capacity. The involvement of Homes England and the LEP in the Principals group is vitally important in respect of a key role of the Joint Strategy – i.e. its use as a prospectus to help lever-in funding to support development delivery.

8.19As set out in paragraph 8.11, the timetable includes member consultation on the draft Joint Strategy in January and February 2022. The nature of this consultation is yet to be determined. Final decision-making powers to agree the draft and final versions of the Joint Strategy will rest with the relevant committees of the four local planning authorities.

Conclusions

8.20This report sets out the proposed scope, resourcing, timetable and governance arrangements for preparing a Joint Strategy for East Devon, Exeter, Mid Devon and Teignbridge. The proposed arrangements are considered to offer the most appropriate means to deliver a non-statutory Joint Strategy in a timely manner, thereby helping to demonstrate and ensure continued successful joint planning across the sub-region.

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

9.1 Agreement of the proposed scope, timetable, resourcing and governance arrangements for the Joint Strategy will enable the document to be progressed in a timely manner. The Joint Strategy will provide a co-ordinated response to the sub-region's strategic economic, climate, housing, environmental and infrastructure issues and help to secure central government investment. The recommended decision will therefore support the delivery of three corporate objectives: Building Great Neighbourhoods; Tackling Congestion and Accessibility; and Promoting Active and Healthy Lifestyles.

10. What risks are there and how can they be reduced?

10.1The Joint Strategy will be jointly prepared by four authorities, with support from Devon County Council. This means that Committee decision will be required from the four authorities at similar times to enable milestones to be reached. There is a risk that one or more of the authorities does not approve the Joint Strategy, in either its draft or final form. To help avoid this eventuality, the proposed governance arrangements set out in this report will help to ensure that members from each authority are given significant opportunities to shape the Joint Strategy as it is prepared.

11. Equality Act 2010 (The Act)

11.1 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.

11.2 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.

11.3 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.

11.4 As the detailed content of the Joint Strategy is still to be determined, the Council's Policy Officer for Community Safety, Safeguarding, Equality and Diversity advises that an equalities impact assessment is not necessary at this stage. An equalities impact assessment of the Joint Strategy will be undertaken when it is brought to Executive and Full Council for approval at draft stage.

12. Carbon Footprint (Environmental) Implications:

12.1 Climate change mitigation and adaptation should form a key part of joint planning work. By its nature, climate change cannot be addressed by one authority working in isolation. Measures to tackle climate change also need to acknowledge cross-boundary transport movements and other strategic matters. The arrangements proposed in this report will enable the Joint Strategy to be prepared in a timely manner, providing an opportunity to adopt at the earliest opportunity a non-statutory Joint Strategy that supports the emerging Devon Carbon Plan and considers the carbon emissions and climate change impacts of development and transport over a wider area than just Exeter. Because of this, the Joint Strategy is likely to be more beneficial to climate change policy compared with seeking to achieve carbon neutrality in just one district, albeit that the implications will depend to an extent upon the specific joint planning strategy that is chosen.

13. Are there any other options?

13.1 The Joint Strategy could be prepared with an alternative scope and different timetable, resourcing and governance arrangements from those set out in this report. However, in each case, the proposals are considered to offer the best option for demonstrating and delivering a shared approach to strategic planning matters such as economic and housing development, carbon reduction, digital connectivity, infrastructure delivery and habitats mitigation across the sub-region, whilst enabling each local planning authority to retain control over the scope and timetable of statutory Local Plans.

Deputy Chief Executive, Bindu Arjoon

Author: Katharine Smith, Principal Project Manager Local Plans

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

Background papers used in compiling this report:-

None

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

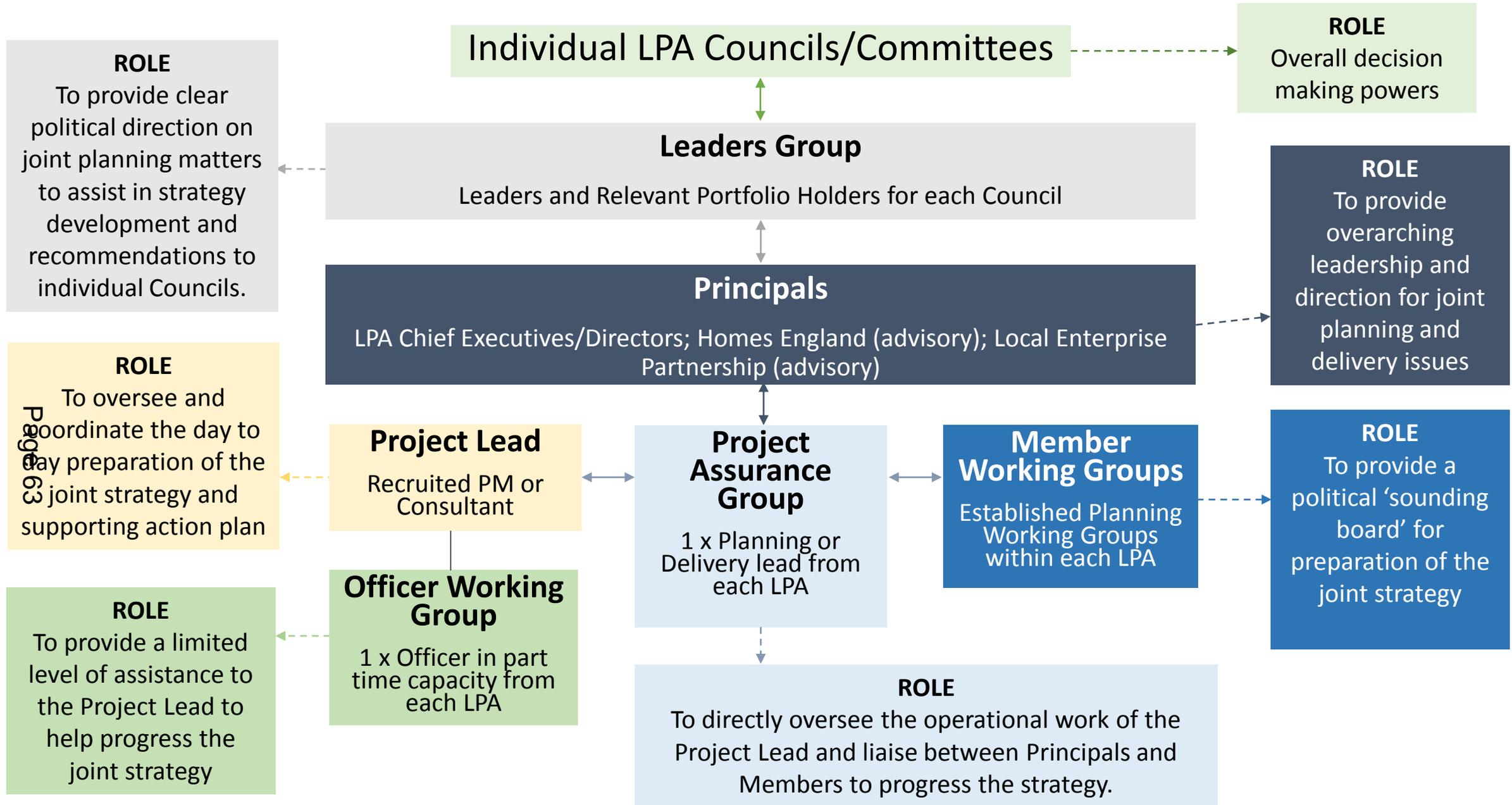
Assessment of options to resource the Joint Strategy

Option	Pros	Cons
<p>1. Work on the joint strategy is split equally between the 4 authorities</p>	<p>The joint strategy will start to be prepared within the shortest timeframe possible.</p> <p>Officers preparing the Joint Strategy will have the benefit of local knowledge, previous involvement in GESP and close ties with the evidence, stakeholders and Members.</p> <p>No additional cost.</p>	<p>No overall lead officer is in place to project manage the work, ensure consistency, etc.</p> <p>Due to timescales and approach to resourcing, there will be limited opportunity to explore different ways to present the Joint Strategy. It's therefore likely that the document would be prepared in a chapter format, similar to the GESP.</p> <p>It will require some authorities to pause work on their Local Plan for at least two months in order to resource the work.</p> <p>There is potential for major editorial/stylistic differences between the different sections, as they will be prepared by different authorities.</p>
<p>2. Re-establish a dedicated team of officers from available resources.</p>	<p>Officers preparing the Joint Strategy will have the benefit of local knowledge, previous involvement in GESP, and close ties with the evidence, stakeholders and Members.</p> <p>An overall lead will be appointed to project manage the work, ensure consistency, etc.</p> <p>There will be potential to explore different/creative ways of presenting the Joint Strategy.</p> <p>No additional costs unless recruitment is required.</p>	<p>Will require the redistribution of resources within existing teams and the reprioritisation of workload/review of Local Plan timetables. This is likely to result in delays to Local Plan preparation unless additional resource is brought in.</p> <p>Could take at least a couple of months to organise the redistribution of resources and amend Local Plan timetables, and/or externally recruit additional resource.</p>

<p>3. Externally recruit a Project Manager to lead the project and work alongside a group of officers from the authorities (who would provide support in a part time capacity)</p>	<p>A dedicated lead officer will project manage the work, ensure consistency, etc.</p> <p>The supporting group of officers will have the benefit of local knowledge, previous involvement in GESP, and close ties with the evidence, stakeholders and Members.</p> <p>There will be potential to explore different/creative ways of presenting the information</p>	<p>Will create an additional resource cost, although funds are available in the GESP budget, The PM will need to initially be employed on a fixed term 1 year contract, but this might need to be extended if work is not completed within this timeframe.</p> <p>Will take several months to go through the process of job evaluation for a new post and recruitment.</p> <p>Still likely to require a reasonable level of resource from Local Plan teams to support the work, with potential knock-on effects for Local Plan preparation.</p>
<p>4. Completed an initial draft in-house, then engage a consultant to progress the work on behalf of the authorities, supported in a limited capacity by a group of officers</p>	<p>The supporting group of officers will have the benefit of local knowledge, previous involvement in GESP and close ties with the evidence, stakeholders and Members.</p> <p>The consultant could coordinate consultation, which is resource intensive.</p>	<p>Will create an additional resource cost, although funds are available in the GESP budget (Planning Delivery Fund).</p> <p>Will take a couple of months to go through competitive tender recruitment process – but could be done alongside a draft being prepared.</p> <p>There is potential for confused project management between the early and latter stages. Also, there is no dedicated project manager in place in the early stages (see options 1 and 2).</p> <p>There is potential for conflict between the initial draft and final versions, due to different people working on the Joint Strategy.</p> <p>Use of officer time in preparing the first draft will result in delays to Local Plan preparation.</p> <p>Consultants may not have the benefit of local knowledge, and will not have previous involvement in</p>

		<p>GESP or close ties with the evidence, stakeholders and Members. This can be managed to a large degree by ensuring that all Member-facing work is undertaken by officers and that PAG carefully steer the work of the consultant.</p>
<p>5. Engage a consultant to prepare the Joint Strategy on behalf of the authorities, supported in a limited capacity by a group of officers</p>	<p>There will be a dedicated project management to oversee the work.</p> <p>A consultant is likely to have additional skills and knowledge to improve the effectiveness of the Joint Strategy as a significant national proposition to government.</p> <p>It offers the potential to explore different/creative ways of presenting the Joint Strategy.</p> <p>Having a small group of officers supporting in a limited capacity should not affect Local Plan preparation.</p>	<p>Will create an additional cost resource, although funds available within the GESP budget (Planning Delivery Fund).</p> <p>Will take a couple of months to go through competitive tender recruitment process.</p> <p>Consultants may not have the benefit of local knowledge, previous involvement in GESP, and close ties with the evidence, stakeholders and Members. This could be managed to a large degree by ensuring that all Member-facing work is undertaken by officers and that PAG carefully steer the work of the consultant.</p>

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Leaders Group

Who?

Leaders and Relevant Portfolio Holders for each Council

Role

To provide clear political direction on joint planning matters to assist in strategy development and recommendations to individual Councils.

Key responsibilities

- Provide political leadership, governance and direction for decision making;
- Actively work with nominated Leaders of the other authorities to deliver an agreed approach to joint planning matters;
- Ensure full engagement of elected members for their authority in joint planning matters.

Principals

Who?

LPA Chief Executives/Directors; Homes England; Local Enterprise Partnership

Role

To provide overarching leadership and direction for joint planning and delivery issues

Key responsibilities

- Advise and agree at a strategic level on priorities and risks associated with joint planning matters;
- Have overall accountability for joint planning work;
- Ensure that adequate resources are available and provide direction between conflicting work priorities
- Review status reports.

Project Assurance Group

Who?

1 x Planning or Delivery lead from each LPA

Role

To directly oversee the operational work of the Project Lead and liaise between Principals and Members to progress the strategy.

Key responsibilities

- Ensure work is implemented to agreed timelines and deliverables;
- Anticipate and manage business related issues that may affect work progress;
- Manage budget;
- Manage procurement of evidence as required;
- Manage resources.

Project Lead

Who?

Recruited Project Manager or Consultant

Role

To oversee and coordinate the day to day preparation of the joint strategy and supporting action plan

Key responsibilities

- Project management of the production of the joint strategy;
- Reporting to the Project Assurance Group and other governance groups as required on progress;
- Liaison with external partners where required;
- Reporting to relevant Member Working Groups of the 4 Councils as required on progress achieved;
- Co-ordination of external communications in association with public consultation.

Officer Working Group

Who?

1 x Officer in part time capacity from each LPA

Role

To provide a limited level of assistance to the Project Lead to help progress the joint strategy

Key responsibilities

- Supply Project lead with relevant evidence and information;
- Undertake data collation exercises;
- Assist in consultation arrangements and liaison with communications teams.

Member Working Groups

Who?

Established Planning Working Groups within each LPA

Role

To provide a political 'sounding board' for joint planning and delivery issues

Key responsibilities

- Provide local context, political advice and guidance on planning matters being progressed through joint planning channels;
- Provide views on proposed consultation and engagement arrangements.

REPORT TO EXECUTIVE

Date of Meeting: 8 July 2021

Report of: Deputy Chief Executive

Title: Exeter Local Plan: Issues consultation document

Is this a Key Decision?

Yes

Is this an Executive or Council Function?

Executive

1. What is the report about?

- 1.1. The report explains the commencement of work on the new Exeter Local Plan and seeks approval for public consultation on an initial 'Issues' document which explores the scope of the new Local Plan, topics it could cover and some initial concepts regarding future development in the city.

2. Recommendations:

2.1 That the Executive approve the new Local Plan 'Issues' document (Appendix A) as the basis for public consultation for eight weeks commencing in September 2021; and

2.2 That the Executive gives delegated authority to the Deputy Chief Executive, in consultation with the Council Leader and Portfolio Holder for City Development, to agree minor changes to the Local Plan 'Issues' document before it is published for consultation.

3. Reasons for the recommendations:

- 3.1. As the Local Planning Authority for Exeter, the City Council has a statutory duty to prepare planning policy for the city. The two principal development plan documents for the city are the Core Strategy adopted in the 2012 and the Local Plan Review adopted in 2005. Both these documents are more than five years old and were prepared before the publication of the National Planning Policy Framework. Although they still form the key part of the development plan for Exeter and they retain 'weight' when making planning decisions, new statutory planning policy is required. This will be provided by the new Exeter Local Plan.
- 3.2. Public consultation is an important part of the process for preparing planning policy because it provides an insight into the issues facing the local area. It also provides the public and interested organisations with an opportunity to inform the content of policy. Legislation requires that the first formal consultation in the preparation of a local plan considers the subjects which the plan will cover. The 'Issues' consultation document explores the issues facing Exeter and therefore holding a public consultation would fulfil the legislative requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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

- 4.1. Staff and budgets required to prepare the Local Plan have already been agreed at Council on 21 July 2020. The recommendations made in this report result in no direct additional resource implications.

5. Section 151 Officer comments:

- 5.1. There are no additional financial implications for Council to consider contained within this report.

6. What are the legal aspects?

- 6.1. The preparation of planning policy, usually through a Local Plan, is a legal requirement under section 19 of the Planning and Compulsory Purchase Act 2004. This report seeks approval to hold an initial consultation on an 'Issues' document for the new Local Plan in order to comply with the provisions of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 18 requires the local planning authority to undertake a statutory consultation process. This requires the Local Planning Authority to identify and engage with all those who might be interested in the development or content of the local plan at an early stage in the local plan making process. Regulation 18 sets out the procedure to be followed by the Local Planning Authority.

7. Monitoring Officer's comments

- 7.1. Members will note the statutory duty to prepare a local plan for the City. The public consultation process is an essential part of the statutory scheme which must be followed in order to prepare a new local plan.

8. Report details

Background

- 8.1. The two key development plan documents for Exeter are currently the adopted Local Plan Review and the adopted Core Strategy. Both these documents are more than five years old and were prepared before the publication of the National Planning Policy Framework. The new Local Plan is needed to replace the existing Local Plan Review and the Core Strategy and will be the statutory planning policy document for the city. The Issues consultation will be the first consultation during the preparation of the new Local Plan and will provide an early opportunity for the public, interested organisations and the wider community to influence the direction of the plan in advance of further work on policy preparation.
- 8.2. As set out above, the new Local Plan will be the key, formal, statutory planning document for the city. Executive is also to consider a report at this meeting covering the scope and arrangements for jointly preparing a non-statutory Joint Strategy for the wider area, working alongside East Devon, Mid Devon and Teignbridge District Councils. This Joint Strategy document will cover cross-boundary issues and strategy and infrastructure matters. It will not however be a statutory planning document and will not be part of the formal development plan for Exeter.

Requirements for the Local Plan 'Issues' consultation

- 8.3. The current processes and stages required in the preparation of the new Local Plan are set out by legislation. Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out that consultation with specific bodies

should be undertaken on the scope of a plan. Consultation on this 'Issues' consultation document fulfils this legal requirement and goes beyond the minimum requirements because a full, public consultation is proposed.

Content of the Local Plan 'Issues' consultation document

8.4. The 'Issues' consultation document is included at Appendix A. It explores the role of the new Local Plan and its scope. In doing so, it includes a series of sections which include:

- The role of the new Local Plan and what it will include;
- A range of planning-related issues which the new Local Plan could cover;
- A vision to guide the future of Exeter up to 2040 drawing on the current wider Council vision for the city;
- A discussion on the pattern of future development in Exeter informed by the approach taken to focus on brown-field development as included in the Liveable Exeter programme; and
- A consideration of the potential elements of high quality development in Exeter.

8.5. The issues suggested for inclusion in the new Local Plan are:

- Climate emergency;
- Health and wellbeing;
- Homes;
- Economy and jobs;
- The future of high streets;
- High quality places and design;
- Historic environment and culture;
- Sustainable transport and communication; and
- Infrastructure and community facilities.

Consultation process

8.6. The consultation will be in accordance with both the current and draft Statement of Community Involvement which is proposed for a parallel consultation with the Issues Local Plan document. A separate report covering the draft Statement of Community Involvement is to be considered by Executive at this meeting. Consultation will also be undertaken in-line with the emerging Council Consultation charter. It will include opportunities for discussion with Members, the wider public, stakeholders and any other interested organisations.

8.7. Detailed consultation arrangements will be made in due course. Such arrangements will be set out in a Consultation Plan. However the consultation will:

- Start in September and run for a period of eight weeks;
- Include accessible consultation material;
- Include a survey of questions on each section of the document together with an 'open' question on the new Local Plan as a whole;
- Include digital communication via the planning website and social media;
- Include hard copies of consultation materials in specified public places
- Include some public exhibitions to enable face-to-face discussion (subject to the prevailing Covid-19 regulations);
- Be advertised in the local media, online and via social media; and
- Be advertised to the Council's existing planning policy consultation contact list.

After the 'Issues' consultation

8.8. A report will be brought back to Executive exploring the comments made to the consultation and explaining how they will be taken into account in shaping the next stage of the new Local Plan - the draft plan document. This will be consulted on in September 2022.

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

9.1. The Issues consultation document is the first tangible stage in the preparation of the Local Plan which will be critical to ensure the delivery of three corporate objectives set out in the Council's Corporate Plan:

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

The Local Plan will also play a central role in tackling congestion and accessibility, the focus of one of the three strategic programmes that addresses the current major challenges facing the city.

10. What risks are there and how can they be reduced?

10.1. There is a statutory requirement for Local Planning Authorities to prepare a Local Plan and the 'Issues' consultation would meet the requirements of current planning legislation for the early involvement of appropriate groups in the plan-making process.

10.2. Government is, however, proposing significant changes to the planning system. The Planning White Paper: 'Planning for the future' proposed fundamental reforms to the planning system including regarding the scope and content of Local Plans and the potential timetables for their preparation. The May 2021 Queen's Speech set out the potential provisions of the new Planning Bill which will look to legislate for these changes. If all these proposals were to be enacted, there would be implications for the scope of the new Local Plan and the process for its preparation. Irrespective of the future format of the new Local Plan, an early phase of public engagement as provided for by the 'Issues' consultation is still required and will be an important step in providing the significant engagement as envisaged by the planning reforms.

11. Equality Act 2010 (The Act)

11.1. 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.

11.2. 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.

11.3. 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.

- 11.4. In recommending the Issues document for consultation, no potential negative impact has been identified on people with protected characteristics as determined by the Act because the 'Issues' consultation document does not include policy nor development sites. The associated public consultation will include a variety of engagement methods making consultation material widely available. The consultation will be undertaken in accordance with the emerging Consultation Charter and the draft Statement of Community Involvement which is itself subject to a separate Equality Impact Assessment.

12. Carbon Footprint (Environmental) Implications:

- 12.1. There are no direct carbon/environmental impacts arising from the recommendations to hold a public consultation on the 'Issues' document of the new Local Plan. However, the inclusion of digital consultation methods will minimise the carbon footprint associated with holding the consultation. In addition, in identifying the potential themes which the plan could cover, the 'Issues' document includes the climate emergency as a central consideration.

13. Are there any other options?

- 13.1. Consultation is a key part of the Local Plan process as required by legislation. A less formal and a narrower initial consultation for this stage of the New Local Plan could be held whilst still meeting legislative requirements. This is not, however, considered to be appropriate as it would limit the opportunity for the wider public to inform the early stages of preparing the plan.

Deputy Chief Executive, Bindu Arjoon

Author: George Marshall – Assistant Service Lead: Local Plan

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

Background papers used in compiling this report:-
Adopted Exeter Core Strategy.
Adopted Exeter Local Plan Review.

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

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New Exeter Local Plan



Issues consultation document

Regulation 18

Date 2021



New Exeter Local Plan

Exeter City Council is starting work on a new Local Plan. This plan will shape the future of Exeter for the next twenty years and will be the basis for how the city continues to evolve and meet the needs of the community. It will be the main planning policy document for Exeter, setting out where development should take place and it will be vital in making decisions on planning applications.



Why we need a new Local Plan and what it will include

Each Council is required to have an up to date Local Plan to guide development so that it meets the needs of the community and the local area. Exeter's current plans (the Core Strategy and Local Plan First Review) are now becoming older and the Council and its neighbouring partners are no longer progressing the Greater Exeter Strategic Plan. As a result, the city needs a new Local Plan. The new Local Plan will eventually replace the existing plans and will cover the years between 2020 and 2040.

The new Local Plan will sit alongside Neighbourhood Plans and the Devon Minerals and Waste Plans in providing the planning policy for Exeter.

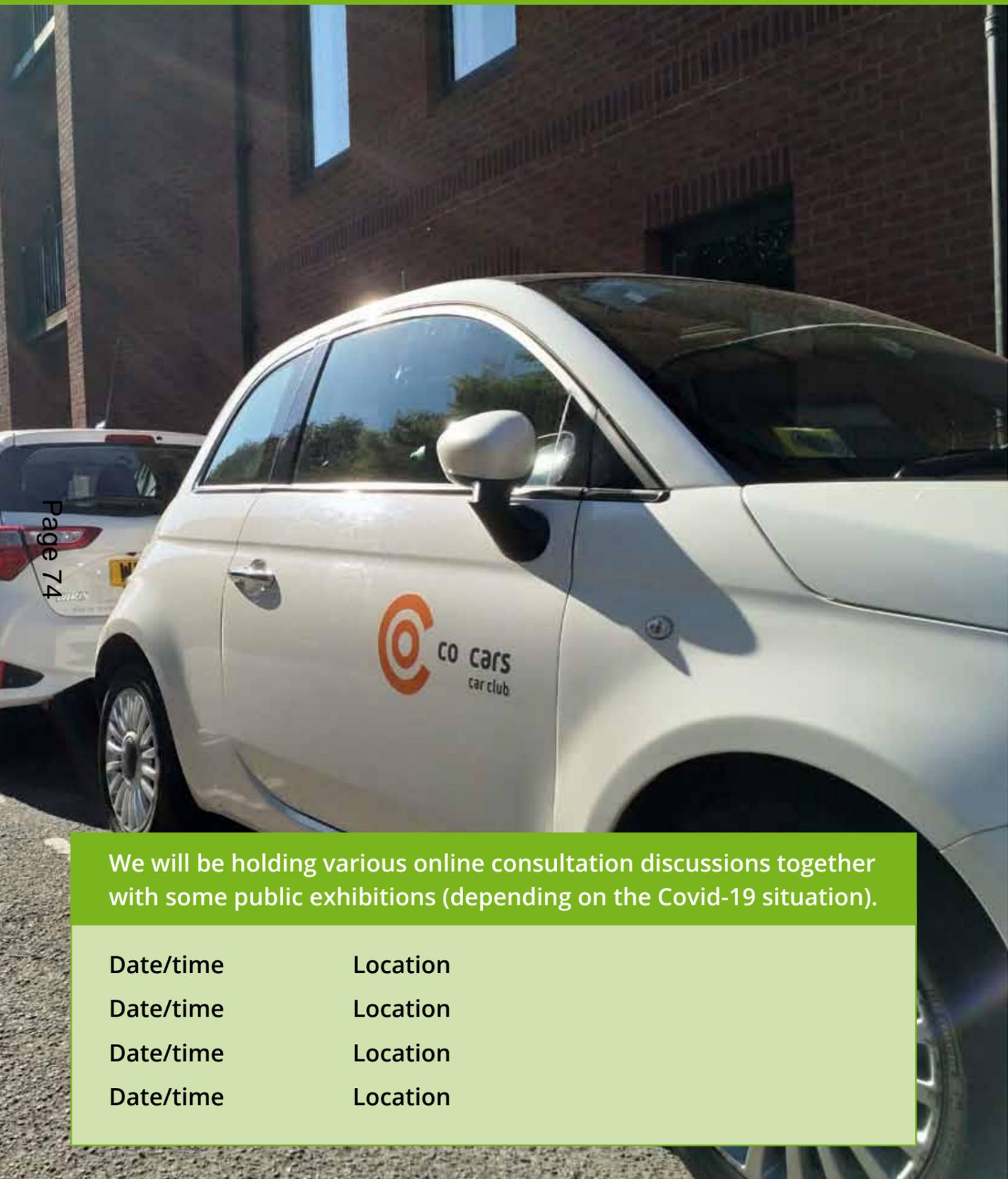
We are proposing that the new Local Plan will include:

- A vision and objectives
- A strategy setting out how the city will evolve and how development will take place
- A series of policies to guide decisions on planning applications
- Sites for housing, jobs and other types of development
- Proposals for environmental protection and enhancement
- Proposals for infrastructure projects
- A system for monitoring the effectiveness of the Local Plan

These elements will allow the Council, the community and other organisations to make the most of the opportunities in Exeter, tackle our key issues and help ensure a thriving city going forward.

Question 1:

Do you have any
comments on
the content of
the new Local Plan
and its relationship
with other plans?



Page 74

The aim of this 'issues' document and how to comment

The new Local Plan can only be effective if it covers the key issues facing the city. This document explains what we think the main issues are and seeks views on them.

We will use the comments to shape the first draft of the plan which will be consulted on in 2022.

How to get involved and give your comments

You can make comments on this document between xxxx September and xxxx October 2021.

For more information and to provide your comments online, please visit: www.exeter.gov.uk/????

If you have any questions or would like to respond in a different way please email ????@exeter.gov.uk or phone 01392 265 xxx

To be kept informed of progress on the new Local Plan without responding, please contact us providing your name and email address at: www.exeter.gov.uk/????

We will be holding various online consultation discussions together with some public exhibitions (depending on the Covid-19 situation).

Date/time	Location



The issues

The existing evidence and knowledge we have gained from working on previous local plans and the Greater Exeter Strategic Plan has helped us to identify an initial set of issues that we think Exeter and its communities are facing. You may want to suggest some other issues and we are keen to hear them. The issues that we have identified so far are below and on the next pages.



Climate emergency

The Council has declared a Climate Emergency and pledged to work towards creating a carbon neutral city by 2030. The Net Zero Exeter 2030 Plan has been adopted by the Council and sets out what Exeter will need to put in place in order to be net-zero carbon by 2030.

The new Local Plan will include policies and proposals that contribute to meeting this challenging ambition and to make the most of the opportunities of a net zero carbon city.



Health and wellbeing

Generally, Exeter is a healthy city with high levels of walking and cycling, large areas of green space and access to a range of health facilities. However, people living in its more disadvantaged areas can have comparatively poor health, lower literacy and may experience frailty earlier. Traffic has led to increases in air pollution and noise in some areas. Crime and anti-social behaviour can be a concern. Housing quality can also significantly affect health.

The new Local Plan will play a part in improving health and wellbeing by supporting ambitions to achieve increases in physical activity to get 50 per cent of people walking or cycling to work, improving air quality and providing quality housing.



Homes

We know that housing is a big issue. The Government requires around 630 new homes in Exeter each year and Covid-19 has underlined just how much we need good quality housing. The new Local Plan will need to help address the shortage of affordable homes in the city and consider how best to provide the good quality accommodation we all need. Young adults, families, older people, those with disabilities, students and gypsies and travellers all have specific housing needs which we need to meet.



The issues



Economy and jobs

The city is at the heart of the Greater Exeter area and has one of the fastest growing economies in the UK. Whilst Exeter has like all cities, been significantly impacted by Covid-19, predictions are that it will be one of the quickest to bounce back. There is a strong ambition to grow the economy with a focus on innovative business sectors, making the most of a skilled workforce.

The new Local Plan needs to support the economy and green growth by identifying the employment sites and infrastructure we need. This will help to increase prosperity and wellbeing.



The future of high streets

A vibrant and prosperous city centre with complementary bustling neighbourhood shopping areas is central to the success of the city. However, traditional high streets are under pressure through the growth of online shopping, a trend accelerated by Covid-19, and so we need to re-think how they function. Leisure, cultural attractions and the night-time economy are likely to play an increasingly important role in attracting people to our high streets and will help support our offer for tourists.

The new Local Plan will support the high street as it evolves and continues to play a central part in our lives.



High quality places and design

The quality of the places in which we live and work is fundamental for so many reasons, including to support our health and well-being, attract investment and generate pride in our city. Development offers opportunities to create high quality places that respond to Exeter's distinct characteristics, reflect local culture and integrate with existing communities, promoting social cohesion and healthy lifestyles.

The Local Plan must ensure that development is located in the right place and provides well-designed buildings and spaces.



The issues



Historic environment and culture

Exeter's rich historic environment is part of what makes the city unique and special and helps to shape the city's culture today. It improves our communities' quality of life and pride in the city and helps to support our economic prosperity.

New development inevitably raises challenges for our historic environment, but the new Local Plan provides an opportunity for us to protect and enhance our historic assets whilst celebrating and exploring the culture of the city and our communities as they evolve



Natural Environment

The city enjoys a high quality natural environment, with valley and city parks, public rights of way and the Exe Estuary. The hills to the north and north-west of the city give Exeter a distinctive character while the city also contains a rich variety of wildlife habitats.

The new Local Plan will need to manage development pressures on our local environment to provide benefits for landscape character, wildlife, flood risk and air quality and to help us to combat climate change.



Sustainable transport and communication

The way we travel will be vital to the success of Exeter. It will be central to achieving net zero carbon, growing prosperity, healthy lifestyles and improvements to our environment. In future, travel won't just be about whether we walk or drive - digital communications will also be key.

The new Local Plan will need to ensure that Exeter is resilient to changes in travel, supporting innovative development in the right places show-casing real options and fresh approaches to transport.



The issues



Infrastructure and community facilities

Our communities rely on local infrastructure to function and prosper; transport infrastructure helps us to get around, Drs' surgeries provide our health care, schools educate our young people, digital infrastructure helps us to communicate and greenspace and leisure facilities provide us with the opportunity to relax.

The new Local Plan will be vital to identify the infrastructure which we need, ensuring it is provided in the right way, at the right time and in the right places.

These are an initial set of issues which we think the city is facing. We would like to hear your thoughts on them.

Question 2:

Are these the main
issues facing Exeter?
Are there any issues
which we should
change, add
or remove?





Exeter's future

We want to make sure that the new Local Plan deals with the current issues we face, helps us make the most of the city's opportunities and supports a bright future for local people, the environment and the economy. A clear and ambitious vision for the city will help the plan to achieve these aims.

In Exeter, the City Council's 'Vision 2040' is central to steering the future of the city and is guiding the work of the Council and other key organisations including the organisations on the Liveable Exeter Place Board. The new Local Plan will be a key document in achieving this vision.



Our Vision:

Exeter has a vision for growth as a connected city region consisting of thriving linked communities set within an exceptional environmental setting. This clear vision represents a commitment to strengthen neighbourhoods; create new communities; invest in sustainable transport; and deliver the infrastructure needed to attract investment and improve quality of life.

Page 80
Exeter aims to be recognised as a leading sustainable city and global leader in addressing the social, economic and environmental challenges of climate change and urbanisation. We are striving to make Exeter the most active and accessible city in England. Exeter City Council's corporate plan is focussed on tackling congestion and accessibility, promoting active and healthy lifestyles and building great neighbourhoods.

The vision has seven key elements:

- An innovative and analytical city
- A healthy and inclusive city
- The most active city in the UK
- Accessible world class education
- A Liveable and connected city
- A leading sustainable city
- Culture

Question 3:
**Do you have any
comments to make
on this vision for
the new Local Plan?**



The pattern and quality of future development in Exeter

A key role for the new Local Plan will be to set out a sustainable pattern of development for Exeter which will help to deal with the issues we have identified and achieve the vision for the city. Planning for development proactively will mean we can steer it to appropriate locations where impacts can be managed and where it will have the most significant benefit.

Our current planning documents include a strategy for meeting our development needs in terms of housing, jobs, shopping, community facilities and infrastructure. We need to review this approach to make sure it will be appropriate for the future. The key strands of the current approach to meeting the city's development needs are included below.

- Focus on the city centre, existing centres, and previously developed land, including the regeneration of the Grecian Quarter (around Sidwell Street and the bus station) and the Water Lane area (around the canal in the Haven Banks area)
- Provide for additional development in sustainable urban extensions on the edges of the city
- Steer development away from the hills to the north and north west - the important landscape areas for the city



Reviewing the pattern of development

Some of this strategy will need to be looked at again to reflect that times have changed. For example, there are more limited opportunities for large scale urban extensions now given that the developments at Newcourt and Monkerton are nearly complete. We are also now looking at the key regeneration benefits which development on brownfield sites can provide.

This evolving situation has led the Council to start a housing delivery programme called Liveable Exeter¹. This will create new homes for the city through a series of eight, high quality development sites. On the back of this work, Exeter has been recognised as a 'Garden Community' which brings support from Government to make sure that the city grows in a sustainable way with a real focus on high quality development working well for local communities. This approach will play a key part in steering the pattern and quality of development for the city in future. Some potential ideas which could be used to shape a future development strategy for Exeter are included on the next page.

¹ Liveable Exeter: <https://www.liveableexeter.co.uk/about#vision>



Ideas which could shape the future pattern of development in the city

- Redevelopment of brownfield land in the city
- Higher density development in the city centre and close by
- Smaller developments on the edges of the city
- Steering development away from sensitive environmental areas such as the Exe Estuary and hills to the north and north west of the city
- Locating development to maximise walking and cycling and to make use of public transport infrastructure and services

Question 4:

Do you have any comments on the ideas which could shape the future pattern of development in Exeter?

Ideas which could shape the future quality of development in the city

These are sometimes called 'Garden City principles'

- Build distinctive development with local identity
- Ensure well-designed, vibrant places with a mixture of uses
- Support healthy lifestyles
- Provide a variety of high quality and flexible homes
- Deliver appropriately designed infrastructure when it's needed
- Provide developments for local employment, education and skills
- Enhance the natural and historic environment
- Provide green infrastructure such parks and open space
- Ensure that development will produce 'net-zero' carbon emissions
- Deliver high quality active travel and low carbon transport
- Make sure that development is resilient to future change

Question 5:

Do you have any comments on the ideas which could shape the future quality of development in Exeter?



What happens next?

This issues consultation is the first step in preparing the new Local Plan. We will use the comments on this document alongside evidence on a range of topics to shape a draft of the new Local Plan which will be consulted on in 2022. After that, a final draft document will be published for comment before it is submitted to the Planning Inspectorate for Examination. A Planning Inspector will use a series of Examination discussions to decide whether the plan needs any changes and then if it can be adopted by the Council.

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Question 6:

Are there any further comments you would like to make on the new Exeter Local Plan?



New Exeter Local Plan



Thank you very much for taking the time to look at this document.

Your views are valued and responses to the questions will help shape the future of the new Exeter Local Plan.

We consider requests on an individual basis.

Contact details

Local plan team, Exeter City Council,
Civic Centre, Paris Street, Exeter, EX1 1JN

01392 265 ???

????@exeter.gov.uk

exeter.gov.uk/planning-services

Please contact us to request this information in an alternative format or language.

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REPORT TO EXECUTIVE

Date of Meeting: 8 July 2021

Report of: Deputy Chief Executive

Title: New Statement of Community Involvement

Is this a Key Decision?

No

Is this an Executive or Council Function?

Executive

1. What is the report about?

1.1 The report concerns Exeter's new Statement of Community Involvement (SCI). This is a document, that every Local Planning Authority must prepare, that sets out how the public, organisations and other interested parties will be involved in planning matters. The new SCI will replace the existing SCI that was adopted in 2005.

1.2 The draft SCI (attached to this report as Appendix A) will be published for consultation alongside the Exeter Local Plan 'Issues Consultation' due to take place this autumn. A report will then be brought back to Executive to summarise consultation responses and explain how the SCI has been amended. The final SCI will then be adopted by the Council.

2. Recommendations:

2.1 That the Executive approves the contents of the draft SCI (Appendix A) for public consultation for eight weeks commencing in September 2021; and

2.2 That the Executive gives delegated authority to the Deputy Chief Executive, in consultation with the Council Leader and the Portfolio Holder for City Development, to agree minor changes to the draft SCI document before it is published for consultation.

3. Reasons for the recommendation:

3.1 To provide an up-to-date SCI that addresses all legislative requirements, and ensures the public, organisations and other interested parties can input into decisions on planning applications and help inform the new Exeter Local Plan.

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

4.1 Consulting on the draft SCI will take place at the same time as the Exeter Local Plan 'Issues Consultation' and has no additional resource implications.

5. Section 151 Officer comments:

5.1 There are no additional financial implications for Council to consider contained within this report.

6. What are the legal aspects?

The preparation of an SCI, setting out how a local authority will involve its communities, businesses and other interested parties in the preparation of planning policies and in determining individual planning applications, is a legal requirement under section 18 of the Planning and Compulsory Purchase Act 2004. There are currently no formal or regulatory requirements setting out how an SCI should be prepared and there is no legal requirement to consult on its contents. However, it is considered best-practice to consult on a draft SCI before it is adopted.

7. Monitoring Officer's comments:

The Monitoring Officer has no additional comments.

8. Report details:

Background

8.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare an SCI which covers how the Council will consult on planning policy and planning applications. Exeter's existing SCI was adopted in 2005 and is therefore somewhat dated. Furthermore, the Town and Country Planning (Local Planning) England Regulations 2012 requires Local Planning Authorities to review their SCI every 5 years from adoption. A review of the existing SCI reveals that it does not meet the current legislative requirements, specifically in that it fails to specify how the authority will deal with the duty to support Neighbourhood Planning.

8.2 The draft SCI meets the legislative requirements, balances the need to consult with the need to make rapid progress on the new Exeter Local Plan, and has been drafted to allow flexibility in changing times.

The Draft SCI

8.3 The draft SCI recognises that planning affects us all, shaping the places we work in, live in and the services and facilities we use. As such it is important that everyone understands how they can comment on and be involved in making these decisions regarding planning policy and planning applications.

8.4 The aim has been to produce a draft SCI that takes a clear and logical approach so that it is useable by the general public. Efforts have been made to avoid technical language and the document has been designed so that it is attractive and accessible. The text attempts to answer key questions that individuals and organisations may have in relation to community involvement, namely:

- How do we consult?
- Who do we consult?
- What is the best way to make a comment?
- What can I comment on?
- What happens to the comments you make?

8.5 We are living in uncertain times. The ways in which we have undertaken engagement and consulted with the public has had to change over the last year. Whilst going forward Covid-19 restrictions are likely to ease, it will be necessary to remain flexible in our approach to community involvement. The draft SCI allows for this flexibility of approach whilst making a clear commitment to meet all legislative requirements.

8.6 What is unlikely to change, at least in the foreseeable future, is the resource constraint that the council must operate under. This document recognises that resources are limited and therefore focuses on practical consultation methods which can be used going forward. In a key revision to the current SCI, the new document puts more emphasis on digital communication to go alongside more traditional approaches.

8.7 The draft SCI, proposed for consultation, is attached at Appendix A to this report.

Consultation

8.8 Whilst there is no legislative requirement for consultation on the SCI, it is proposed to consult on this document for a period of eight weeks to meet best practice and adhere to the Councils' Consultation Charter. The draft SCI will be published on the Council's website so that residents and stakeholders can easily see what is proposed and how to comment.

Way Forward

8.9 Once the consultation period is complete, responses will be analysed and consideration given to what changes may be needed to the draft SCI. A report will be brought back to Executive detailing the results of the consultation, explaining how we have taken these into account and providing the final document. This document will be recommended for adoption.

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

The new SCI, when adopted, will determine how we consult on planning applications and planning policy, including the new Exeter Local Plan. In this way the new SCI will help deliver development that meets three corporate objectives; "Building Great Neighbourhoods", "Tackling Congestion and Accessibility" and "Promoting Active and Healthy Lifestyles".

10. What risks are there and how can they be reduced?

10.1 Uncertainty has been introduced by the Government's stated intention to reform the planning system. Whilst the Queens Speech in May of this year committed to introduce a Planning Bill, which could possibly be brought to Parliament in the autumn, the timing, and certainly the contents, are by no means clear. Furthermore, the Government has warned Local Planning Authorities not to delay in response to this and has stressed that transitional arrangements will be put in place. Nevertheless, the introduction of new legislation could mean changes are needed to the SCI prior to adoption or an early review of the SCI will be needed. We will keep members informed as more clarity from the Government emerges on the extent of reforms, when they will be effective and any transitional arrangements.

10.2 Therefore, whilst there are no specific risks associated with consulting on the draft SCI, there is a risk that external factors (such as the introduction of the Planning Bill or new Government legislation related to covid-19) may mean that the SCI needs to be revised prior to adoption. We will report back to Executive following consultation and advise if any changes are needed.

11. Equality Act 2010 (The Act)

11.1 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.

11.2 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.

11.3 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.

11.4 In recommending this proposal, potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

There are no direct carbon/environmental impacts arising from the recommendations. However, the draft SCI suggests the potential use of significant electronic, online and social media platforms which will help minimise the carbon impact of consultations.

13. Are there any other options?

Whilst the preparation of an up-to-date SCI is a statutory requirement, there is an option of not consulting on the SCI; this is not, however, considered to be appropriate as it is best practice to consult and ensures adherence with the Councils' Consultation Charter.

Deputy Chief Executive, Bindu Arjoon

Author: Jill Day, Principal Project Manager – Local Plans

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

Background papers used in compiling this report:-

- Statement of Community Involvement (Adopted 13 December 2005)
- Equality Impact Assessment: Draft SCI

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

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Appendix A

Exeter Statement of Community Involvement



Draft for consultation

Date 2021



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Chapter 1. Introduction

Planning affects us all, shaping the places we work and live and the services and facilities we use. Planning decisions shape our lives and it is important that everyone can comment on and be involved in making these decisions. We need residents, businesses and other organisations to use local knowledge and expertise to help shape places and provide ideas so that we understand what you feel is best when making decisions about development in Exeter.

Exeter City Council, as the local planning authority, is required to explain how we will involve the community in decision making. This Statement of Community Involvement (SCI) is a legal requirement and sets out how we want to involve our communities, organisations and other interested parties when we prepare our planning policies and make decisions on planning applications.

We will use different ways to work with you so that everyone can be well informed and understands how they can contribute, engage with and influence planning policy and decisions on planning applications. People with local knowledge are valuable in helping to shape the places that they live and work, particularly as they are the people who will be most affected by the decisions made.



Planning Policy:

The Development Plan - Exeter City Council, as a local planning authority, is responsible for deciding where development takes place. All local planning authorities are required to produce what is called a 'Development Plan'. The development plan is the starting point for determining planning applications, although there are other matters which will be considered as part of decision making.

The Development Plan can consist of a single planning document or a series of planning documents. Taken together, these documents will steer the future development of the area. More specifically, the documents must set out the council's priorities for development, identify sites for development and provide a comprehensive set of policies to address both strategic and detailed planning issues.

Supplementary Planning Documents (SPDs) - Local planning authorities can choose to develop separate documents to provide additional detailed guidance to support the policies set out in the Development Plan. SPDs can be used to provide further guidance for development on specific sites or on a particular issue. SPDs must also be taken into account when making planning decisions.

Neighbourhood Planning - Communities may decide to produce a Neighbourhood Plan for their area; if, following a successful referendum, the plan is 'made', the policies within it becomes part of the Development Plan and must be considered when making decisions on planning applications. Exeter City Council, as local planning authority, has a duty to support the communities that may choose to undertake Neighbourhood Planning.

Planning Applications and Permissions:

Planning Permissions - Planning Applications are required for a specific development at a specific location, which can range from an extension to someone's house to proposals for larger schemes such as new shopping centres, offices and housing developments. These applications are submitted to the local planning authority for a decision as to whether planning permission is granted. This decision will be made in accordance with the planning policies in the Development Plan and any other relevant considerations.

Other Planning Permissions - Some forms of development require a prior notification to the Council of the intention to undertake works and in some cases consultation with neighbours may be carried out in accordance with legal requirements. Certain types of development do not require planning permission as they are Permitted Development.

More information:

Further information in relation to both planning policy and planning applications can be found on our website www.exeter.gov.uk

Or, if you still have questions, the teams can be contacted via email and phone:

Planning Policy

General enquiries:
???@exeter.gov.uk
01392 265XXX

Planning Applications and Permissions

General enquiries:
planning@exeter.gov.uk
01392 265223

¹ Under the Planning and Compulsory Purchase Act 2004



Chapter 2. Community involvement in planning

This chapter sets out Exeter City Council's general approach to involving communities in planning decisions. It covers those elements of our approach that are common to planning policy and planning applications and permissions. It answers the following questions:

- How do we consult?
- What is the best way to make a comment?
- What can you comment on?

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The chapters that follow deal with the elements of our approach to consultation that are specific to planning policy (see chapter 3) and planning applications and permissions (see chapter 4).

How do we consult?

We will consult in a variety of ways ensuring that methods are proportionate to the scale and impact of the plan, policy or proposal, appropriate to those we need to consult and within available resources. Such methods may include:

- **Digital communication**

Website, emails, video conferencing, social media, online discussions

- **Paper communication**

Letters, site notices, local press, documents made available at public libraries and other public buildings

- **Face to face discussions**

Meetings, exhibitions, through local elected Members, representative groups, workshops

Documents may also be available in different languages or formats (such as large print or Braille) if requested.

What is the best way to make a comment?

We would prefer you to contact us electronically as this saves time and cost. We prefer comments to be made to us online, as this is quicker and means that your comments are more readily available. However, we understand that not everyone can or wishes to contact us online and therefore written or emailed comments can be made, but we cannot take your views by telephone or via social media (unless part of a formally organised Exeter City Council event).

With both planning policy and planning applications, the ways you can respond, and the timescales, will be set out in the consultation information and we will also give you any relevant reference numbers to quote to ensure your comments are matched with the relevant planning application or section of a policy document.



What can I comment on?

Some examples of relevant planning matters are listed below:-

Relevant planning matters include:

- National and local planning policies
- Effect of the proposed development on the appearance of an area
- Quality of design and how the proposal fits in
- Significant overbearing impact and loss of sunlight and daylight (e.g. significant overshadowing from a new building)
- Loss of privacy to neighbouring properties
- Economic benefits of the proposal
- Effect on parking, traffic and highway safety issues
- Significant increase in noise and general disturbance
- Loss of important trees or impact on wildlife
- Intrusion into the countryside
- Impact on historic buildings or structures

Concerns which are not normally relevant to the planning process:

- Loss or harm to a private view
- Loss of property value
- Breach of private covenant
- Loss of trade to a competitor
- Level of profit a developer might make
- Personal circumstances of the applicant (other than in exceptional cases)
- Character of the applicant
- Nuisance caused by building works
- Moral objections (e.g. to uses such as amusement arcades and betting offices)
- Boundary or neighbour disputes
- Conflict with private access

Oral, defamatory, offensive or anonymous comments cannot be taken into consideration.

We need to ensure our consultation is valid and therefore we will need to ask for the names and contact details of consultees and any organisations that they represent (if appropriate). We may also need further information to help us understand who is responding and to help monitor the effectiveness of the ways we consult.

When comments are received they will be uploaded to the relevant part of the website (planning application or plan consultation) once email addresses and personal signatures have been removed.



Chapter 3. Planning policy

This section focuses on planning policy; it seeks to explain the process and sets out how you can get involved.

Exeter Development Plan

Exeter Core Strategy
Exeter Local Plan First Review

Neighbourhood Plans
(produced by neighbourhood planning groups)

Minerals and Waste Plans
(produced by Devon County Council)

**Supplementary
Planning
Documents**

**Statement
of Community
Involvement**

**Local
Development
Scheme**

Authority Monitoring Report

At the heart of planning policy is the Development Plan which is the starting point for making decisions on planning applications. The existing Development Plan includes the Exeter Core Strategy, which sets out the vision for Exeter and includes policies to address strategic issues, and saved policies from the Exeter Local Plan First Review, which sets out more detailed policies. The Exeter St James Neighbourhood Plan has been 'made' and also forms part of the Development Plan.

Supplementary Planning Documents (SPDs) can be used to provide further guidance for development on specific sites, or on specific issues and, once adopted, are also a relevant consideration when making decisions on planning applications.

Planning policy also includes other process documents including this one, the Statement of Community Involvement (SCI), and the Local Development Scheme (LDS) which sets out the timescale for the production of policy documents.

Who do we consult?

We are committed to open and honest dialogue with the community and try to include a wide range of groups, organisations and individuals in the writing of planning policy. This section explains who we consider to be the 'community'.

'The community' means residents, businesses, community and interest groups, landowners, developers, adjoining local authorities, government agencies and any other individuals, groups and organisations interested in the development and use of land in the City. We have developed a list of consultees based on relevant legislation, planning practice guidance, our past experience and previous consultations. Anyone can request to be added to, or removed from, this planning policy consultation database at any time.

Legislation sets out requirements for who we should consult, and when, in relation to planning policy. There are certain bodies or organisations that we must consult and we also consult others as needed. Sometimes policies or proposals will have a localised impact within a particular area and in this instance consultation is carried out on an area basis rather than across the City as a whole. This is subject to fulfilling the minimum legal requirements.

Figure 1: Planning Policy



Under-represented groups:

We want to hear from all members of our community, but are particularly keen to hear from those groups who may often be under-represented in the planning processes, including those groups with protected characteristics under the legislation. These groups include, but are not limited to:

- Children and young people
- Young adults
- Lone parents
- Those with disabilities (both physical and mental)
- Those who don't speak English as their first language
- Black and minority ethnic people
- The Traveller community including Irish Traveller and Romany Gypsy community
- Liveaboard boaters / boat dwellers
- The military
- Residents who work outside Exeter
- People who work in Exeter but live elsewhere
- Religious groups
- Those from a lower socio-economic background
- Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community
- Carers

We will work with other teams within the Council and with partner organisations (including Exeter Connect – see glossary) to help us reach the under-represented groups so they may have more of a voice in shaping planning decisions.

How do we consult?

We will select the most appropriate consultation methods depending on what document we are producing, what we are seeking to achieve and what stage in the process we have reached. We may communicate using:

- Website – progress on producing documents will be reported on the website and consultation documents will be available to view.
- Document deposit points – paper copies of consultation documents will be made available at Exeter Civic Centre and at libraries.
- Direct notification – Notification, by email or by post, to interested bodies, organisations or individuals that the Council considers would have an interest in the consultation or need to be consulted according to legislation.
- Face-to-face consultation – Presentations, exhibitions, or information events for the public and other interested parties to discuss proposals and find out how to make representations. If appropriate, more involved engagement methods may include bespoke meetings of representative groups, workshops, or focus group sessions where a specific issue needs more in-depth discussion.
- Online events – the use of digital platforms for video calls, conferencing and discussions.
- Media advertising – Radio, TV, newspapers and social media may be used to notify stakeholders of an opportunity to view and/or comment on planning documents.

On the next page we explain in more detail how and when we will publicise and provide information in relation to the various elements of planning policy.

² Town and Country Planning (Local Planning) Regulations 2012, Regulation 18 (2)(c)

³ Equality Act 2010

⁴ The Town and Country Planning (Local Planning) (England) Regulations 2012



The Development Plan (formal planning policy):

Producing the development plan is a lengthy process. A significant amount of technical evidence is required to support the plan, we need to take account of the National Planning Policy Framework and Planning Practice Guidance (see glossary) and wide ranging input is needed from organisations and communities.

We will use a variety of approaches to obtain comments and feedback and to ensure there is ongoing engagement and exchange of information throughout the plan preparation process. The various stages of Development Plan preparation will require different forms of consultation, some formal and some less formal. However, in every case the aim is to provide residents and communities with knowledge and understanding about issues which may affect them, and provide opportunities for those interested to give us their opinions and share local knowledge. For formal stages of consultation the minimum legal requirements are set out in relevant legislation. However, we may go beyond these requirements where necessary in relation to specific issues. In some cases we may engage through workshops, exhibitions and online events.

Formal consultations will be for a minimum of 6 weeks. We will try to avoid holding consultations during August and over the Christmas/New Year period. However, where this is unavoidable, due to the need to make progress, we will ensure a reasonable part of the consultation period lies outside these periods.

During each stage of consultation the scope will be made clear and we will provide a named contact so that people know who they can speak to about the proposals. There will often be a list of questions available to direct your responses. The style of questions we ask will need to evolve as the plans progress. For example, early consultations may include wide-ranging, less formal questions and in later consultations the questions may become more specific and formal. This is needed to make sure we hold consultation in-line with legislation.

Once a plan is fully drafted and is submitted to the Secretary of State, an independent examination discusses whether it is 'sound' and legally compliant. The examination usually involves informal discussions which are held by the Inspector to discuss specific issues which they think are relevant. We will publicise information about the progress of the examination on the website, including any information about hearing sessions. The Inspector will have access to all the written comments made at the final publication consultation and will also have a report written by us summarising the main issues and the response to them. The Inspector may still wish to hear verbal presentations from interested people or organisations and may subsequently require us to make modifications to the plan before it goes on to be adopted by the Council.

The key stages of the process for development plan preparation are set out at Appendix A.



Supplementary Planning Documents:

The process for the production of SPDs also involves the need to gather evidence, and engage with relevant bodies and interested parties and the public, but due to the less formal (non-statutory) nature of SPDs, there is only one formal stage of consultation (for a minimum of 4 weeks) when anyone can make comments. There is no public examination of the document.

The Council will consider comments made through the consultation stage and, if necessary, will incorporate changes into the document. Engagement and consultation may be targeted to relevant groups and organisations depending on the SPD subject matter and impact.

The key stages of the process for SPD preparation are set out at Appendix B.

Page 101 Neighbourhood Plans:

Neighbourhood Plans are led by the community for the community. Those communities will ultimately be asked to vote on the final draft of the Neighbourhood Plan in a referendum.

Although Neighbourhood Plans form part of the Development Plan once 'made' i.e. agreed through referendum, the plans are not produced or written by Exeter City Council; they are usually developed by a 'Neighbourhood Forum' (NF) and cover a specific area. However, Exeter City Council does have responsibility for parts of the process and offers advice and assistance to support the production of a Neighbourhood Plan.

Exeter City Council has adopted a 'Neighbourhood Planning Protocol' which aims to provide clarity for local communities in terms of how we will support neighbourhood planning. A process checklist is also available to help ensure that communities meet the legislative requirements. Both documents are available to view on our website:

<https://exeter.gov.uk/planning-services/planning-policy/neighbourhood-planning/>

The key stages of the process for Neighbourhood Planning are set out in Appendix C.

What happens to the comments I make?

We will take any comments you make on planning policy into account and, where appropriate, changes will be incorporated into the subsequent version of the document. All comments will be published once email addresses and personal signatures have been removed.

The comments made by individuals and organisations will be balanced against evidence, comments from statutory bodies (based on their expertise), legal requirements, national and local policies, and other relevant considerations. Inevitably there will be times when the Council does not consider alterations to the policy document (or other policy document) are necessary.

In the case of the Development Plan individuals and groups will have a further opportunity to make their views known through the public examination process (see Appendix A).



Chapter 4. Planning applications and permissions

Planning applications for specific development can range from an extension to proposals for large scale residential or commercial development such as significant housing proposals, shopping centres, and employment uses. Decisions must be made by applying policies in the Development Plan and other 'material considerations', including policies in the National Planning Policy Framework and Planning Practice Guidance (see glossary). There are different requirements for consultation depending on the type and scale of development, but for all planning applications, we must hold a formal period of public consultation before reaching a decision.

Who do we consult?

We must understand the views of those most likely to be affected by planning applications. This section explains who we will consult.

Once a formal planning application has been made and is valid, we will carry out consultation on that application according to the type and nature of the proposal and following the legislative requirements. In most cases we will notify immediate neighbours that share a common boundary with the application site. However, anybody can comment on a planning application, and you do not need to have a direct interest in the application site or be a neighbour. You can object to or support a planning proposal.

For specific applications we may consult with specialist organisations such as Natural England, the Environment Agency, utility providers, Devon County Council (on education and transport and some other topics), and City Council teams, such as Environmental Health. Within the St James Neighbourhood Plan area, we also notify the St James Forum. These consultations help us to decide whether proposals would be in-line with current policy.

Appendix D lists the statutory consultees that may be consulted on applications for planning permission for certain types of development.

How do we consult?

Planning applications

This section explains how we will publicise and provide information on planning applications.

Relevant legislation⁶ sets out the minimum period of 21 days (not including bank holidays) for consultation on planning applications before the local planning authority can decide an application. Sometimes, discussions and negotiations result in additional or changed information being received. In that case, we may notify consultees or communities of changes and invite further comments. There is no minimum requirement for this additional consultation period and this is entirely at the Council's discretion.

In most cases, we send letters to immediate neighbours that share a common boundary with a planning application site, and in some cases we place a site notice in the local area. Some types of applications also require formal publicity through advertising in a local newspaper. In all cases we will provide a named contact so that residents and stakeholders know who they can speak to about proposals. Relevant legislation sets out requirements for the consultation process concerning the different kinds of planning applications and any advertisement necessary⁷. These are the minimum requirements and will vary according to the scale, type of application and location. Appendix E sets out the statutory publicity requirements for applications for planning permission and listed building consent.

Details of each planning application received are also displayed on our website. The website allows comments to be submitted on planning applications electronically. Once the decision has been issued, it will be available on the website with the Officer's report.

⁶ Town and Country Planning (Development Management Procedure) (England) Order 2015

⁷ Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015



Pre-application Discussions:

We encourage pre-application discussions for all application types to confirm whether the principle of development is acceptable and to clarify what supporting information and level of detail is required for us to make a decision on a subsequent application. Due to their sensitive nature, these early discussions will usually be confidential. However, developers and applicants are encouraged to engage as appropriate with the broader community, neighbours or Exeter St James Neighbourhood Forum, as early as possible in developing their proposals. For example, a developer might hold a public meeting or exhibition to seek local people's views before applying. Such engagement is not arranged by the Council.

Permitted Development and Prior Notification:

Certain types of work or development may occur without the need for planning permission from Exeter City Council. Some forms of development do not require consent as they are 'Permitted Development' and thus have permission through the relevant legislation⁸. Some other forms of development are also permitted but need a 'prior notification' to the Council of the intention to undertake works. In some cases, consultation with neighbours may be carried out following the requirements of the legislation.

Enforcement:

A breach of planning control occurs when a person starts work on a building, or undertakes a new use, without obtaining the necessary planning or related permission. Our Planning Enforcement Plan sets out our priorities for investigations concerning planning enforcement, explains what we will investigate, our policies and procedures when investigating and remedying breaches, and outlines our general powers. It is available to view on our website:

<https://exeter.gov.uk/planning-services/permissions-and-applications/planning-breaches/enforcement-action/>

What happens to the comments I make?

We will take any comments you make into account when making a decision on a planning application. Where appropriate, we may seek to negotiate amendments or to discuss your comments with relevant organisations to seek their views.

The comments made by individuals and organisations will be balanced against evidence, comments from statutory bodies (based on their expertise), legal requirements, national and local policies, and other material considerations. Inevitably there will be times when the Council does not consider alterations to a planning application is necessary.

Comments received will be made available for others to see once email addresses and personal signatures have been removed. These will remain visible on relevant planning files/consultation documents for a period of time as set out in the Council's retention policy.

⁸ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or through a local authority grant of permission (local development order, neighbourhood development order or community right to build order).



Chapter 5. Future review of the Statement of Community Involvement

Legislation requires the SCI to be updated every five years. It will be reviewed to ensure it meets any national regulations, the needs of the community and the corporate objectives of Exeter City Council.



Glossary

Authority Monitoring Report (AMR)

A report on how we are performing on the implementation of the Development Plan policies e.g. statistics on housing land supply. The AMR is an important way in which we can keep communities informed of plan making activity.

Core Strategy

The Core Strategy is part of the current Development Plan and sets out the long term vision for the area and provides the strategic policies and proposals that will deliver that vision.

Development Plan

The Development Plan can be a single document or a number of documents that together provide adopted planning policy. For Exeter the Development Plan currently comprises the Exeter Core Strategy, saved policies from the Exeter Local Plan First Review, the Exeter St James Neighbourhood Plan and the Minerals and Waste Plans produced by Devon County Council. Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan Document (DPD)

These are planning policy documents prepared by Councils that set out the approach to development in the local area. In Exeter these include the Exeter Core Strategy, and the Exeter Local Plan First Review and the Minerals and Waste Plans produced by Devon County Council. DPDs are subject to community involvement, consultation and independent examination.

Exeter Connect

Exeter Connect is a partnership between Exeter Community Initiatives (ECI) and Exeter City Council, funded by Exeter City Council. Exeter Connect provides free, independent, professional and practical advice and support to existing and new community organisations in the city to help them develop and become self-sustaining.

Independent examination

Development Plan Documents are subject to an examination by a planning inspector to rigorously test legal compliance and overall 'soundness.'

Local Development Scheme (LDS)

The LDS sets out the timetable for preparing the Development Plan. This includes details of the topics to be covered by individual documents.

Material Considerations

A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission). The scope of what can constitute a material consideration is very wide. However, as planning is concerned with land use in the public interest, the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light would not normally be material considerations.

Minerals and Waste Plans

Development Plan Documents, prepared by Devon County, that set out the planning policy and proposals for mineral extraction and waste management. These documents cover Exeter.

National Planning Policy Framework (NPPF)

This sets out the Government's planning policies for England and how these are expected to be applied. It provides guidance for local planning authorities and decision makers, both in drawing up plans and making decisions about planning applications. It must be taken into account in the preparation of Development Plan and is a material consideration in planning decisions. This is accompanied by Planning Practice Guidance which sets out how the NPPF is to be interpreted.

Neighbourhood Planning

This was introduced by the Localism Act 2011, and it gives rights and powers for local communities to shape new development by coming together to prepare Neighbourhood Plans. A neighbourhood planning process can be used to prepare a Neighbourhood Plan, a Neighbourhood Development Order or a Community Right to Build Order, or a combination of the three.

Neighbourhood Plan

A plan generally prepared by a Neighbourhood Forum, which establishes planning policies for the development and use of land in a defined area. A Neighbourhood Plan must be in conformity with the Development Plan, and will undergo examination and a referendum.

Planning Inspectorate (PINS)

The Planning Inspectorate holds independent examinations by appointed Planning Inspectors to determine whether Development Plan Documents are 'sound'. The Planning Inspectorate also handles planning and enforcement appeals.

Planning Practice Guidance The Government's detailed online, web based guidance on national planning policies, which adds detail to the National Planning Policy Framework.

Sound/soundness

This describes where a Development Plan Document is considered to 'show good judgement' and also to fulfill the expectations of legislation, as well as conforming to national policy.

Statement of Community Involvement (SCI) This is a document that sets out how we will consult and involve the public in preparation of planning policy and in the determination of planning applications.

Supplementary Planning Document (SPD)

These are generally topic specific documents which provide further information and details to support the implementation and delivery of policies in development plan documents. Guidance within SPD's can be a material consideration in the determination of planning applications.



APPENDIX A: The Development Plan Key stages of the process

Stage 1 - Identifying scope of plan (Regulation 18) & plan preparation

- Public consultation for minimum 6 weeks on DPD content and scope (Regulation 18)
- Representations considered and incorporated into subsequent draft plan if appropriate

Stage 2 - Pre-submission (Regulations 19 & 20)

- 'Pre-submission' publication of draft DPD for at least 6 weeks
- Representations invited on issues of 'soundness' and legal compliance
- All representations are considered. Modifications to the draft Plan may be submitted with the Plan if deemed necessary

Stage 3 - Submission to Secretary of State (Regulation 22)

- Publish draft DPD and submit for independent examination
- Notify all those who made representations in previous stages
- Council publish consultation statement summarising representations made and how they were addressed

Stage 4 - Independent Examination (Regulation 24)

- Publicise information on an examination hearing 6 weeks prior to its taking place. (The inspector will design timescale and nature of community involvement in examination)
- Notify people who have already commented of opportunity to make further representations in relation to examination themes

Stage 5 - Publication of Inspector's Report (Regulation 25)

- Make the Inspector's report available online and at Council hubs
- Contact all those that requested to be notified of the publication of the report

Stage 6 - DPD adopted by Council (Regulation 26)

- Publicise adoption statement and documents on website and at Council hubs
- Copy of adoption statement sent to Secretary of State and to members who have requested it



APPENDIX B: Supplementary Planning Documents Key stages of the process

Evidence Gathering and Early Engagement

- Consultation with relevant consultees within the community to collect knowledge and experience
- Invitation to comment sent to all those that may have an interest in the SPD

Publish Draft SPD (Regulation 12 & 13)

- Notification of public consultation
- Representations accepted over a minimum 4 week period
- Variety of consultation methods considered

Adoption of SPD (Regulation 12(a))

- SPD and adoption statement are publicised
- Council publish a summary of representations made and how they were addressed
- All those who request it or who have made representations will be notified that the SPD has been adopted



APPENDIX C: Neighbourhood Plan Key stages of the process

Scoping stage: Early community engagement and evidence gathering

- Community volunteers are involved in Steering Group or in specific tasks
- NF, with advice/assistance from ECC, undertake research and community involvement to identify local issues and potential approaches to addressing them

Neighbourhood Area and Neighbourhood Form designation applications

- Qualifying body submit applications to ECC who validate applications and publicise for 6 weeks
- ECC make and publicise the NA and NF designation decisions

Plan drafting stage - Land-use issues and options are developed into vision, objectives and policies

- Ongoing informal consultation with the local community and ECC
- A variety of consultation methods are used

Regulation 14 consultation

- NF invite comments from those that may have an interest in the NPD and consult ECC
- NF incorporate changes based on consultation results.

NF submit NDP to Exeter City Council

- Exeter City Council publicise the NDP for 6 weeks (Regulation 16)

Examination

- ECC use website to publicise the progress of the NDP throughout examination
- Examiner considers comments and written statements. Sometimes a public hearing is held and ECC will publicise the procedure

Referendum

- NF make any necessary changes to the NDP, as recommended by the Examiner
- ECC organise a referendum in neighbourhood area, inviting all on electoral roll to vote on the NDP

Making of the plan

- Outcome of the referendum is publicised on ECC website.
- ECC make and publicise the decision and notify interested bodies.



Appendix D Statutory Consultee List⁹

- County Planning Authorities
- Designated Neighbourhood Forum – Exeter St James Forum
- Environment Agency
- The Garden Trust
- Health and Safety Executive
- Local Highways Authority
- Highways England
- Historic England
- Lead Local Flood Authority
- Local Planning Authorities
- Natural England
- Parish Councils
- Rail Infrastructure Managers
- Rail Network Operators – Network Rail
- Sport England
- Theatres Trust

⁹List taken from the Planning Practice Guidance, Table 2 – Statutory Consultees on applications for planning permission, but revised to focus on those statutory consultees more likely to be relevant in Exeter



APPENDIX E: Statutory publicity requirements for applications for planning permission and listed building consent

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Type of development	Site notice	Site notice or neighbour notification letter	Newspaper advertisement	Website
Applications for major development as defined in Article 2 of the Development Management Procedure Order (which are not covered in any other entry)		✓	✓	✓
Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement	✓		✓	✓
Applications which do not accord with the development plan in force in the area	✓		✓	✓
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies	✓		✓	✓
Applications for planning permission not covered in the entries above e.g. non-major development		✓		✓
Applications for listed building consent where works to the exterior of the building are proposed	✓		✓	✓
Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building	✓		✓	✓
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area	✓		✓	✓

Draft Statement of Community Involvement



Do you have any comments to make on the draft statement of community involvement?

Your views are valued and responses to this question will help inform the final Statement of Community Involvement

Contact details

Local plan team, Exeter City Council,
Civic Centre, Paris Street, Exeter, EX1 1JN

01392 265 ???
????@exeter.gov.uk
exeter.gov.uk/planning-services

Please contact us to request this information in an alternative format or language. We consider requests on an individual basis.

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Equality Impact Assessment: New Statement of Community Involvement, 2021

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

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.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive 8 July 2021	New Statement of Community Involvement	That Executive 1) approves the contents of the draft SCI (attached as Appendix A) for consultation; and	Potentially all people with protected characteristics. The range of consultation methods set out in the draft SCI seeks to ensure (as far as possible, taking cost and resource constraints into account) that all members of the

Committee name and date:	Report title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
		2) gives delegated authority be given to the Deputy Chief Executive, in consultation with the Council Leader and the Portfolio Holder for City Development, to agree minor changes to the draft SCI prior to consultation	community are able to be involved with planning decisions.

The assessment

For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive, neutral or negative impact	High, medium or low impact	Reason
		methods which are still available)	
Sex/Gender	Neutral.		There is no evidence to suggest that the revisions to the SCI would have a potential impact on this characteristic.
Gender reassignment	Neutral.		There is no evidence to suggest that the revisions to the SCI would have a potential impact on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral		There is no evidence to suggest that the revisions to the SCI would have a potential impact on this characteristic.
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral.		There is no evidence to suggest that the revisions to the SCI would have a potential impact on this characteristic.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Positive	Low (the potential for positive impact rated against the current situation is low as the policy approach has not changed significantly and most consultation is already available in digital forms)	For younger people and those of working ages (who cannot readily attend consultation events) the impact of a move to more digital consultation is likely to be positive.
	Negative	Low (the potential for negative impact rated against the	However, some, particularly those within the older age

Protected characteristic/ area of interest	Positive, neutral or negative impact	High, medium or low impact	Reason
		current situation is low as the policy approach has not changed significantly and any adverse impact can be addressed through the use of other face to face consultation methods which are still available)	groups (as well as those in social economic deprivation), will feel digitally excluded either because they don't have access to technology and/or they don't know how to use it. This needs to be given specific consideration in undertaking consultation.
Pregnancy and maternity including new and breast feeding mothers	Neutral.		There is no evidence to suggest that the revisions to the SCI would have a potential impact on this characteristic.
Marriage and civil partnership status	Neutral.		There is no evidence to suggest that the revisions to the SCI would have a potential impact on this characteristic.

Actions identified that will mitigate any negative impacts and/or promote inclusion

N/A.

Officer: Jill Day: Principal Project Manager – Local Plans

Date: 26.05.2021

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REPORT TO EXECUTIVE

Date of Meeting: 8 July 2021

REPORT TO COUNCIL

Date of Meeting: 21 July 2021

Report of: Director – Net Zero and City Management

Title: Food Law and Health and Safety Enforcement Service Plan 2021 - 2022

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

To seek approval for the adoption of the Food Law and Health and Safety Service Plan 2021-22. This statutory plan sets out the Council's regulatory function in respect of food safety and health and safety over the forthcoming year.

2. Recommendations:

2.1 That Executive supports the Food Law and Health and Safety Service Plan 2021-22

2.2 That Council approves:

- 1) the Food Law and Health and Safety Service Plan 2021/22; and
- 2) the Service Lead – Environmental Health and Community Safety being authorised to change the plan in the light of national guidance and/or to meet operational needs.

3. Reasons for the recommendation:

3.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan). The key aim of the plan is to demonstrate how the Council will fulfil its regulatory obligations in respect of its food safety service.

3.2 Section 18 of the Health and Safety at Work, etc. Act 1974 places a duty on the Council to make adequate arrangements for enforcement of health and safety. The Health and Safety Executive (HSE), requires the Council to produce an annual Health and Safety Service Plan. Responsibility for Health and Safety at Work enforcement lies with the HSE and Local Authorities (LAs). Councils are generally responsible for enforcement at premises in which non-industrial activities are undertaken (e.g. retail premises, warehouses, offices etc.) whilst HSE is responsible for industrial activities.

3.3 The Food Law and Health and Safety Service Plan Statutory Service Plan incorporates:

- the service aims and objectives;
- the Action Plan for 2021/22; and
- the financial arrangement for providing the service.

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

4.1 The Action Plan will be carried out within the existing resource allocation as detailed in both the Statutory Service Plan and Revenues and Estimates for 2021/22.

4.2 There are no reductions, restructuring and/or redundancy implications as the key changes identified in this report do not give rise to any additional resource requirements as changes are to existing processes. However, in delivering to the changed requirements there may be some training implications for existing staff.

5. Section 151 Officer comments:

There are no additional financial implications for Council to consider contained within this report.

6. What are the legal aspects?

6.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan). The key aim of the plan is to demonstrate how the Council will fulfil its regulatory obligations in respect of its food safety service. In the current Framework Agreement and Code of Practice, the Food Standards Agency indicates that full compliance with all inspection frequencies will be expected

6.2 Section 18 of the Health and Safety at Work, etc. Act 1974 places a duty on the Council to make adequate arrangements for enforcement of health and safety. The Health and Safety Executive (HSE), requires the Council to produce an annual Health and Safety Service Plan. Responsibility for Health and Safety at Work enforcement lies with the HSE and Local Authorities (LAs). Councils are generally responsible for enforcement at premises in which non-industrial activities are undertaken, whilst HSE is responsible for industrial activities.

7. Monitoring Officer's comments:

Given the legal obligations placed on the Council, the Monitoring Officer is happy to support the content of this report.

8. Report details:

Key Achievements in 2020/21:

8.1 Programmed Interventions

Covid-19 severely impacted upon last years' service plan due to resources being deployed to enforce emergency legislation and due to a large number of businesses being closed during the course of the year.

The service inspected 257 food businesses during the year, prioritising those which were either considered high risk or that were new businesses that had not received a previous inspection by the service. Out of those targeted for inspection 42.9% were inspected.

8.2 Service Requests

Environmental Health and Community Safety is responsible for investigating complaints relating to food safety, health and safety regulation, infectious disease control and also for providing health promotion and training activities for businesses. 641 such requests were received by the service during 2020/21.

8.3 Sampling

The authority participates in national and local food-sampling initiatives to monitor the quality of food on sale in the City which is classified as satisfactory, unsatisfactory or unacceptable. Additional samples are taken in response to food complaints and where it is alleged a premises or foodstuff is implicated in a food poisoning incident.

However due to Covid-19, the sampling programme was unable to be undertaken as was set out in the plan.

8.4 Control and Investigation of Outbreaks and Food Related Infectious Diseases

The service is responsible for the investigation of outbreaks and food related infectious diseases in the City.

Whilst the service has adequate resources to deal with its workload on a day to day basis large scale outbreak requiring an extensive investigation put pressures on the service which can have an impact on the completion of the annual service plan. COVID-19 has resulted in resources being diverted away from food safety and health and safety enforcement. It is likely that this will have an impact on the successful completion of the planned programme of inspections and sampling set out in the service plan without additional resources being allocated.

The service conducted 335 proactive Covid compliance checks in addition to assisting public health with outbreak control measures. In addition 404 service requests were received specifically relating to Covid-19.

8.5 Primary Authority

The service currently has 5 active Primary Authority Partnerships.

8.6 Proposed key activities for 2021/22

- 8.6.1 Implementation of the transfer to a new Environmental Health Computer System, implementing a more streamlined customer reporting system and removing unnecessary administrative burdens through adopting a more integrated, digitalised approach.
- 8.6.2 Maintain high standards in food safety by
 - Achieve over 90% of the planned inspection programme;

- Continuing to maintain high level (>97%) of broadly complaint food businesses in the city;
- Enhanced coaching/sampling/training for non-complaint businesses, with caution/prosecution as final action for those who continually flout the law; and
- Continue with intelligence led food sampling programme

8.6.3 Promoting Safer Workplaces by

- Inspecting premises regarding the duty to manage asbestos interventions
- Continue to provide advice and guidance to business to ensure high Covid-19 standards are being maintained
- Continue audit of Exeter tattooists; look into possibility of providing a list of registered tattooists on our web site.
- Continue to conduct water quality sampling of swimming pools and other water areas

8.6.4 Co-ordinate multi-agency visits where migrant worker/modern slavery issues are suspected or identified

8.6.5 Review and refresh the means of business engagement and training using innovative means to help business recover.

8.6.6 To investigate further Primary Authority Partnership opportunities for the service

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

The Food Law and Health and Safety Service Plan 2021-22 contributes to all aspects of the Council's Corporate Plan.

10. What risks are there and how can they be reduced?

The Service Plan specifies targets and priorities to manage risk and establishes staffing levels to achieve the necessary outcomes. The main risk of not achieving the areas outlined in the service plan will be that of public safety, which could lead to serious injury, ill health or death.

11. Equality Act 2010 (The Act)

11.1 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.

11.2 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.

- 11.3 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.
- 11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act, and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

There are no carbon footprint implications identified in this report.

13. Are there any other options?

The Food Law and Health and Safety Service Plan must be reviewed on an annual basis as there is a legal duty for the food safety and health and safety elements to be reviewed annually.

Director Net Zero Exeter & City Management, David Bartram

Author: Simon Lane - Service Lead – Environmental Health and Community Safety

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

Background papers used in compiling this report:-

- 1) Legislative and Regulatory Reform Act 2006
- 2) Food Law Code of Practice
- 3) Standard for Health and Safety Enforcing Authorities
- 4) HSC Enforcement Policy Statement
- 5) The Regulatory Enforcement and Sanctions Act 2008
- 6) Regulator's Compliance Code

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

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Environmental Health and Community Safety

Food Law and Health and Safety Enforcement Service Plan

2021 – 2022

Drawn up in accordance with the: -

- Food Standards Agency Framework Agreement
- National Local Authority Enforcement Code
- Regulators' Code

Issued by: Simon Lane, Service Lead – Environmental Health and Community Safety

Issue date: April 2021

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1 Introduction

1.1 Introduction

1.1.1 This document forms the basis of the business regulation enforcement functions for the authority and ensures that statutory provision for food law and health and safety enforcement is addressed along with locally identified needs.

1.1.2 The Council has a duty to act as an enforcing authority for food safety and health and safety in premises for which it is responsible. The plan outlines how the Council will undertake that function.

1.1.3 The service plan will help to ensure that the actions of the Council are fair, consistent, open and effective.

1.1.4 The Council recognises the important role it plays promoting and securing the safety and health of those who live, work and visit the City. The key aim of this plan is to demonstrate how the Council will fulfil its statutory obligations in accordance with national guidance set out by the respective regulatory agencies. It includes:

- the Council's aim and objectives;
- information around enforcement services provided by the Council;
- details of the Council's performance management systems;
- information on the performance of the Council

1.2 Access to services

1.2.1 The Environmental Health and Community Safety service is based in the Civic Centre, Paris Street. Service users may contact officers on site or by leaving a message in the following ways:

- online via the Council website
- in person by appointment at the Customer Service Centre in Paris Street.
- by telephone, 01392 265193 between 09:00am and 5.00pm Monday to Friday;
- whilst there is no formal out of hours service, staff can be contacted in the event of an emergency through the Council's Control Room on 01392 265193 by means of a telephone service;
- by email: environmental.health@exeter.gov.uk

2 Service aims and objectives

2.1 Aims and objectives

2.1.1 The Council's Corporate Plan sets out priorities which aim to meet the needs of our citizens and customers. The priorities are:

- Delivering Net Zero Exeter 2030
- Promoting active and healthy lifestyles
- Building great neighbourhoods
- Providing value for money services
- Leading a well-run council

The corporate plan is available by visiting www.exeter.gov.uk/corporateplan.

2.1.2 In respect of Food Safety and health and Safety the objectives of the Council are to:

- undertake appropriate and meaningful regulatory interventions at business and residential premises, for which the Council is the enforcing authority, and institute informal or formal action in accordance with the Enforcement Policy, Local Government Regulation and national government guidance (produced by the Food Standards Agency, Health and Safety Executive and current good practice. Businesses will be targeted, focusing resources on those presenting a high risk to health, the environment or public safety with a view to securing an improvement in legislative compliance;
- investigate complaints about premises and at the conclusion of investigations institute informal or legal action as appropriate;
- provide appropriate training and education to local businesses to assist them to meet legislative requirements;
- investigate cases of food-borne disease and advise upon appropriate precautionary and control measures;
- issue registrations, monitoring compliance with relevant conditions;
- sample and arrange for microbiological testing of high-risk food products and premises;
- develop “Primary Authority” partnerships, where relevant, with local businesses;
- provide advice and assistance to businesses to help them comply with legislation and to maintain a high standards;
- work in partnership with related organisations to promote the wellbeing of persons living, working or visiting the City;
- provide technical advice to City Development on the environmental and health impacts of development.

2.2 Links to corporate purposes and other local and national strategies and plans

2.2.1 The Environmental Health and Community Safety service aims to uphold the core values of how the council works, making sure that they underpin our attitudes and behaviours. Accordingly we will:

- Meet customers’ needs with high-quality services
- Be flexible and have a can-do approach
- Show trust and respect
- Tell people what is going on, listen and respond to their views
- Be proud to work for the city and the council

2.2.2 The following represent key aims for the service. The service:

- embraces the principles of excellence in public services and Better Regulation and will look to make the most effective use of available resources to achieve maximum gain;
- implements the requirements of the Food Law Code of Practice (England) - actively promoting and evaluating the use of effective food safety interventions to facilitate compliance with food law;
- recognises the importance of food and its influence on the wider determinants of health; seeking to work in partnership and play an active role to reduce the inequalities in health in the local population
- recognises the importance of the National Food Hygiene Rating Scheme which gives each premises a numerical rating based on their food safety management

system, structure and confidence in management - this scheme is an important tool in maintaining high compliance of businesses with food hygiene law;

- continue to develop new ways to establish and maintain an effective health and safety culture in the city so that all employers take their responsibilities seriously, the workforce is fully involved, risks are properly managed and employees are not being protected;
- Actively seek to work with other areas of the council, business and individuals to ensure that economic development within the city is maintained;
- Work will be targeted to manage the risk in high-risk, poor-performing and rogue trader businesses. It will be proportionate, consistent and transparent and have suitable monitoring and review systems;
- The Council is mindful of the burdens on local businesses particularly where, for example, the economy is seasonal and subject to fluctuation. The Council will work in partnership with national regulators, local partners and with local businesses offering information, advice and assistance.

2.3 Links to Health and Wellbeing Priorities and Other Plans

2.3.1 The Devon Health and Wellbeing Board has 4 strategic priorities:

- Create opportunities for all-inclusive economic growth, education and social mobility
- Healthy, safe, strong and sustainable communities creating conditions for good health and wellbeing where we live, work and learn.
- Focus on mental health building good emotional health and wellbeing, happiness and resilience
- Maintain good health for all supporting people to stay as healthy as possible for as long as possible.

2.3.2 Whilst there are no specific regulatory targets set out in the above, enforcement will contribute to raising business standards, improve health outcomes and reduce health inequalities through the delivery of relevant services, in partnership with other agencies.

2.3.3 In addition to this service plan, the service is also responsible for or contributes to the following strategies, policies and plans:

- The Council Enforcement Policy
- The Environmental Strategy
- The Carbon Management Plan
- The Air Quality Strategy
- The Air Quality Action Plan
- The Licensing Act 2003 Statement of Licensing Policy
- Exeter City Council Corporate Plan
- The Exeter Community Safety Partnership Strategy
- Gambling Act 2005 Policy
- Street Trading Policy

3 Background

3.1 Profile of Exeter City Council

3.1.1 The geographical enforcement area is relatively confined in local authority terms covering an area of 4,774 hectares and supporting an estimated residential population of 131,405 persons with 72.8% of working age.

- 3.1.2 There are a total of 4,877 registered businesses for business rates
- 3.1.3 Approximately 35,000 people commute to Exeter on a daily basis, with an average footfall in the city centre of 1,364,000 people per month.
- 3.1.4 Exeter comprises of a mix of residential and commercial properties as well as industrial and trading estates. With Exeter being the regional administrative, cultural and educational centre, the City has a significant impact on the adjacent areas of East and Mid Devon and Teignbridge.
- 3.1.5 Although set in a predominantly urban area the City offers only a limited range of industry with the main activities being catering, retail sales, office activities, warehousing and distribution. No significant food manufacturing premises are now located within the City. There is an increasing variety of ethnic food outlets and fast food takeaway outlets and the food pattern is dynamic.
- 3.1.6 The City's status as a medical, university, and educational centre means that there are several large institutional catering premises located within the boundary.
- 3.1.7 The few Product Specific Premises are small scale operations by modern day standards.
- 3.1.8 Exeter is no longer a port health authority.
- 3.1.9 The service embraces the core aims of the FSA's food safety issues (including Imported Food Controls), nutrition and diet issues and sustainability.

3.2 Organisational Structure

- 3.2.1 Environmental Health and Community Safety is within the Portfolio of Services overseen by the Director for Net Zero and City Management, with the Service Lead - Environmental Health and Community Safety responsible for delivering this Service Plan. The Environmental Health and Community Safety Service provides:
- the Food Safety Enforcement function;
 - the investigations of notifiable / infectious disease;
 - the Health and Safety Enforcement function;
 - the Private Water Supply Enforcement function;
 - the Health Act Enforcement function;
 - Sunbed Regulations Enforcement function;
 - Licensing duties in relation to Licensing Act 2003, Gambling Act 2005, taxis and miscellaneous legislation;
 - Regulation of premises under the Environmental Permitting Regulations;
 - Monitoring of the city's air quality;
 - Monitoring and guidance with respect to contaminated land;
 - Investigation of complaints relating to business nuisance;
 - Co-ordination of the council's anti-social behaviour function;
 - Co-ordination of the multi-agency Community Safety Partnership
 - Regulation of Private Sector Housing which includes Mobile Home Parks
 - Housing Grants and Loans
 - Fuel Poverty Strategy
- 3.2.2 Environmental Health and Community Safety Service operates under the Director for Net Zero and City Management.

- 3.2.3 The Service Lead - Environmental Health and Community Safety has various delegations to act on behalf of the Council, with delegated deputies appointed under the Council's constitution. All non-delegated matters are reported to the appropriate committee.
- 3.2.4 The officer structure in respect of the service is detailed in Appendix A and the Council's committee structure is detailed in Appendix B.
- 3.2.5 In consultation with the Service Lead - Legal, the Service Lead – Environmental Health and Community Safety is authorised to deal with the provisions and enforce compliance with legislative areas delegated to the post. This includes the initiation, defence and settlement of legal proceeding, issuing of formal cautions and fixed penalty fines, service of Notices and Orders, the issue, refusal and revocation of licences, certificates and registrations, carrying out works in default and payment and recovery of costs.
- 3.2.6 The Council's Service Lead - Legal has delegated authority for the initiation, defence, settlement and conduct of any legal proceedings which may affect the interests of the Council or the inhabitants of the City.
- 3.2.7 Specialist analytical and microbiological services are provided by external agencies such as the UK Health Security Agency (formally Public Health England), South West Water and Somerset Scientific Services.

4 Performance

4.1 Food Safety performance

4.1.1 During 2021/22, the service:

- Conducted 257 rated food hygiene inspections
- 42.9% of those inspections that were due within 2020/21 were conducted
- 4 requests for food hygiene rating scheme revisit were received and the premises were subsequently revisited
- 98% of food premises within the city are broadly compliant with food hygiene law
- 351 compliance checks / advice visits were conducted
- 67 food poisoning cases were investigated
- 216 service requests / complaints relating to food safety were received
- 7 food samples were conducted

4.2 Health and Safety performance

4.2.1 During 2020/21:

- 356 premises have been the subject of a health and safety intervention including Covid Compliance checks.
- 425 health and safety service requests / complaints were dealt with including services requests / complaints related to Covid

- 99 accident reports have been received and looked into
- Joint initiatives took place with partners including the Police where there was a concern for staff welfare, health and safety and whether those working at the establishments were doing so of their own accord.

5 Food Safety

5.1 Scope of the Food Safety Service

5.1.1 The Food Safety Service :

- Undertakes programmed food hygiene interventions and revisits;
- approves of food businesses
- monitors the database
- undertakes food sampling
- investigates food complaints;
- assists UK Health Security Agency (formally Public Health England) in investigation of food poisoning and infectious disease outbreak control;
- responds to Food Standards Agency Food Alerts, product withdrawals and recalls;
- provides of export food certificates;
- inspects food;
- runs advisory and training services for businesses;
- promotes food safety

5.1.2 The council believes in fair regulation and the team uses a variety of means to ensure that individuals and organisations meet their responsibilities including education, negotiation, advice, guidance, warning letters, formal notices and prosecution. Overall the service seeks to work in collaboration with businesses while avoiding unnecessary bureaucracy in the way it works.

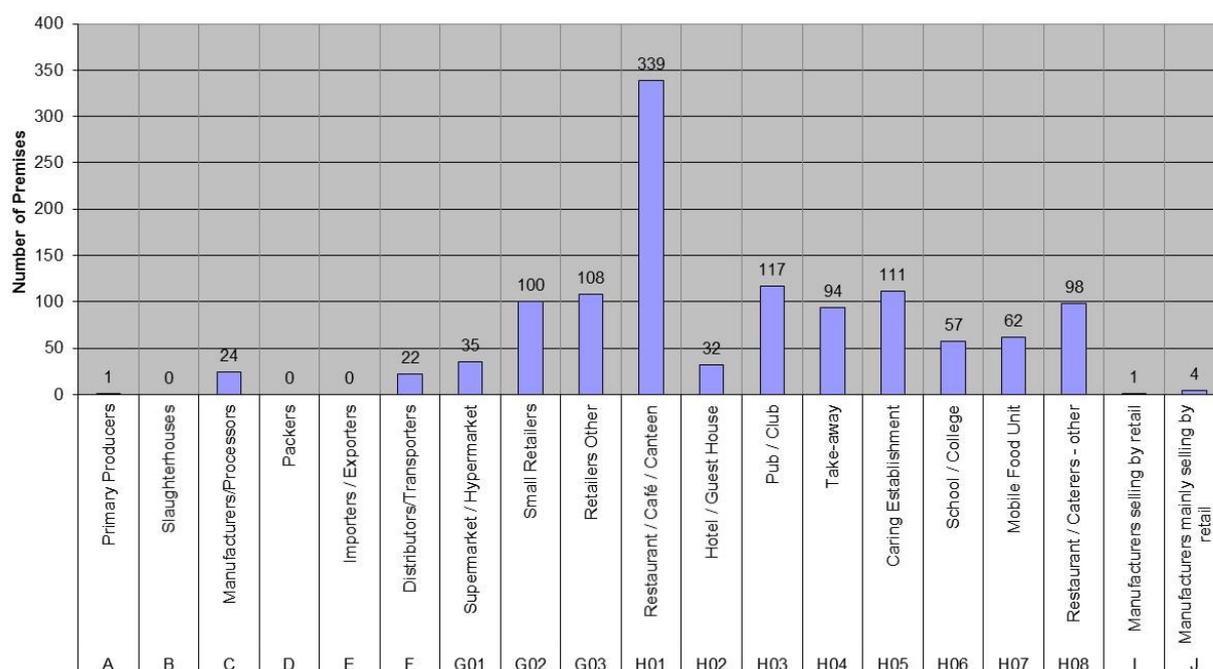
5.1.3 The Council supports the Food Standards Agency's strategic goal of 'Food We Can Trust' and its 5 underpinning principles which are currently being looked at nationally, namely:

1. Businesses are responsible for producing food that is safe and what it says it is, and should be able to demonstrate that they do so. Consumers have a right to information to help them make informed choices about the food they buy – businesses have a responsibility to be transparent and honest in their provision of information.
2. Decisions should be tailored, proportionate and based upon a clear picture of UK food businesses.
3. The regulator should take into account all available sources of information.
4. Businesses doing the right thing for consumers should be recognised; action will be taken against those that do not.
5. Businesses should meet the cost of regulation, which should be no more that they need to be.

5.2 Food Business Profile

5.2.1 The current (as at 1 April 2021) profile of food premises in the City as per Food Standards Agency classification is illustrated below:

Profile of Food Premises in the City as per Food Standards Agency Classification



5.2.2 Following an inspection/audit, food premises are scored and categorised (A to E) in respect of the risk to food safety in accordance with the Food Law Code of Practice (England). The categories dictate the interval between inspections. For example, category A premises are inspected every 6 months, category D premises are inspected every 2 years. The service currently operates an alternative enforcement strategy for category E premises that are outside of the Food Hygiene Rating Scheme, which includes forwarding such businesses a self-inspection questionnaire, and inviting businesses to attend food safety workshops.

5.2.3 The current profile of food premises in terms of risk category are shown below:

	A	B	C	D	E	U	Total
01 April 2021	1	28	144	627	370	35	1205

5.2.4 There are a small number of food premises in the City where business owners do not speak English as their first language. This can impact on the ability to successfully inspect premises and to effectively promote food safety. The Food Standards Agency provides food hygiene information in a number of languages to which food business operators will be signposted whenever appropriate. The Council also aims to provide food hygiene training in other languages if sufficient demand arises (for example, a Level 2 food hygiene course in Cantonese and Mandarin is offered on an annual basis).

5.2.5 Some food business operators employ a number of migrant workers. Where appropriate, inspecting officers will look for evidence of modern slavery or inadequate accommodation/working conditions and share this intelligence with the appropriate agencies (Police, Border Force etc.). A migrant workers group meets on a regular basis, bringing together all relevant regulatory bodies to discuss these issues.

5.3 Interventions

5.3.1 The Council will:

- carry out a range of official and other food controls as set out in the Food Law Code of Practice (England), the Food Hygiene Rating Scheme Brand Standard and other centrally issued guidance;
- inspect/audit and approve relevant premises in accordance with the relevant legislation, Code of Practice and centrally issued guidance;
- liaise with the Primary Authority of any company whose premises have been inspected and offences identified which are, or appear to be, associated with the company's centrally defined policies and procedures;
- assess the compliance of premises and systems to the legally prescribed standards having due regard to any relevant Industry Guides to Good Hygiene Practice and other relevant centrally issued guidance;
- take appropriate action on any non-compliance found, in accordance with the Council's Enforcement Policy;
- set up and monitor documented intervention procedures and record legible data and information following interventions, in a retrievable way.

5.4 Complaints

5.4.1 Food complaints received and investigated by the service fall into one of the following broad categories:

- food contamination;
- complaints about food businesses (poor hygiene, pests, lack of food handler training etc);
- food alerts, product withdrawals and recalls.

5.4.2 The Council will:

- implement the documented policy and procedure in relation to food complaints;
- liaise with the Primary, Home and/or originating authorities regarding matters associated with a company's centrally defined policies/procedures;
- take appropriate action on complaints received in accordance with the Council's policy/procedure.

5.4.3 The number of food complaints/service requests received annually has been at a constant level over the last few years.

5.4.4 It is estimated that 0.2 FTE qualified inspectors will be required to deal with food complaints.

5.5 Primary Authority Principle

5.5.1 Where the Council acts as Primary Authority we will:

- provide advice on legal compliance;
- have regard to any information or advice received as a result of any liaison;
- notify any authorities the Council have initiated liaison with of the outcome.

5.6 Advice to Business

5.6.1 The Council shall continue to work with businesses to help them comply with the law; for example the Council will:

- promote training courses and seminars;
- provide advice during visits and other official food controls;

- respond promptly to queries;
- maintain a dialogue with business through the appropriate business forums;
- provide business with written information and advisory leaflets where appropriate.

5.6.2 It is estimated that 0.1 FTE qualified food inspectors will be necessary to provide information and advice to food businesses.

5.7 Food Premises Database

5.7.1 The Council will maintain the database of food premises in the City and take steps to ensure that the information is accurate and up to date.

5.8 Food Inspection and Sampling

5.8.1 The Council will:

- inspect food in accordance with relevant legislation to ensure it meets the legally prescribed standards;
- take appropriate action in cases of non-compliance in accordance with the Council's Enforcement Policy;
- maintain an annual sampling programme taking account of current guidance;
- adhere to the Council's procedures for procurement or purchase etc. of samples;

5.8.2 The Council has appointed Public Analysts Scientific Services (PASS) and the UK Health Security Agency (formally Public Health England) Porton Down Laboratory as the Council's Public Analyst and Food Examiner respectively.

5.8.3 The Council's sampling priorities are detailed in Section 13.

5.8.4 Routine sampling will be undertaken by the Environmental Health Officers supported by the Environmental Technical Officer. Activity reports will be submitted on a periodic basis. A procedure has been set up and implemented in respect of taking samples and the arrangements made for Analysis and Examination.

5.9 Control and Investigation of Outbreaks and Food Related Infectious Disease

5.9.1 The Council's objective in respect of the control of food related disease is to:

- Contain the spread of any outbreak
- identify the focus of infection;
- identify the causative organism/chemical;
- trace carriers and cases;
- trace the source of infection;
- determine the causal factors;
- recommend practices to prevent recurrence of disease; and
- determine whether criminal offences have been committed.

5.9.2 Investigations into outbreaks of foodborne illness are carried out in consultation with and under the direction of UK Health Security Agency (formally Public Health England).

5.9.3 A Single Case Management Plan has been drawn up between UK Health Security Agency (formally Public Health England) and Local Authorities. The plan outlines who will take the lead for investigating single cases of various notifiable diseases and the

appropriate method in each case (letter, phone call, visit etc.). Case questionnaires have also been standardised across the district and are available on the Environmental Health Computer System.

5.9.4 The Principal Environmental Health Officer fulfils the role as lead officer in respect of infectious disease control and it is anticipated that adequate resources exist within the full complement of Environmental Health and Community Safety to deal with this service demand.

5.9.5 It is estimated that 0.1 FTE qualified food inspectors will be required to investigate outbreaks and food related infectious diseases.

5.10 Food Safety Incidents

5.10.1 The Council has and will maintain a computer system capable of receiving food alerts, product withdrawals and recalls and will implement the documented procedure for responding to food alerts and food safety incidents received from the FSA, in accordance with the relevant Food Law Code of Practice (England). The current informal out of hours contact arrangements will be used.

5.10.2 Documented responses to the outcome of appropriate food alerts will be in accordance with the adopted procedure.

5.10.3 In the event of any serious localised incident or a wider food safety problem, the Service Lead / Principal Environmental Health Officer will notify the Food Standards Agency.

5.10.4 It is considered that adequate resources exist within the full complement of Environmental Health and Licensing to deal with this demand.

5.10.5 It is anticipated that 0.1 FTE will be required to deal with food hazard alerts.

5.11 Enforcement

5.11.1 The Council will carry out food law enforcement in line with the Council's Enforcement Policy.

5.12 Records and Intervention reports

5.12.1 The Council will maintain up to date accurate records in a retrievable form for each food premises in the City, for at least 6 years.

5.13 Complaints about the Service

5.13.1 The Council's adopted complaints procedure is available to the public and food businesses.

5.14 Liaison with Other Organisations

5.14.1 Liaison with neighbouring authorities aimed at facilitating consistent enforcement will be exercised through the Devon Strategic Environmental Health Managers Food Sub-Group having regard to advice issued by Local Government Regulation and the FSA. Regular contact will be maintained with Devon, Somerset Torbay and Plymouth Trading Standards and periodic meetings will be held with the local business forums & interested groups to provide advice and promote good practice. The Health Protection Advisory Group provides a forum for regular liaison with UK Health Security Agency (formally Public Health England).

5.14.2 Where appropriate, partnerships will be formed with educational establishments, Devon County Council's Public Health Team, the Clinical Commissioning Group and other bodies to promote food safety.

5.15 Internal Monitoring

5.15.1 Internal monitoring procedures to verify conformance with this Service Plan are well established and will be exercised. These include senior officer auditing, peer review and consistency exercises.

5.16 Audit

5.16.1 The Council will participate in third party and peer review processes against this Service Plan and associated procedures.

5.17 Food Safety Promotion

5.17.1 The Council will actively promote food safety issues through award schemes, campaigns, dissemination of information and support to schools, colleges and targeted groups.

5.18 Other Services

5.18.1 Environmental Health and Community Safety has responsibility for undertaking a parallel role in respect of other Environmental Health related legislation in commercial premises.

5.18.2 General (non-food related) complaint work will initially be undertaken by the service in accordance with the relevant procedure. Pest control treatment may be undertaken by officers from the section in liaison with the Environmental Health Officer, but only when it will not comprise future enforcement action.

5.18.3 The service seeks to work in partnership with relevant agencies to promote business regulation related matters in the wider context of public health.

5.19 Enforcement Policy

5.19.1 The Council's Enforcement Policy includes the principles contained in the Regulators' Code which the Council is committed to incorporating into its regulatory functions.

5.19.2 The Enforcement Policy will be subject to periodic review at which time amendments will be made to specifically reflect the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement and other relevant and appropriate guidance.

5.19.3 The key elements of the Enforcement Policy are detailed below:

- a belief that enforcement must be firm but fair;
- the need for proportionality in the application of the law;
- showing transparency about how the service operates;
- a need for targeting of enforcement action;
- a need to deliver consistency of approach;
- the need to balance enforcement and education in the way the service works.

5.20 Food Premises Inspections

- 5.20.1 A programme of official and other food controls form the core activity of the Food Enforcement function. The range of interventions are specified in the Food Law Code of Practice (England) and Food Hygiene Rating Scheme Brand Standard. In addition to the programme of interventions, other visits may be made to food premises following complaints from the public or requests from businesses for information and guidance.
- 5.20.2 Whilst the primary responsibility for identifying food hazards and controlling risks rests with food business operators, food hygiene interventions will be undertaken to:
- establish whether food is being produced hygienically;
 - establish whether food is, or will be, having regard to further processing, safe to eat;
 - identify foreseeable incidences of food poisoning or injury as a consequence of consumption of food;
 - to issue the relevant rating as laid out in the Food Hygiene Rating Scheme Brand Standard, where the premises is part of the scheme
- 5.20.3 With the foregoing in mind, the main objectives of the interventions programme will be to:
- determine the scope of the business activity and the relevant food safety legislation;
 - thoroughly and systematically gather and record information;
 - identify potential hazards and risks to public health;
 - assess the effectiveness of process controls and HACCP based systems;
 - identify specific contraventions of food safety legislation;
 - consider appropriate enforcement action (proportionate to risk), to secure compliance with food safety legal requirements;
 - produce advice and information and recommend good practice where appropriate;
 - promote continued improvements in food hygiene standards to meet national / local performance indicators and the relevant Food Standards Agency strategy.
 - to issue the relevant rating as laid out in the Food Hygiene Rating Scheme Brand Standard, where the premises is part of the scheme
- 5.20.4 In order to achieve the inspection programme not less than 3 (FTE) qualified food inspectors will be required. This figure takes no account of the burden of any extra targeted inspection activity, sampling or investigations arising from complaints or Food Alerts, product withdrawals and recalls for example.
- 5.20.5 All officers undertaking inspections, investigating complaints, giving advice and taking samples shall meet the qualifications and experience requirements in the Food Law Code of Practice (England)
- 5.20.6 It is not envisaged that arrangements will need to be made to ensure the Council has access to specialist expertise for the inspection of any specialised processes located in the city.

5.21 Food Complaints

- 5.21.1 Food complaints received and investigated by the service fall into one of the following broad categories:
- food contamination;
 - complaints about food businesses (poor hygiene, pests, lack of food handler training etc.);
 - food alerts, product withdrawals and recalls.

- 5.21.2 There is an established procedure for dealing with food complaints which sets out the action to be taken regarding investigation. Our investigation will be guided by the detailed considerations laid down in the LG Regulation publication “Dealing with Food Complaints”.
- 5.21.3 The number of food complaints/service requests received annually has been at a constant level over the last few years.
- 5.21.4 It is estimated that 0.2 FTE qualified inspectors will be required to deal with food complaints.

5.22 Primary Authority Partnerships

- 5.22.1 The Regulatory Enforcement and Sanctions Act 2008 established a statutory scheme for businesses trading across local authority boundaries. The scheme known as the Primary Authority Scheme enables businesses and local authorities to enter into formal partnerships. The advice provided by the local authority has to be taken into account by other councils before enforcement action can be taken against the business concerned.
- 5.22.2 Primary Authority partnership agreements have been established with:
1. Lloyd Maunder (Food Safety)
 2. Devon Norse (Food Safety, Health and Safety and Licensing)
 3. Brownsword Hotels (Food Safety, Health and Safety and Licensing)
 4. HK4 (Food Safety, Health and Safety and Licensing)
 5. KM Innovations Ltd (Food Safety)

5.23 Advice to Business

- 5.23.1 The full suite of food courses will be promoted to enable local businesses to fulfil their training requirements, including training provision for non-English speaking food handlers. In addition, the service provides a bespoke 2-hour session to help new food business operators understand their duties under food law. The session focusses on those elements required to attain a good food hygiene rating.
- 5.23.2 Inspectors provide advice during routine interventions and respond to queries from the public and food businesses.
- 5.23.3 Advice on topics of general and current food safety interest will be placed on the Council web site and information leaflets will be produced and made available as necessary. Officers from the service will also be participating in the Food Standards Agency’s Food Safety Week.
- 5.23.4 The Council will use local business and other forums as a means to disseminate relevant food safety information to help assess their needs and obstacles to compliance.
- 5.23.5 The service will actively seek participation in or look to co-ordinate appropriate forums to promote food safety and disseminate information.
- 5.23.6 It is estimated that 0.1 FTE qualified food inspectors will be necessary to provide information and advice to food businesses.

5.24 Food Inspection / Sampling

- 5.24.1 The Council will ensure that food is inspected in accordance with relevant legislation, The Food Law Code of Practice (England) and the Practice Guidance (England) and centrally issued guidance and ensure that food meets prescribed standards.
- 5.24.2 UK Health Security Agency (formally Public Health England)'s Coordinated National Sampling projects are determined following consultation on various options with stakeholders. Local sampling studies are also organised via the Devon Food Sub Group.
- 5.24.3 The Council's sampling priorities are detailed in Section 7.
- 5.24.4 Routine sampling will be undertaken by the Environmental Health Officers supported by the Environmental Technical Officer. Activity reports will be submitted on a periodic basis. A procedure has been set up and implemented in respect of taking samples and the arrangements made for Analysis and Examination.

5.25 Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease

- 5.25.1 Environmental Health and Community Safety's objective in respect of the control of food related disease is to:
- contain the spread of any outbreak;
 - identify the focus of infection;
 - identify the causative organism/chemical;
 - trace carriers and cases;
 - trace the source of infection;
 - determine the causal factors;
 - recommend practices to prevent recurrence of disease; and
 - determine whether criminal offences have been committed.
- 5.25.2 Investigations into outbreaks of foodborne illness are carried out in consultation with and under the direction of UK Health Security Agency (formally Public Health England).
- 5.25.3 A Single Case Management Plan has been drawn up between PHE SW and Local Authorities. The plan outlines who will take the lead for investigating single cases of various notifiable diseases and the appropriate method in each case (letter, phone call, visit etc.). Case questionnaires have also been standardised across the district and are available on the Environmental Health Computer System.
- 5.25.4 The Principal Environmental Health Officer (Business Regulation) fulfils the role as lead officer in respect of infectious disease control and it is anticipated that adequate resources exist within the full complement of The Environmental Health and Community Safety service to deal with this service demand.
- 5.25.5 It is estimated that 0.1 FTE qualified food inspectors will be required to investigate outbreaks and food related infectious diseases.

5.26 Food Safety Incidents

- 5.26.1 The Council has and will maintain a computer system capable of receiving food alerts, product withdrawals and recalls and will implement the documented procedure for responding to food alerts and food safety incidents received from the FSA, in accordance with the relevant Food Law Code of Practice (England). The current informal out of hours contact arrangements will be used.

- 5.26.2 Documented responses to the outcome of appropriate food alerts will be in accordance with the adopted procedure.
- 5.26.3 In the event of any serious localised incident or a wider food safety problem, the Principal Environmental Health Officer (Business Regulation) will notify the FSA.
- 5.26.4 It is considered that adequate resources exist within the full complement of Environmental Health and Community Safety to deal with this demand.
- 5.26.5 It is anticipated that 0.1 FTE will be required to deal with food hazard alerts.

5.27 Liaison with Other Organisations

5.27.1 The Council is committed to ensuring the enforcement approach it takes is consistent with other authorities. Regular dialogue on food enforcement matters and food related issues takes place with:

- Primary Authority business partners
- Trading Standards
- Devon Strategic Environmental Health Managers Food Sub-Group
- Health Protection Advisory Group
- Exeter and Heart of Devon Hoteliers & other appropriate business forums
- Chartered Institute of Environmental Health (CIEH)
- University of Exeter
- Exeter College
- Other services within the Council (e.g. Planning & Building Control)
- Devon and Somerset Better Business for All Partnership

5.27.2 In delivering the food service, the Council recognises the increasing importance of partnership working. Examples of this include:

- consultation with businesses and community leaders;
- participation in third party audits, joint sampling initiatives etc.;
- Food Safety Week;
- identify funding opportunities;
- development of food hygiene training;
- providing focused training sessions on nutrition;
- other food related subjects.

5.28 Food Hygiene Rating Scheme and Food Safety Promotion

5.28.1 The service utilises many methods to promote food safety and increasingly is led by the developing body of research. Since April 2011, the service has operated the National Food Hygiene Rating Scheme which has helped drive improvements in food law compliance. 1093 businesses fall within the scope of the scheme, with all ratings being published on the national web portal at www.food.gov.uk/ratings and businesses encouraged to display stickers. The service will continue to promote usage of the scheme by consumers by harnessing the power and influence of the local media, health promotion initiatives and public events. The service will also continue to encourage at the time of visits voluntary display of rating stickers and certificates at premises that fall within the scope of the scheme.

5.28.2 Food businesses rated 4 or below can request a revisit to rescore, for which a fee is payable. Once the completed application and fee is received, officers will carry out an unannounced inspection within three months.

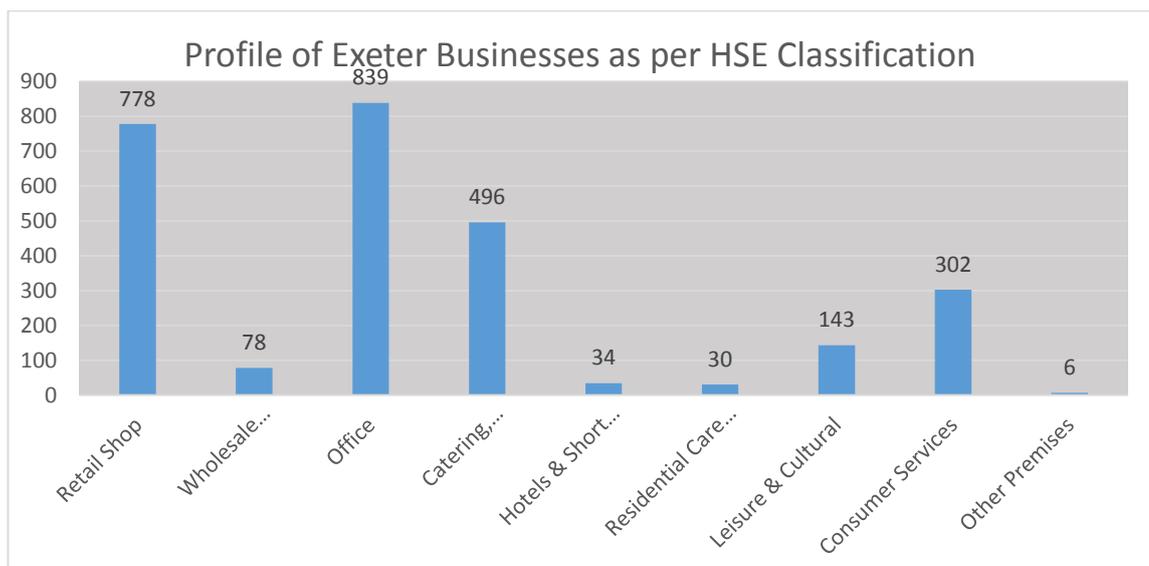
5.28.3 Numerous promotional activities also occur during the course of a typical year usually in response to need/requests from the different communities in Exeter, for example:

- presentations to schools, interested groups, professional bodies, (e.g. Infection Control Study Days, Chef Focus Group, Exeter Food Festival Members, Early Years providers);
- circulation of advisory leaflets or guidance notes in response to topical issues or changes in legislation;
- Food hygiene awareness sessions targeted a new food business operators.

6 Health and Safety

6.1 Health and Safety Business Profile

6.1.1 Exeter is predominantly an urban area and the area has many small businesses. The Council enforces health and safety in mostly small and lower risk businesses that are predominantly in the service sector and is responsible for around 2706 premises.



6.2 Health and Safety Intervention Programme

6.2.1 Health and Safety law clearly sets out that the primary responsibility for managing risk to workers and the public who might be affected by work activity lies with the business or organisation that creates the risk in the first place.

6.2.2 The role of the Council is to support, encourage, advise and where necessary hold to account businesses to ensure that they effectively manage the occupational health and safety risks they create. The service uses the guidance given in HELA Circular (67/2 Revision 10) to set its priorities and target its interventions. Businesses are risk-rated from category A (high risk), through B1 and B2 (medium risk) to C (low risk). These ratings are *not* used to determine proactive inspection interventions – the choice of proactive inspections follows the principles within the National Local Authority Enforcement Code (see Section 8.6) – they do, however, help the Council target other interventions on the basis of risk.

6.2.3 As a result of current national and local drivers for change we aim to focus Health and Safety enforcement resources into areas where they are likely to have the greatest impact. In the coming year, we will continue to concentrate on specific topic areas during proactive interventions and reactive investigations, rather than complete all-encompassing inspections. The areas focussed on have been identified nationally and locally as contributing to the highest rate of accidents/incidents and ill health at work, across all health and safety enforcing authorities.

6.3 Scope of Health and Safety Service

6.3.1 With regard to health and safety, the Council will be directed by the Health and Safety Executive's National Local Authority Enforcement Code issued under Section 18 (4)(b) of the Health and Safety at Work etc. Act 1974. The key elements of the code are:

- Ensuring that the authority takes a risk-based approach to regulation;
- Ensuring that the authority applies proportionate decision making in accordance with the LA's Enforcement Policy Statement and Enforcement Management Model;
- A requirement for the authority to legally appoint suitably qualified staff to carry out the necessary regulatory duties;
- A requirement to produce an annual service plan;

6.3.2 The objective of the health and safety service in contributing to this aim is to ensure that risks to person's health, safety and welfare from work activities are properly controlled through advice and proportionate enforcement.

6.3.3 The service comprises a range of key functions, namely:

- to carry out interventions in line with HELA Circular 67/2 (rev.10), the National Local Authority Enforcement Code and the Devon Health & Safety (Enforcement) Sub Group's annual workplan;
- to take the most appropriate action upon inspection of relevant workplaces including the use of advice, informal correspondence, improvement and prohibition notices and the institution of legal proceedings;
- to educate proprietors of relevant workplaces in health, safety and welfare matters and their legal responsibilities in relation to their occupation by the distribution of leaflets and the provision of advice and information;
- to investigate specific accident notifications;
- to advise on the design of relevant workplace premises prior to and during alterations and construction;
- to liaise and work in partnership with the Health and Safety Executive (HSE), UK Health Security Agency (formally Public Health England) and the Fire Authority regarding the enforcement of the legislation;
- to comply with the HSE'S National Local Authority Enforcement Code in respect of inspection programmes;
- seek to promote a simplified risk assessment procedure for low hazard workplaces such as offices and shops through the use of the Devon Local Authority devised toolkit Safer Workplaces, Better Business;
- to focus on emerging issues such as modern slavery and migrant workers, through liaison with the police and immigration authorities.

6.3.4 Proactive aspects of the health and safety service are often delivered jointly with other proactive services such as food hygiene inspections. For example, a current Devon Health and Safety Sub Group initiative is raising the awareness of the duty to manage asbestos. This matter is therefore discussed (where relevant) during food hygiene

interventions. The reactive aspects of the service, for example accident investigations, are responded to along with other complaints and requests for service.

6.3.5 Health and safety interventions are delivered by suitably trained and experienced officers, in accordance with a competency and development scheme. This scheme has been designed to meet the requirements of Health and Safety Executive and Local Authority Enforcement Liaison Committee (HELA) Section 18 guidance.

6.3.6 The premises profile according to the inspection rating scores is as follows:

Highest hazard/Risk	A	2
Intermediate hazard/Risk	B1	38
	B2	314
Lowest hazard/Risk	C	1325
Uncategorised	U	1027

6.3.7 These risk ratings are not used to determine proactive inspection interventions but health and safety issues may be addressed during food, and licensing inspections or following complaints or accidents.

6.3.8 External consultants may be used to undertake other intervention strategies of low risk premises. The decision to employ contractors is taken by the Service Lead - Environmental Health and Community Safety in consultation with the Principal Environmental Health Officer and will be subject to the following criteria:

- there is a direct need to ensure statutory performance targets are met;
- external contractors must meet the requirements of HELA Section 18 guidance;
- the cost of the work can be met within existing budgets; and
- previous knowledge of the competency and quality of the consultants.

6.3.9 The Council still has a duty to enforce health and safety standards in those premises to which it is assigned under the Health and Safety (Enforcing Authority) Regulations 1998 and we will work with such businesses and/or their representatives to improve health and safety standards through the promotion of a Safer Workplace Better Business pack that has been devised by all Local Authorities in Devon.

6.3.10 The performance analysis for the last year is detailed at the end of this section. There has been a reduction in proactive inspections, reflecting national priorities regarding better regulation.

6.3.11 The database will be continually updated and a street/district premises audit (4yr programme). A proportion of uncategorised premises will be visited, though the active audit (see above) may influence progress as new premises are identified.

6.3.12 The health and safety service operates from the Civic Centre between 9.00am and 5.00pm Monday to Friday. Evening and weekend inspections are carried out as determined by the risk based inspection programme and the premises opening hours.

6.3.13 Emergency health and safety issues are currently directed initially to a 24-hour central control team and then onto senior officers as required. In addition the Council's continually revised website is used to provide information about health and safety

services for consumers and businesses and also provides a direct email address for service requests.

6.4 Complaints / Requests for advice / Advice to Business

- 6.4.1 Additional interventions will also arise during the year by virtue of complaints, new business start-ups, change of use, major alterations/refurbishments and request for inspection. A revisit will always be carried out where statutory notices have been served, in all other cases the officer will make a professional judgement as to the requirement for a revisit.
- 6.4.2 In accordance with the current strategy contained in *Helping Great Britain Work Well: A health and safety system strategy* (HSE, 2016) and HELA Strategy, as outlined in LAC 67/2 (rev. 10), the focus of inspection activity within the planned programme will concentrate on:
- **Acting together:** Promoting broader ownership of health and safety in Great Britain
 - **Tackling ill health:** Highlighting and tackling the costs of work related ill health
 - **Managing risk well:** Simplifying risk management and helping businesses to grow
 - **Supporting small employers:** Giving SMEs simple advice so that they know what they have to do
 - **Keeping pace with change:** Anticipating and tackling new health and safety challenges
 - **Sharing our success:** Promoting the benefits of Great Britain's world class health and safety system.
- 6.4.3 The *Statement of Commitment between Local Authority and HSE Regulatory Services* (March 2019) sets out a shared vision for co-regulatory partnership of this strategy.
- 6.4.4 In addition to these elements the Council will base its Health and Safety Plan on Section 18 guidance, taking into account national, regional and local priorities.
- 6.4.5 Given the scale of work-related stress (15.4 million working days lost; cost to GB's economy of £5bn per year); we will look at how certain sectors deal with the issue, focussing on our Primary Authority partners and the leisure industry.
- 6.4.6 From 1 July 2007, all enclosed workplaces became smoke free, as a result of the Health Act 2006 and subsequent regulations. All Environmental Health Officers, Technical Officers, Licensing Officers and Environmental Protection Officers are also authorised to enforce the smoke-free provisions. Smoke free compliance for businesses will be incorporated into the proactive inspection work undertaken by the Environmental Health and Community Safety service, in addition to responding to complaints.
- 6.4.7 The approach is therefore about focussing health and safety enforcement resources into areas where they are likely to have the greatest impact rather than completing all-encompassing inspections. This will fall in line with the principles advocated by Regulatory Delivery and Health and Safety Executive.
- 6.4.8 The above does not preclude the importance of providing wider guidance on health and safety compliance to new businesses and following specific service requests. Proactive health and safety education work will be suitably balanced against targeted enforcement activity.
- 6.4.9 The authority has a duty to investigate complaints about health and safety conditions/issues and about its health and safety service provision. A number of

complaints/service requests about health and safety are received annually, all of which will be dealt with as appropriate or passed to other agencies.

6.4.10 No complaints have been received regarding the service provision of the Authority.

6.4.11 The service recognises the importance of providing advice to businesses as part of effective health and safety enforcement. As well as the provision of specific advice during interventions and with post intervention correspondence, a wide range of general health, safety and welfare advice is distributed to businesses.

6.4.12 The Council website is also continually revised and allows direct access and links to local and national health and safety information detailed within this service plan.

6.5 Statutory Notifications

6.5.1 Prescribed accidents, dangerous occurrences and occupational diseases are reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. Accidents would include fatalities and accidents involving visits to hospital or currently more than 7 days off work. Certain accidents involving employees, the self-employed and members of the public are also reportable.

6.5.2 The Council has a duty to investigate accidents to determine whether offences have been committed and to prevent a recurrence. The authority also receives notifications of certain unsafe equipment and must respond and investigate such notifications. Decisions as to which accidents require a full investigation are made by the Principal Environmental Health Officer, based on HSE's *Incident Selection Criteria Guidance*.

6.5.3 The service has a formal policy and procedure covering the type of accident, industrial disease notification or related service request, which the authority will investigate. This was revised during 2009 following new national guidance issued by the HSE. The Council is committed to reducing workplace accidents.

6.5.4 As a 'responsible authority' for the purposes of the Licensing Act 2003 and the Gambling Act 2005 the section has a duty to respond to premises licence applications etc. A number of applications will require scrutiny, some of which may require amendments by negotiation.

6.5.5 Liaison with other organisations is essential in order to achieve consistency and effectiveness of the health and safety service. The service is represented on the Devon CEHOs Health and Safety (Enforcement) Sub Group, which meets bi-monthly. This group includes a representative from the Health and Safety Executive (HSE) and maintains links with other local authority health and safety enforcement officers.

6.6 National Local Authority Enforcement Code

6.6.1 The Authority has a duty to focus its activities on national priorities and strategies and in particular the National Local Authority Enforcement Code, to secure a reduction in accidents and ill health in the workplaces for which we are responsible. The code is 'designed to ensure that Local Authority health and safety regulators take a more consistent and proportionate approach to enforcement' and 'provides direction to LAs on meeting these requirements, and reporting on compliance.'

6.6.2 Appendix C contains a list of activities/sectors for proactive inspection by Local Authorities – only these activities falling within these sectors or types of organisation should be subject to proactive inspection.

- 6.6.3 The work of The Environmental Health and Community Safety service will address other issues when undertaking visits/developing initiatives in workplaces; health at work is an important issue. Interventions with regard to compliance responsibilities to reduce exposure to occupational tobacco smoke will continue to be considered.
- 6.6.4 LAC 67/2 (rev.10) also includes a number of national priorities, including
- Managing the risks posed to employees during the coronavirus pandemic- for example, carrying out a covid-risk assessment, ensuring handwashing facilities, ventilation etc. are adequate in the workplace.
 - Duty to manage asbestos – which will continue to be discussed (where appropriate) during food hygiene interventions
 - Raising awareness of the need to prevent injury to members of the public from accessing large commercial waste and recycling bins – work which can be carried out as part of our on-going initiative to ensure that commercial waste is being correctly presented.
 - Inflatable amusement devices – ensuring adequate ground anchorage, measurement of wind conditions, documentation from a competent inspection body to show compliance with BS EN 14960 and annual inspection by a competent person.
 - Falls from height – work on/adjacent to fragile roofs/materials.
- 6.6.5 The Council offers leaflets and posters in different languages (and offers translation services if necessary) for the performance of its functions. The service endeavours to be resourced to ensure equality of access to information.
- 6.6.6 Training courses for the Level 2 Award in Health and Safety in the Workplace qualification as well as Manual Handling and Risk Assessment are also provided, and a Health and Safety Handbook has been revised and produced for distribution across the City and at training courses.

6.7 Monitoring

- 6.7.1 A swimming pool monitoring programmed based upon risk, using SMART sampling and a detailed assessment of pool management systems will be exercised throughout the year. The need for provision of further training/information for local pool operators will be explored, based upon the sample results.

6.8 Enforcement

- 6.8.1 Enforcement (or the fear of enforcement) is an important motivator for rogue employers. Evidence confirms that enforcement is an effective means of securing compliance and promoting self-compliance.
- 6.8.2 We will work in partnership with the HSE, other enforcement agencies, regulators and stakeholders to secure proportionate compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard health and safety and welfare.
- 6.8.3 The scope of these activities will continue to be evidence-based and are clearly set out in the Council's Enforcement Policy.

6.9 Staff Resources

The national local authority enforcement code requires the Council to have sufficient capacity to undertake our statutory duties. Exeter City Council.

- 6.9.1 All Environmental Health Officers will undertake some health and safety duties along with their other functions which include food safety, training, health initiatives, some licensing duties and infectious disease control.
- 6.9.2 The staff resources allocated to the functions is currently deemed adequate to fulfil the Council's duties. Officers will vary their approach to the health and safety intervention programme to enable them to meet Performance Indicators by targeting resources on high-risk premises and national priorities.

6.10 Staff Skills

- 6.10.1 Only trained and competent staff will be able to undertake full health and safety duties. The authorisation, and hence action they can take, for each officer will reflect their individual skills. As part of the annual Growth and Development Review all staff who undertake health and safety duties are subject to an assessment of competency. Any training and development needs identified at the Growth and Development Review process are added to the service wide training plan which provides for the priority resourcing of both qualification based training and continuing professional development.

6.11 Consultation with Stakeholders

- 6.11.1 The Health and Safety at Work etc. Act 1974 places general duties on all employers to protect the health and safety of their employees and those affected by their work activities. Its goal-setting approach makes clear that those who create risks are best able to manage them. We will make clear that effective health and safety management is a collective responsibility in which individuals too must play their part.
- 6.11.2 Experience shows that many organisations do not contact us. Some may be fearful of contact, which deters them from seeking advice. We will make a special effort to explore new ways to establish and maintain an effective health and safety culture, so that all employers take their responsibilities seriously, the workforce is fully involved and risks are properly managed.
- 6.11.3 We will aim to demonstrate the moral, business and economic case for health and safety. Appropriate health and safety management is an integral part of effective business management and, we will promote it as an enabler and not a hindrance.
- 6.11.4 We will explore ways to promote greater access to authoritative health and safety advice and guidance and we will continue to offer advice in the course of our other enforcement activities where appropriate. We will listen to business's health and safety concerns and assist (by the provision of appropriate guidance, advice, training etc.) as much as is practicable.

7 Sampling Programme

7.1 Purpose of Sampling

- 7.1.1 The food and water quality sampling programme is devised to ensure effective use of resources and fulfil the requirements of the Food Sampling Policy, Private Water Supply Regulations and water quality standards in respect to swimming pools.

7.2 Requirement to Sample

- 7.2.1 The sampling programme operates on a total sampling allocation of 10 samples per 10,000 population. This will require approximately 128 samples per year to be taken. The authority is required to provide a statistical return to the Food Standards Agency (FSA) and Drinking Water Inspectorate on its annual sampling activity. All local authorities have an arrangement with the UK Health Security Agency (formally Public Health England) Laboratory, which provides a credit allocation to facilitate this work.
- 7.2.2 The authority has a duty under the Private Water Supply Regulations to conduct periodic sampling of Private Water supplies within the City. All local authorities within Devon have an arrangement with South West Water, which provides a pay as you sample contract to facilitate this work.
- 7.2.3 The authority also conducts routine swimming pool sampling of all public and private swimming baths within the city. All local authorities have an arrangement with the UK Health Security Agency (formally Public Health England) Laboratory, which provides a credit allocation to facilitate this work.

7.3 Sampling Methodology

- 7.3.1 Primary Authority Partnership role: There is only a very limited role for the Council to play in this respect as we are without any large national companies producing high-risk products. There are however a few small producers whose products are distributed locally and sampling will provide a means of surveillance of their goods and services.
- 7.3.2 Devon & Cornwall Chief Officers Food Sub Group: The food sub group produce a sampling plan that is applicable to both Unitary and district council members. This sampling plan will act as a 'pick list' and along with nationally agreed surveys will inform the majority of the food sampling methodology. In addition to the national surveys the food sub group have also agreed several local surveys.
- 7.3.3 Vulnerable Foodstuffs: High-risk foodstuffs, which give cause for concern or suspicion, may need to be sampled on an ad hoc basis. This will include sampling verification of controls at a critical step in a food operation and monitoring of imported food from third world countries, for example.
- 7.3.4 Complaints: Food samples may be taken when investigating consumer complaints, either to confirm suspected contamination or in undertaking enquiries resulting from complaints.
- 7.3.5 Statutory Samples: We have a statutory obligation to monitor water distributed by SWWS Ltd and to a limited extent premises with private water supplies.
- 7.3.6 Survey Work: The number of samples taken as a result of Food Alerts, locally/nationally agreed surveys and food poisoning investigations is subject to annual variation, but provision will be made for these items.
- 7.3.7 Environmental Swabs: The swabbing of key food contact and hand contact surfaces is seen as an effective means of contributing to the assessment of hygiene standards during routine food hygiene inspections. Officers will use a combination of swabs sent to the UK Health Security Agency (formally Public Health England) laboratory and ones analysed at the time of visit using an ATP meter.

7.4 Budget Provision

- 7.4.1 In addition to the credit allocation provided by the UK Health Security Agency (formally Public Health England) laboratory, sums of £260 (analyst's fees) and £300 (samples) are included within the budget. These sums are intended to cover all sampling and a

proportion of this will be reserved for Health and Safety sampling (e.g. asbestos, COSHH etc.).

7.5 Resources

- 7.5.1 There is adequate provision within the present budget to undertake the proposed sampling programme. Allowing for some flexibility between the two budget entries ensures that problems in financing the purchase and analysis of samples for the Food and Health and Safety enforcement functions of the section will be minimised. The programme assumes the current staffing level as outlined in section 5 of this report will be maintained throughout the year.

Year	2021										2022		
Months of sampling	A	M	J	J	A	S	O	N	D	J	F	M	
UK Health Security Agency (formerly Public Health England) Studies													
Study 70 - Legionella													
Study 70 – Salad items in retail & catering													
South West Co-ordinated & Exeter Specific Sampling Programme													
Post lockdown hygiene in takeaways and restaurants													
Ready to eat cooked chicken served cold													
Swimming Pool Sampling													
Private Water Supply Sampling													

8 Environmental Health Training Service

8.1 Scope of the Training Service

- 8.1.1 The service has established a robust cost effective training service for Exeter and the surrounding area.

8.2 Main Provisions of the Training Service

- 8.2.1 Food handlers must receive adequate supervision, instruction and /or training in food hygiene for the work they do. The owner of the food business is responsible for ensuring that this happens. There is an equivalent legal position under Health and Safety legislation and businesses have a legal duty to assess the risks within their operation and the take precautions to minimise that risk.
- 8.2.2 The Environmental Health training services provision has been at the forefront of training since the establishment of the first formal courses. Over the years, the Environmental Health Training Portfolio has established itself as a primary provider of Environmental Health training courses in Exeter and the surrounding area. The authority aims to provide this service on a cost neutral or profit making basis.
- 8.2.3 The training and education activities are principally directed to workplace and consumer health protection, although increasingly educational establishments and the voluntary sector are using the service. The service embraces the principles of excellence in public services and Better Regulation and looks to make the most effective use of available resources to achieve maximum gain.

8.3 Access to Training

- 8.3.1 The service looks to actively encourage delegates who require additional support in terms of, language difficulties, poor literacy or numeracy skills, physical or mental challenges, dyslexia or other literacy problems.
- 8.3.2 Where additional support is required, this can be provided through the provision of language specific course materials, extension of guided learning hours, oral examinations, extended examination period, alterations to the method of instruction or provision of specific courses. The service also provides training in other languages to meet the diverse needs of the business community.

8.4 Financial Implications

- 8.4.1 The service is run on a cost neutral basis to the authority.
- 8.4.2 The costs of providing training in other languages significantly increases the costs as the service needs to employ the services of a translator or course tutor who can deliver the course in the desired language to ensure that the courses are equally successful.

9 Resources

9.1 Financial Matters

- 9.1.1 Detailed figures to determine the overall specific level of expenditure involved in providing individual elements of the service are not available as there are fluctuations in priority and need across the wide range of legislative areas. Likewise with changes in the intervention pattern it is difficult to accurately determine the trend of growth, of the various functions of the service. The food safety function can occupy the significant portion of time of the Section, at the expense of the other services.
- 9.1.2 The training element is also covers subjects across the enforcement disciplines, although it has its own budget and cost centre and aims to be cost neutral. External tutors are used to increase efficiency in delivering this service.
- 9.1.3 The budgets for sampling and analysis of samples are currently £560 for the year.

9.2 Budget Allocation Figures for 2021/22 – Food Safety Function

	Salary (+)	Equipment	Travel
<u>Commercial F020</u>	234,620	10,050	780
Proportion allocated to Food Safety Function (40%)			
Analysis (max)	93,848	4020	312
Purchase of Samples		260	
		300	
Environmental Protection Sampling Technician	2,289		

NB: Based on 40% allocation to Food Safety. Analyst fees up to a maximum £260 (may also be used for water/health and safety samples) if required.

9.3 Budget Allocation Figures for 2021/22 – Health and Safety Function

	Salary (+)	Equipment	Travel
<u>Commercial F020</u>	234,620	10,050	780
Proportion allocated to Health & Safety Function (40%)	93,848	4020	312

NB: Based on 40% allocation to Health and Safety. Analyst fees up to a maximum £260 (may also be used for water/health and safety samples) if required.

9.4 17.1.6 Budget Allocation Figures for 2021/22 – Training Provision

	Salary (+)	Equipment	Travel
<u>Health Education F018</u>	2,570	16,140	-
Proportion allocated to Health & Safety function (20%)	514	3,228	-
Proportion allocated to Food Safety function (80%)	2,056	12,912	-

9.5 Staffing Allocation

9.5.1 The Environmental Health and Community Safety service is managed by the Environmental Health and Community Safety Service Lead.

Title	Qualification	Role
Service Lead – Environmental Health and Community Safety	BSc / Msc Environmental Health	Head of Service

9.5.2 There are currently 3 FTE staff directly working on food, enforcement and related matters and 2 FTE staff directly working on health and safety related matters with a significant and increasing support role by an Environmental Technical Officer and Project and Support staff.

Title	Qualification	Role
Environmental Health and Community Safety Manager	BSc / Msc Environmental Health	Manager
PEHO	BSc Environmental Health	Lead Professional Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO (part time)	BSc Environmental Health	Food Safety / Health and Safety Inspector
EHO - Agency	BSc Environmental Health	Food Safety, Health and Safety and Private Water Supplies Contract Inspector

Title	Qualification	Role
Technical Officer	Educated to 'A' level or equivalent	Sampling and Monitoring

9.5.3 There are currently 3 FTE staff providing a project and support service for The Environmental Health and Community Safety service.

Title	Qualification	Role
Principal Projects and Support Officer	Educated to A level standard	Service Support
Projects and Support Officer	Educated to A level standard	Service Support
Contract Tutors	CIEH/RIPH and/or Highfield Registration	Deliver training courses run by the service

9.5.4 It is currently the approach of the Council to engage the services of outside contractors to assist in programmed food hygiene interventions. This will be subject to any agency contractors meeting the requirements specified in the Code of Practice (England) and the relevant Councils procedure; and the cost of the work being met within existing budgets.

9.6 Self-Development Plan

9.6.1 The service will ensure that staff are appropriately qualified and receive regular training to maintain and improve their level of competency. All officers will have access to at least 20 hours training which will normally be identified at performance appraisal and target setting. For those officers conducting food safety and health and safety enforcement work, a minimum 10 hours food safety and 10 hours of health and safety update training will take place on an annual basis. All Environmental Health staff within the section will be afforded the facility of continuing professional development.

9.6.2 The training structure comprises:

- the employment of enforcement officers capable of food law, health and safety, licensing, environmental permitting and other enforcement that they are required to undertake;
- evidence of formal qualification (sight of original qualification certificates prior to commencement of employment);
- in-house competency-based training;
- successful completion of competence based needs assessments;
- identification of training needs during annual performance appraisal to meet current targets to assist and improve upon performance against current job requirements.

9.6.3 The following additional steps are taken to ensure staff development:

- internal training sessions will be held (anticipated 4 hours CPD in food related topics and 4 hours CPD in health and safety related topics per year);
- briefing notes on topics of current interest will continue to be regularly circulated to bring details of new legislation and technological change in the field of all enforcement areas to the attention of officers;
- those staff who have not attained Chartered Status with the Chartered Institute of Environmental Health will be encouraged to achieve this by successfully completing their Assessment of Professional Development;

- programmes of instruction will be devised to accommodate the needs of new and existing staff and ensure the required level of competency.

10 Quality Assessment

- 10.1.1 The Environmental Health and Community Safety Manager and Principal Officer monitor the quality and consistency of work through the checking of inspection correspondence, statutory notices and audits of various aspects of work conducted on a periodic basis.
- 10.1.2 Customer perceptions of quality are monitored by a post inspection and service request questionnaires, which are sent to a representative proportion of businesses and service users. The questionnaire requests comments on the inspection process or dealing with a service request and any dissatisfied business proprietors or service users who identify themselves receive a follow-up telephone discussion and, where necessary, a visit from the Service Lead - Environmental Health and Community Safety / Environmental Health and Community Safety Manager or Principal Officer.
- 10.1.3 Any formal complaints made against the service are investigated and monitored in accordance with Council's Complaint Policy.
- 10.1.4 External verification of quality is actively pursued with a commitment to promote consistency of enforcement through auditing and benchmarking with the Devon CEHO's Health and Safety, Food Safety and Public Health groups as well the Infection Control group organised by UK Health Security Agency (formally Public Health England)
- 10.1.5 Internal monitoring procedures have been set up to verify the service operates in conformance with relevant legislation, the Food Law Codes of Practice (England), Section 18 of the Health and Safety at Work etc Act 1974 and our procedures.
- 10.1.6 The Council will continue to monitor and report on Customer Satisfaction with interventions and enforcement conducted by the service.
- 10.1.7 The Principal Environmental Health Officer undertake annual quality monitoring audit with each inspecting officer to ensure consistency of enforcement. These audits are recorded and any outcomes agreed between the Principal Environmental Health and inspecting officer.

11 Review

- 11.1.1 Quarterly Performance Indicators on progress in implementing this Service Plan will be made by the Service Lead - Environmental Health and Community Safety to the Director.
- 11.1.2 An annual review against the Service Plan will be made by the Executive Committee.
- 11.1.3 The annual review report will contain information on performance against the Service Plan and Performance Indicators. It will highlight any variances from the plan, reasons for these, and the likely impact that these may have.
- 11.1.4 The Executive will support and Council will approve the Service Action Plan for the year. Improvements to the service identified as a result of the review, quality assessment, or benchmarking work will be incorporated in the Plan.
- 11.1.5 Information on our targets and progress towards meeting these will be published and publicised as part of the Council's Performance Plan.

11.2 Targets

11.2.1 Service Performance Indicators for 2021/2022:

- Percentage of food premises broadly compliant with food hygiene law (annual figure provided to FSA and APSE as part of annual return)
- Number of food safety Interventions (annual figure provided to FSA and APSE as part of annual return)
- Number of health and safety Interventions (annual figure provided to HSE and APSE as part of annual return)
- Percentage of samples taken found to be satisfactory
- Number of delegates engaging with health education initiatives (can be provided quarterly or on an annual basis)
- Percentage staff absence (annual figure provided to APSE as part of annual return)
- Net cost of food hygiene service per head of the population (annual figure provided to APSE as part of annual return)
- Net cost of Health and Safety service per head of the population (annual figure provided to APSE as part of annual return)

11.2.2 There are many performance targets for the service to meet in addition to the requirement to comply with standards issued by the Health and Safety Executive.

11.3 Review of performance

11.3.1 Achievement of these improvements will be monitored by the Service Lead - Environmental Health and Community Safety and where there are significant performance issues, reports will be made to the Director.

12 Conclusion

12.1.1 This service plan demonstrates that the Council has organised its food safety and health and safety and other associated functions in such a manner that it is capable of achieving a comprehensive service capable of meeting the corporate aims of the authority, and the expectations of the Food Standards Agency, Health and Safety Executive, Drinking Water Inspectorate and other related legislation that the section has responsibility for enforcing.

13 Glossary of terms

GLOSSARY	
CCG	Clinical Commissioning Group
CIEH	Chartered Institute of Environmental Health
DEFRA	Department for Environment, Food and Rural Affairs
EHO	Environmental Health Officer
EHORB	Environmental Health Officers Registration Board
EHT	Environmental Health Technician
FSA	Food Standards Agency
HACCP	Hazard Analysis and Critical Control Points
HECA	Home Energy Conservation Act
HoS	Head of Services
LGR	Local Government Regulation
MHCLG	Ministry of Housing, Communities and Local Government
PEHO	Principal Environmental Health Officer

PHE	UK Health Security Agency (formally Public Health England)
PCT	Primary Care Trust
RSPH	Royal Society of Public Health
SWWS	South West Water Services plc

14 Action Plan 2021-22

- 14.1.1 Implementation of the transfer to a new Environmental Health Computer System, implementing a more streamlined customer reporting system and removing unnecessary administrative burdens through adopting a more integrated, digitalised approach.
- 14.1.2 Maintain high standards in food safety by
- Achieve over 90% of the planned inspection programme
 - Continuing to maintain high level (>97%) of broadly complaint food businesses in the city.
 - Enhanced coaching/sampling/training for non-complaint businesses, with caution/prosecution as final action for those who continually flout the law.
 - Continue with intelligence led food sampling programme
- 14.1.3 Promoting Safer Workplaces by
- Inspecting premises regarding the duty to manage asbestos interventions
 - Continue to provide advice and guidance to business to ensure high Covid-19 standards are being maintained
 - Continue audit of Exeter tattooists; look into possibility of providing a list of registered tattooists on our web site.
 - Continue to conduct water quality sampling of swimming pools and other water areas
- 14.1.4 Co-ordinate multi-agency visits where migrant worker/modern slavery issues are suspected or identified
- 14.1.5 Review and refresh the means of business engagement and training using innovative means to help business recover.
- 14.1.6 To investigate further Primary Authority Partnership opportunities for the service

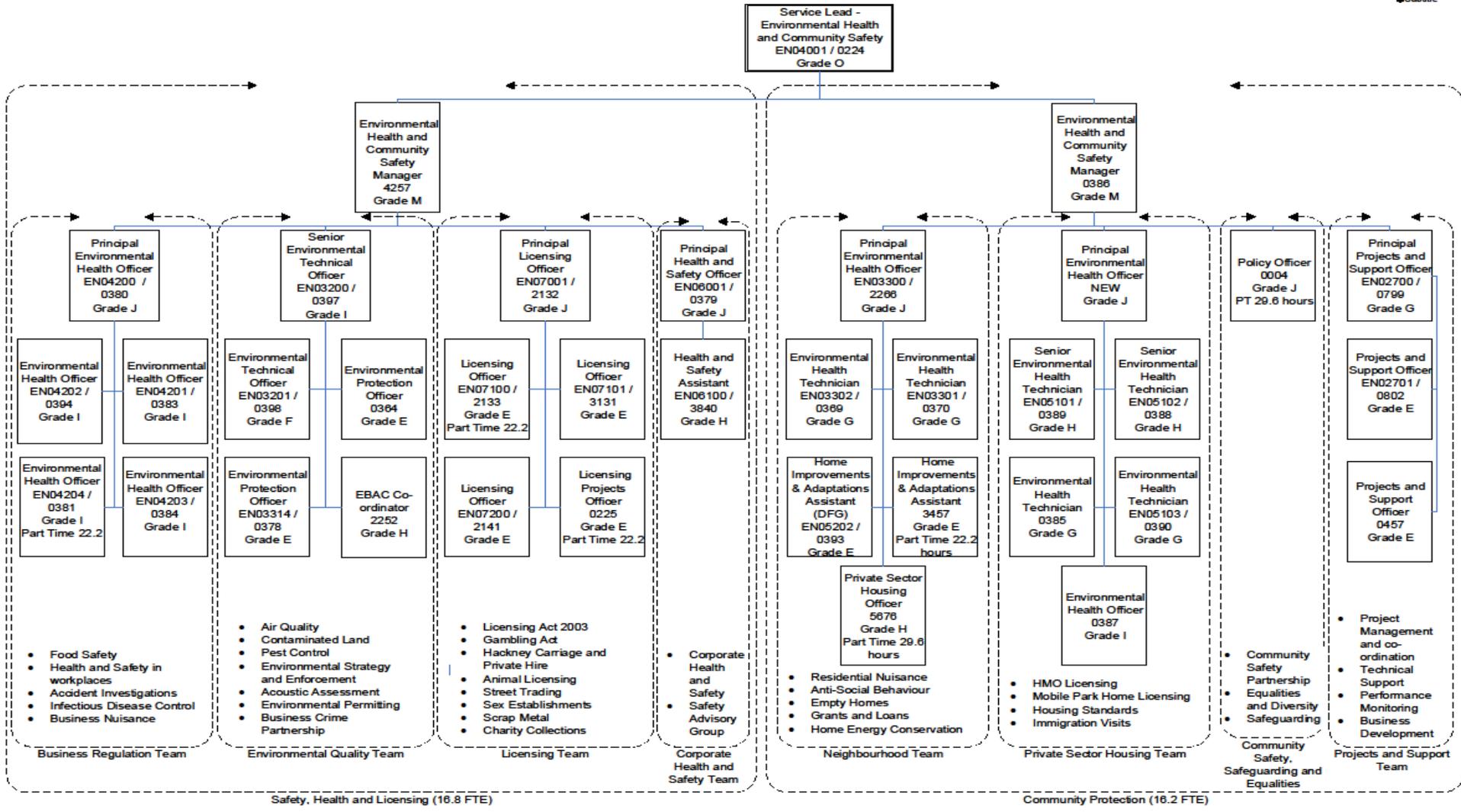
Appendix A – Service Structure

7/28/2020

Structure of Environmental Health and Community Safety – 34 FTE

Subtitle

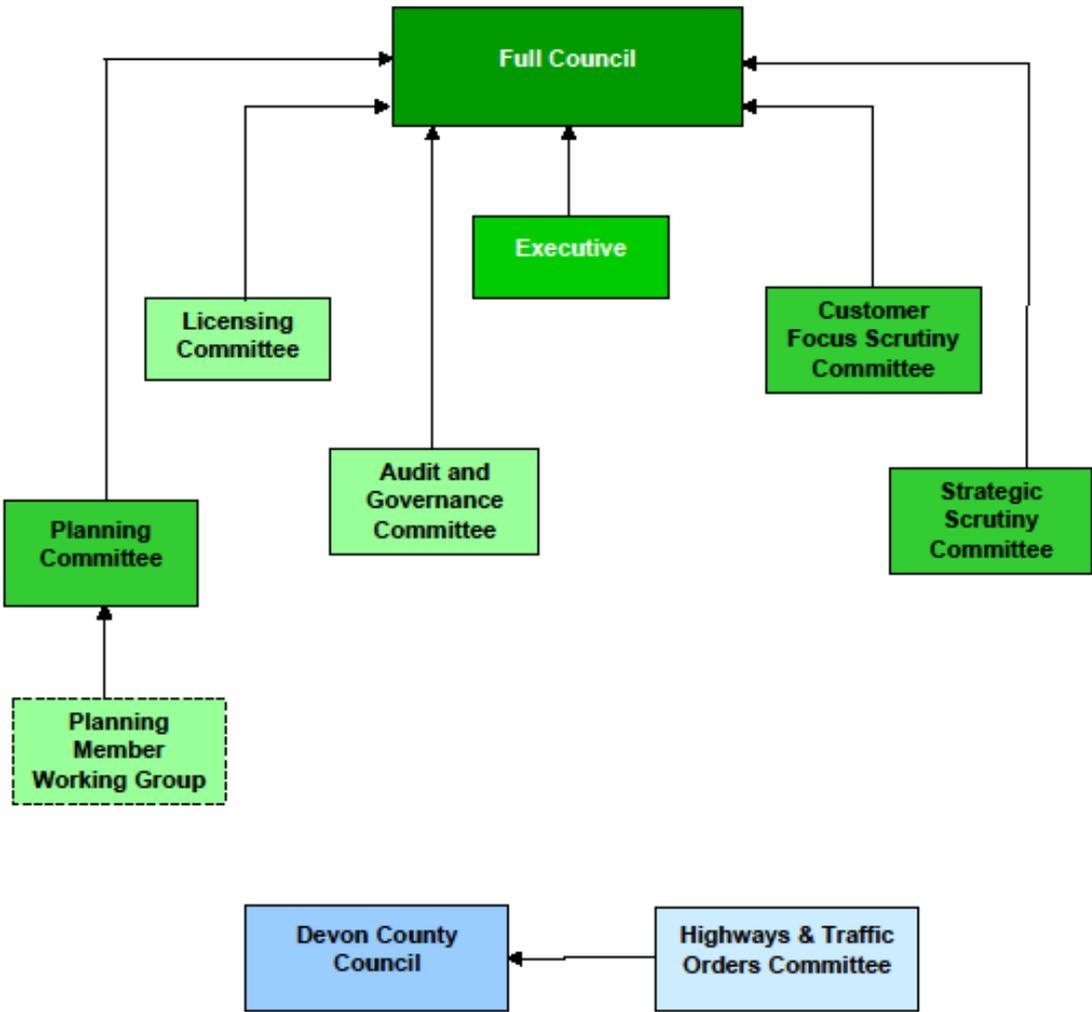
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Appendix B – Committee Structure



The Council's Committee Structure



Appendix C – List of activities / sectors for proactive inspection by Local Authorities

No	Hazards	High Risk Sectors	High Risk Activities
1	Explosion caused by leaking LPG	Community/amenity buildings on caravan/camping parks with buried metal LPG pipework	Caravan/camping parks with poor infrastructure risk control/management of maintenance
2	E.coli/Cryptosporidium infection esp. in children	Open Farms/Animal Visitor Attractions	Lack of suitable micro-organism control measures
3	Fatalities/injuries resulting from being struck by vehicles	High volume Warehousing/Distribution	Poorly managed workplace transport
4	Fatalities/injuries resulting from falls from height/ amputation and crushing injuries.	Industrial retail/wholesale premises	Poorly managed workplace transport/work at height/cutting machinery /lifting equipment.
5	Industrial diseases (occupational deafness/ occupational lung disease – silicosis)	Industrial retail/wholesale premises	Exposure to excessive noise (steel stockholders),), Exposure to respirable crystalline silica (retail outlets cutting/shaping their own stone or high silica content 'manufactured stone' e.g. gravestones or kitchen resin/stone worktops)
6	Occupational lung disease (cancer)	Industrial retail/wholesale premises	Exposure to all welding fume regardless of type or duration may cause cancer. (e.g. Hot cutting work in steel stockholders) Exposure to be controlled with LEV and or appropriate RPE.
7	Occupational lung disease (asthma)	In-store bakeries and retail craft bakeries where loose flour is used and inhalation exposure to flour dust is likely to frequently occur i.e. not baking pre-made products.	Tasks where inhalation exposure to flour dust and/or associated enzymes may occur e.g. tipping ingredients into mixers, bag disposal, weighing and dispensing, mixing, dusting with flour by hand or using a sieve, using flour on dough brakes and roll machines, maintenance activities or workplace cleaning.
8	Musculoskeletal Disorders (MSDs)	Residential care	Lack of effective management of MSD risks arising from moving and handling of persons
9	Falls from height	High volume Warehousing/Distribution	Work at height

10	Manual Handling	High volume warehousing/distribution	Lack of effective management of manual handling risks
11	Crowd control & injuries/fatalities to the public	Large scale public gatherings e.g. cultural events, sports, festivals & live music	Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue.
12	Carbon monoxide poisoning and gas explosion	Commercial catering premises using solid fuel cooking equipment	Lack of suitable ventilation and/or unsafe appliances.
13	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling e.g. betting shops/off licences/hospitality) and where intelligence indicates that risks are not being effectively managed.	Lack of suitable security measures/procedures. Operating where police/licensing authorities advise there are local factors increasing the risk of violence at work e.g. located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign.
14	Fires and explosions caused by the initiation of explosives, including fireworks	Professional Firework Display Operators	Poorly managed fusing of fireworks

Equality Impact Assessment: Financial Assistance Policy for the Food Law and Health and Safety Service Plan

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

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.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name & date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive 8 July 2021 Council 21 July 2021	Food Law and Health and Safety Service Plan	Adoption of service plan	The Service Plan forms the basis of the business regulation enforcement functions for the authority and ensures that national food safety and health and safety priorities are addressed along with locally identified needs. It demonstrates our commitment to improving public safety and health outcomes, sets out our priorities and planned interventions for the current year and targets them to maximise their impact.

			<p>Exeter City Council has a duty to act as an enforcing authority in premises for which it is responsible. The plan outlines how the Council will undertake that function.</p> <p>It has been produced to ensure that local businesses, landlords, employers and employees, members of the public, council officers and Members understand the approach to regulatory enforcement adopted by the Council. The service plan will help to ensure that the actions of the Council are fair, consistent, open and effective.</p> <p>The Council recognises the important role it plays promoting and securing the safety and health of those who live, work and visit the City. The key aim of this plan is to demonstrate how the Council will fulfil its statutory obligations in accordance with national guidance set out by the respective regulatory agencies. It includes:</p> <ul style="list-style-type: none"> • the Council's aim and objectives; • information about the enforcement services provided by the Council; • details of the Council's performance management systems; • information on performance
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Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral		There is no evidence that this will impact on any specific person based on this characteristic. Any incidental impact on those within this group is very likely to be positive.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Positive		The Service Plan applies equally to all residents of Exeter irrespective of disability. Our service does seek to positively support those with disabilities through ensuring safe workplaces
Sex/Gender	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Gender reassignment	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The	Positive		We believe that this service plan will have a positive impact that are improved as a result of our intervention.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
age categories are for illustration only as overriding consideration should be given to needs).			
Pregnancy and maternity including new and breast feeding mothers	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Marriage and civil partnership status	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.

Actions identified that will mitigate any negative impacts and/or promote inclusion

The Council will consider Equalities and protected characteristics at all stages of any intervention.

All Authorised Officers will ensure that all persons dealt with receive fair and equitable treatment irrespective of their background or protected characteristics, as defined by the Equality Act 2010.

Officer: Simon Lane - Service Lead – Environmental Health and Community Safety

Date: 06 June 2021

REPORT TO EXECUTIVE

Date of Meeting: 8 July 2021

REPORT TO COUNCIL

Date of Meeting: 21 July 2021

Report of: Director Net Zero Exeter & City Management

Title: Funeral Service Provision Review 2021

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

A review of the provision of funeral services provided by Exeter City Council (ECC) identified a reduced capacity for full body burials at the three council run sites at Higher, Exwick and Topsham cemeteries. Based on the current demand we would not be able to carry out Full Body Burials beyond 2025 apart from the graves which have already been reserved. The review identified a need for redesigning the way ECC undertake ashes burials to ensure the remaining land within the cemeteries are used in the most efficient and respectful way.

2. Recommendations:

It is recommended that Council approve the proposed Columbarium design to support the increased demand for cremation services. The cost of the proposal is £367,300 based on a detailed design and costing review.

3. Reasons for the recommendation:

To ensure that a correct solution was provided, an internal review was undertaken and it was agreed that a Columbarium should be designed. Six designs were proposed, and a selection committee of Officers, Directors and Councillors, supported the chosen design, with support of the Service Lead, responsible to the Director and the Portfolio Holder. Further discussions at the three locations have taken place with the Council Leader who also supported the scheme.

Options considered during the review for funeral service:

- a) Do nothing;
- b) Stop the provision of Full Body Burials after existing land runs out and continue with ashes burials;
- c) Purchase additional land for Full Body Burials in Exeter; or
- d) Design and build a columbarium to extend the service provision.

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

The design of the columbarium has been funded through the transformation fund, the project will be a tender process through procurement using our construction partners.

5. Section 151 Officer comments:

The costs associated with the project are noted. Delivery of the income over a period of time, will support the costs associated with the build. So long as ongoing maintenance is negligible, the income would cover the costs of borrowing annually over a ten year period, with a small surplus. However, if the level of capital receipts permit, it is likely that they will be used to fund the project allowing the income to support the General Fund budget.

6. What are the legal aspects?

None identified

7. Monitoring Officer's comments:

This report raises no issues for the Monitoring officer except for the need to highlight that a procurement process will need to be followed to select a contractor to build the columbarium.

8. Report details:

8.1 The UK average for cremation is 78% however Exeter's percentage is more like 90% for cremation as confirmed by the funeral directors within the city.

8.2 The city has a population of approximately 131,400 at 2019 and across Devon circa 795,000, this is important as many Devon residents choose Exeter as their last resting place.

8.3 The burial service review was very clear, in that funeral services provided by the city are first class, we have an excellent range of services supported by a range of professionals who demonstrate compassion, respect and the desire to support our residents at these most challenging of times.

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

Providing value for money services

10. What risks are there and how can they be reduced?

The risks involve not making provision for services beyond 2024.

11. Equality Act 2010 (The Act)

11.1 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.

11.2 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.

11.3 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.

11.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because.

11.5 The report is for permission to undertake a full tender process for the construction of the chosen columbarium.

12. Carbon Footprint (Environmental) Implications:

The current UK government ambitions for Net Zero Carbon by 2050 means that all new developments need to understand the embodied and operational carbon impact and undertake measures to mitigate and offset these emissions throughout its lifecycle.

It is proposed that a whole life carbon assessment is undertaken using OneClick LCA and the RICs whole life carbon database to allow benchmarking against known material impacts and the accurate identification of carbon hotspots. The process will also highlight opportunities for reduction through the application of material option appraisals at key points during the design and construction. In line with best practice, the assessment will be carried out at a minimum of two different points in time to allow accuracy in claims for reduction and offsetting.

The aim of the whole life carbon assessment is to reduce embodied carbon emissions at the source by the specification of low carbon materials within the construction (e.g. reducing quantities of cementitious material as far as practicable). The application of options appraisals will help identify appropriate low carbon replacements whilst capturing other key factors such as structural integrity, availability, feasibility etc. Ultimately this will allow accurate offsetting of any residual carbon through local and/or carbon sequestration projects delivery a low impact net zero carbon development.

13. Are there any other options?

In order to continue to contribute to the ongoing maintenance of the 3 cemeteries and to continue to provide ashes burials in Exeter, there is no other alternative.

Director Net Zero Exeter & City Management, David Bartram

Author: Louise Harvey & David Greensmith

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

Background papers used in compiling this report:-

- Business Case
- Costings report
- Presentation

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

Commercial Business Case for SMB

Funeral Service Provision

1. Executive Summary

This report examines and then demonstrates the viability of a permanent facility for the interment of ashes to serve Exeter and the wider Devon communities. Our report is based on the availability of Full Body Burial space which, is projected to run out by 2024 based on the current demand.

The current facility in Higher Cemetery for the permanent interment of ashes is near capacity and is not the most efficient use of the land, the proposed Columbarium has the capacity for 606 niches. “A **columbarium niche** is a vault in a wall or structure specifically designed to hold cremation urns”. A recent survey with local funeral directors confirmed that a permanent facility for the interment of ashes would be a welcome addition to the current service offering and were supportive of this project.

Based on our findings we conducted an internal review, design review and site visit with Officers, the service lead Director, service lead Portfolio holder and the Leader. The design chosen was from Rud Sawers architects, as below.



The Columbarium would create a surplus for the council and is designed to be an outstanding facility for respectful and peaceful, contemplation along with personal reflection for lost loved ones.

The estimated build cost for the Columbarium is £367,300 based on, a detailed design and QS costing review.

The Sales of niches can be carried out directly by the council as is now, and via the funeral providers.

In addition to these costs Exeter currently charges £391.00 to place a headstone on a family plot, our proposal would be to reduce this to £200 as a one of payment, this payment would cover any ongoing maintenance.

The estimated build costs from the costs consultants are £367,300.

The projected timeline of all of the niches is 6 years, the proposal is that each funeral service provider is offered 30 niches (10 funeral service providers across the city) and 306 sold directly through the council's funeral service provision through, proactive promotion of this service through the Exeter Services web site.

The columbarium building is designed to be constructed off site to minimise disruption at site, the construction phase at site would be June to August for the foundations, as this generally avoids peak visiting.

It is our recommendation that irrespective of whether the facility is to be built in phases or in one programme that the scheme is tendered via a Traditional Form of Contract as one project to ensure continuity of materials and to avoid unjustifiable price inflation for the latter phases.

2. Summary of the current service

The current service provides for the interment of ashes within a 1sq metre area for the burial of ashes and whilst this is functional it is an inefficient use of space and currently sold for £1200.00 the Columbarium will accommodate 12 niches in the same footprint (albeit vertical) and will provide £12,000.00 income for the same area sq.

3. The Commercial Case

Existing customers:

The city of Exeter has a growing population circa 131,000 although this figure is increasing daily as each new home is sold additionally we serve Devon and to some extent Cornwall and Somerset, the population of Devon is circa 800,000 and again is growing fast. Data from the discussions with funeral service providers indicates that 90% of funerals in Exeter are now Cremation, this figure is above the UK average at 76%. Annually around 1,000 people die in

Exeter, therefore our customers are estimated at 900 per year within Exeter and 7000 across Devon, in total a potential of 7900 each year.

Potential new customers

New customers are directly as a result from the growth of the population and the reduction of Full Body Burials as our land becomes full.

4. The Strategic Fit

Evaluation Criteria	Yes or No
Meets ECC Corporate Plan	Y
Meets Exeter Vision	Y
Meets our residents needs	Y
Meets our business needs	Y
Project meets carbon neutral targets	Y
Borrowing costs are covered each month	Y
Provides a surplus each month	Y
Overall Risk	Medium
Resources available (spare capacity)	Low
Demand established	Low

5. Options Analysis

SWOT analysis of options

1. Do nothing
2. Purchase new land
3. Provide a Columbarium
4. Extreme alternatives using existing land for burials?

1 - Do Nothing

Strength, no additional costs during the first four years	Weaknesses, no future provision funeral services, no income for ongoing maintenance
Opportunities, no upfront work required	Threats, exposure to future maintenance costs to maintain our three sites Bad publicity when space runs out

2 – Purchase new land

Strength, it provides for full body burials as well as ashes	Weaknesses, it uses land that could be used for development which with a growing city is a risk.
Opportunities, it will allow us to future proof our full body burials	Threats, it will impact on our finances as new land to replace our current facilities would cost in excess of £20 million as most of the land available is set aside for development or has environmental constraints

3 – Provide a Columbarium

Strength, it meets the needs of the current service servicing 90 percent of our customers requiring cremation	Weaknesses, we do not see any current weaknesses as the columbarium meets the needs of the city
Opportunities, the design and build of a columbarium allows us to fully meet the need of our customers whilst maximising the land	Threats, we could see some objections from the public and funeral directors however our discussions to date are in favour of this provision

4 - Extreme alternatives using existing land for burials such as Northbrook

Strength, allows us to use existing land	Weaknesses, full body burials are not good for the environment and losing our green spaces would go against the councils drive to provide green spaces
Opportunities, we could create a natural burial service which over time perhaps 20 years could become mature wood land	Threats, we could see negative public feedback if we tried to create a natural burial site on our green spaces This land is hilly or flood plain and not suited to burials

1 - Preferred option and SWOT Analysis

Preferred Option is to build a columbarium.

Strength, it meets the needs of the current service servicing 90 percent of our customers requiring cremation	Weaknesses, we do not see any current weaknesses as the columbarium meets the needs of the city
Opportunities, the design and build of a columbarium allows us to fully meet the need of our customers whilst maximising the land	Threats, we could see some objections from the public and funeral directors however our discussions to date are in favour of this provision

2 Service Capacity

The existing service provided by Parks and Open Spaces are well equipped to manage this service without additional resources. We have engaged with a Stone Mason to both maintain and engrave the columbarium plaques for each niche, the cost of the engraving pays for the maintenance, the general maintenance of the surrounding area is part of the open spaces commitment.

3 Risk Management

We could see risks to the construction phase through weather although this has been mitigated through off site construction, we have already contacted the funeral directors to mitigate the risk of not selling the niches, our conversations have been very positive with one funeral director confirming the design is beautiful.

In order to mitigate the risk of non-sales through the city council we will be actively promoting the new scheme through the ECS web site and social media.

This is a new way of storing ashes and potentially will take time to be an accepted method of storing ashes, but with the opportunity to have a peaceful contemplation space will likely override any perceived reluctance. Press have already responded well to this proposal during a recent BBC radio broadcast, the risk not to build a columbarium is much greater.

4 USP / Market Advantage / Competition

There are not many things in life that are certain however this demand is, the need for respectful services that are designed for the interment of ashes is a national requirement. As the local authority we are required to undertake these services.

This columbarium will be the first in the South West for Local Authorities and is a new way of storing and providing quality and respectful interment of ashes, it also provides a respectful space for reflection, it provides a tranquil space for services and will be full of energy from the array of plants chosen for their calming nature, the green space in front will be set aside for memorial benches to sit and contemplate.

The design and build of a columbarium will be a first for Devon and a first for a local authority (from the research to date), it provides ECC with a competitive advantage and maximises the sq. area of land as the niches are vertical.

5 Financial Case:

1 - Sunk Costs:	Consultancy Fees £3,600
2 - Fixed Costs	Planning application costs, Legal & Procurement
3 - Variable costs	Delays through archology finds
4 - Opportunity costs	If we do nothing, we will still have the costs to maintain the cemetery at Higher with no income potential leaving ECC with ongoing maintenance costs with no income to offset. There will be a lost opportunity to continue to provide burial space for lost loved ones.
5 - Total Cost	£367,300 – Detailed cost review – Claire Hodgson
6 - Minimising costs	Off-site construction and choosing appropriate times to carry out foundation works will ensure ceremonial events will be avoided.
7 - Pricing Strategy	We will want to be using a pricing strategy that helps our customers to obtain respectful space to inter ashes that are affordable and provide value for money. Data demonstrates that the current Exeter Crematorium costs are amongst the highest in the country currently 15 th highest charges in the UK. Prices will vary year on year to remain competitive within our fixed costs.

6 Legal Case

ECC are required to provide burials when requested to do so or when no relatives or estate has been established.

7 Recommendations

To continue to provide respectful burial facilities, by building a columbarium for the interment of ashes at Higher Cemetery which are peaceful and respectful and return a surplus to the city in line with our commercial strategy.

8 Monitoring & Review

The project has been thoroughly researched for both social impact, environmental impact and sound business planning, the project will be monitored through and until capacity has been reached with plans being put in place to grow the demand at other city locations in Topsham and Exwick, our review team, including the operations officer and service lead will work with finance for continual review and monitoring with reviews set at every 4 months.

9 The Business Plan

Introduction:

A review of the provision of funeral services provided by Exeter City Council (ECC) identified a reduced capacity for full body burials at the three council run sites at Higher, Exwick and Topsham cemeteries. Based on the current demand we would not be able to carry out Full Body Burials beyond 2024 apart from the graves, which have already been reserved.

Our review identified a need for redesigning the way ECC undertake ashes burials to ensure the remaining land within the cemeteries are used in the most efficient and respectful way.

Recommendations:

The recommendation is that we provide this new and innovative service to support cremations as the move to cremation from Full Body Burial is growing. To ensure we provided the correct solution we undertook an internal review and agreed to design a Columbarium, six designs were proposed. A selection committee was selected from Officers, Directors and Councillors, the chosen design is proposed as this has full support from the service lead, responsible director and the portfolio holder, and further discussions at the three locations have taken place with the Leader Phil Bialyk who also approved the scheme.

Options considered during the review for funeral service are detailed within the SWOT Analysis as above, they are:

- Do nothing
- Purchase new land
- Provide a Columbarium
- Extreme alternatives using existing land for burials

Construction phase planning:

The design of the columbarium has been funded through the transformation fund, the project will be a tender process through procurement based on the selected design procured by purchase order in accordance with procurement guidance. The construction will be in two main phases the construction of the foundations and the construction of

the columbarium, the phase two construction has the ability to be in several separate phases to avoid disruption to the existing services. We will be deploying off site modular construction to ensure quality of service and equability of finish, a detailed construction plan will be fully developed as part of the tendering process.

Financial planning

Our cost model has been develop in cooperation with the finance team modelling the NPV.

Business Case Data

The UK average for cremation is 78% however Exeter's percentage is more like 90% for cremation as confirmed by the funeral directors within the city.

The city has a population of approximately 131,400 at 2019 and across Devon circa 795,000, this is important as many Devon residents choose Exeter as their last resting place.

The burial service review was very clear, in that funeral services provided by the city are first class, we have an excellent range of services supported by a range of professionals who demonstrate compassion, respect and the desire to support our residents at these most challenging of times.

Carbon Footprint (Environmental) Implications:

The current UK government ambitions for Net Zero Carbon by 2050 means that all new developments need to understand the embodied and operational carbon impact and undertake measures to mitigate and offset these emissions throughout its lifecycle.

It is proposed that a whole life carbon assessment is undertaken using OneClick LCA and the RICs whole life carbon database to allow benchmarking against known material impacts and the accurate identification of carbon hotspots. The process will also highlight opportunities for reduction through the application of material option appraisals at key points during the design and construction. In line with best practice, the assessment will be carried out at a minimum of two different points in time to allow accuracy in claims for reduction and offsetting.

The aim of the whole life carbon assessment is to reduce embodied carbon emissions at the source by the specification of low carbon materials within the construction (e.g. reducing quantities of cementitious material as far as practicable). The application of options appraisals will help identify appropriate low carbon replacements whilst capturing other key factors such as structural integrity, availability, feasibility etc. Ultimately this will allow accurate offsetting of any residual carbon through local and/or carbon sequestration projects delivery a low impact net zero carbon development.

Prepared by Officers:

Louise Harvey - Service Lead Parks and Open Spaces

David Greensmith – Commercial Manager Growth and Commercialisation

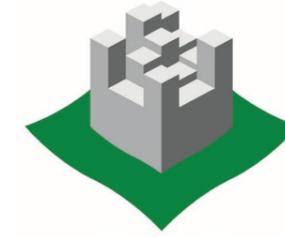
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COLUMBARIUM

HIGHER CEMETERY, EXETER COSTING REPORT

291_Higher Cemetery, Exeter_Costing Report _15NOV19
Issue 02_12MAY21



Exeter
City Council



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2.00 INITIAL COSTINGS

2.01 ESTIMATED COST AND RETURN ON INVESTMENT

2.02 APPROXIMATE RETURN ON INVESTMENT OVER TIME

3.00 VALUE ENGINEERING OPTIONS

4.00 NEXT STAGES



Illustrated visual



Illustrated visual

1.00 INTRODUCTION

Site: Higher Cemetery, St Marks Avenue, Exeter EX1 2PX

Cremation burials are on the increase. We understand that in the 1960's, 34% of all burials in the UK were cremations. In 2019, the number has risen to 78%. according to the National Funeral Directors Association.

In Exeter, approximately 1000 people pass away each year and there is a dramatic shortfall in traditional burial space, with current burial space expecting to run out within 6 years.

In recent years, scientific innovations and shifting outlooks on burials have bred a change in the ways we plan for the burials of our loved ones. The diversification of the funeral industry stems from the environmental impact of traditional burial and the rise of cremation. Casket burial can take a huge environmental toll, burying tons of wood, metal, and concrete in the ground, not to mention the toxic formaldehyde in embalming fluids.

This has prompted an increase in eco-friendly burial options, where minimal resources are used. Driven by these environmental concerns, escalating burial costs and due to the shortfall in traditional burial locations; viable alternatives to traditional casket burial include sustainable cremation and ash interment within a columbarium.

While cremation is not without its environmental impact; off grid lighting, renewable technologies, responsible use of materials, and efficient use of space offer this an increasingly popular alternative to burials.

We believe that the 2 designs presented within our submission offer a balance of a high-quality and peaceful environment which is cost effective. The designs allow for the additional phasing as demand for future cremation space increases.

We present initial costings Section **2.00 INITIAL COSTINGS.**

We actively encourage the collaborative contribution of local stone masons, florists, landscapers and other interested parties to work together in delivering one of our options.

We hope that the proposals contained within our submission will be the start of a successful and deliverable project for Exeter City Council.



Illustrated visual



Illustrated visual

S117 - COLUMBARIUM



Indicative Construction Costs

		Option 1			
Benches	20	m2	£ 150.00	£	3,000.00
Foundation for walls	76	m	£ 120.00	£	9,100.00
Concrete / Stone Plinth	76	m	£ 120.00	£	9,100.00
Straight walls, brick both sides	55	m	£ 576.00	£	31,700.00
Allowance for flower rings		item		£	3,000.00
Curved wall, brick both sides	21	m	£ 672.00	£	14,100.00
Glulam posts	105	m	£ 250.00	£	26,300.00
Curved beam - glulam	21	m	£ 375.00	£	7,900.00
Straight beam - glulam	14	m	£ 245.00	£	3,400.00
Paving to overall area	241	m2	£ 80.00	£	19,300.00
Footpaths	46	m2	£ 65.00	£	3,000.00
Green areas	45	m2	£ 15.00	£	700.00
Screen wall - low level with benching	8	m	£ 240.00	£	1,900.00
Trellis over, fixing to posts	240	m	£ 48.00	£	11,500.00
Corten - Metal signage	12	m	£ 400.00	£	4,800.00
Niches	303	No	£ 275.00	£	83,300.00
Burial / Stone cover panel	606	No	£ 50.00	£	30,300.00
Lighting - General	241	m2	£ 65.00	£	15,700.00
Planting / hedges		item		£	5,000.00
Features (large pebbles etc)		item		£	5,000.00
Signage				£	10,000.00
					£ 298,100.00
Preliminaries	12%		£		35,800.00
					£ 333,900.00
Contingencies	10%		£		33,400.00
					£ 367,300.00
TOTAL ESTIMATED CONSTRUCTION COSTS					£ 367,300.00

Exclusions:

1. VAT
2. Professional Fees
3. Planning and Statutory Costs

2.00 INITIAL COSTINGS

Please see the Indicative Construction Cost breakdown opposite.

The costings have been produced by Quantity Surveyors from QSPM consultants.

www.qspmconsultants.com



2.01 ESTIMATED COST AND RETURN ON INVESTMENT

- Number of Niches (two burials each)	303 Niches
- Number of burials spaces:	606 burial plots
- Estimated income from each burial / Ash interment within niche =	£1000* per burial
- Cost of Construction approximately =	£367,300
- Construction cost per burial plot: £367,300 / 606 burials =	£606.11 cost per burial
- Return on investment per burial: £1000* - £606.11 =	£393.89 profit per burial
- Total Income from burials: 606 burials x £1000* =	£606,000 total income
- Total return on investment: £606,000 - £367,300 =	£238,700 total profit

2.02 APPROXIMATE RETURN ON INVESTMENT OVER TIME

- Years of supply: 606 burial plots / 50* burials /year =	12.1 years of supply
- Income per year: £1000 x 50no. per year =	£50,000 per year
- Years until investment returned £367,300 / £50,000 =	7.3 years

* Assumed / approximated figure following discussions with Exeter City Council.

4.00 VALUE ENGINEERING OPTIONS

While indicative costings are given within this report, these are representative of a high end design finish. Cost saving options are available and include:

- Value Engineering: A thoughtful revision of the design to reduce overall costs.
- Density: Add more niches per linear meter of wall
- Materials: A change of material specification
- Construction Techniques: Include low-labour construction techniques to reduce total costs.
- Expansion of scheme: Adding more burial walls to achieve a greater return in investment per burial.
- Lighting : A review of the lighting requirements.

In addition, a competitive tender process would ensure the best price to procure the scheme.

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5.00 NEXT STAGES

Rud Sawers Architects anticipate continued dialogue and scheme development with Exeter City Council and Local Funeral Directors to refine the brief and the design of the Columbarium for Higher Cemetery.

This can include collaboration with Exeter University over the incorporation of the Solar Bricks elements, and working with local artists to commission focal point sculptures.

Additional stages may include:

- Meeting with Exeter City Planning Authority for pre-application discussions.
- Coordination with a design team to prepare and submit the relevant planning application.
- Coordination with a design team through detail design, tender and construction stages.
- Coordination with additional cemeteries within Exeter (and further afield) to identify future columbarium sites, to ensure a sustainable supply of burial space for Exeter's future.

Rud Sawers Architects Ltd.

1 Dartmouth Close
 The Plains
 Totnes
 TQ9 5DR

01803 865 551
 07713 514 127

rud@rudsawersarchitects.com
 www.rudsawersarchitects.com



Illustrated visual

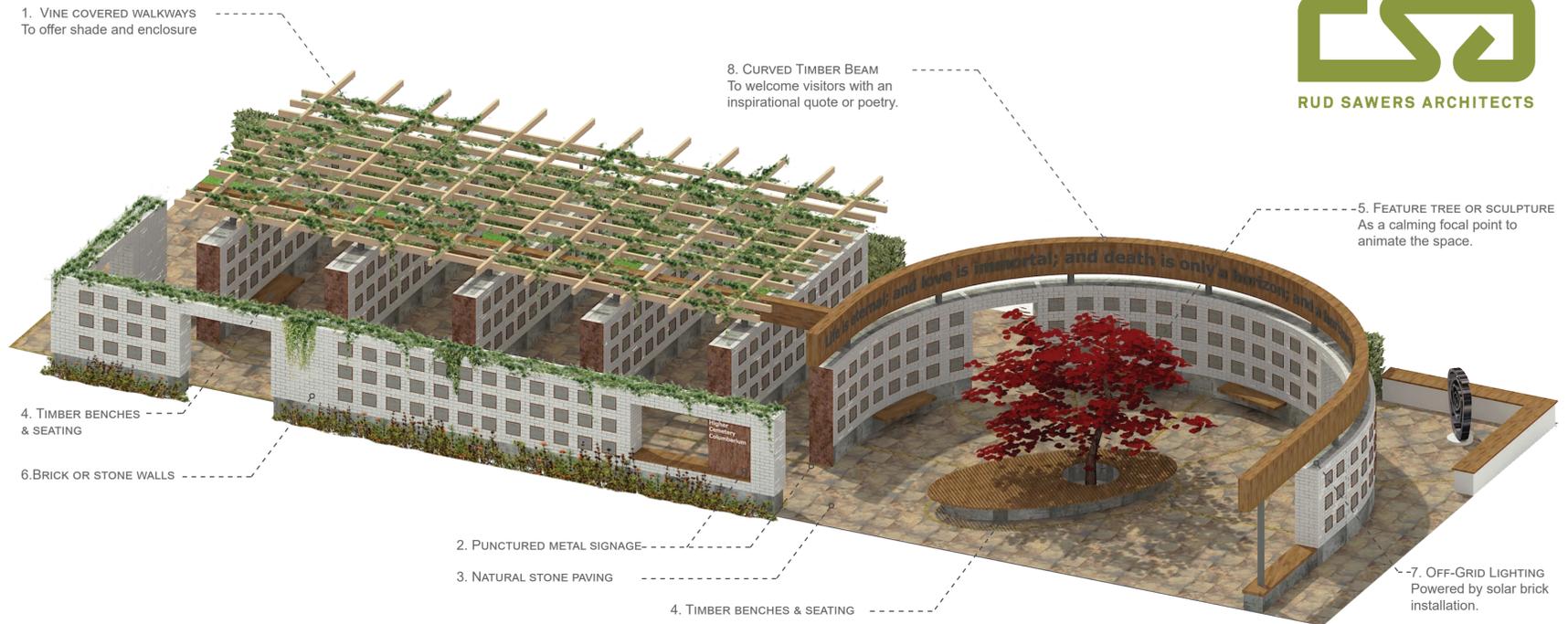
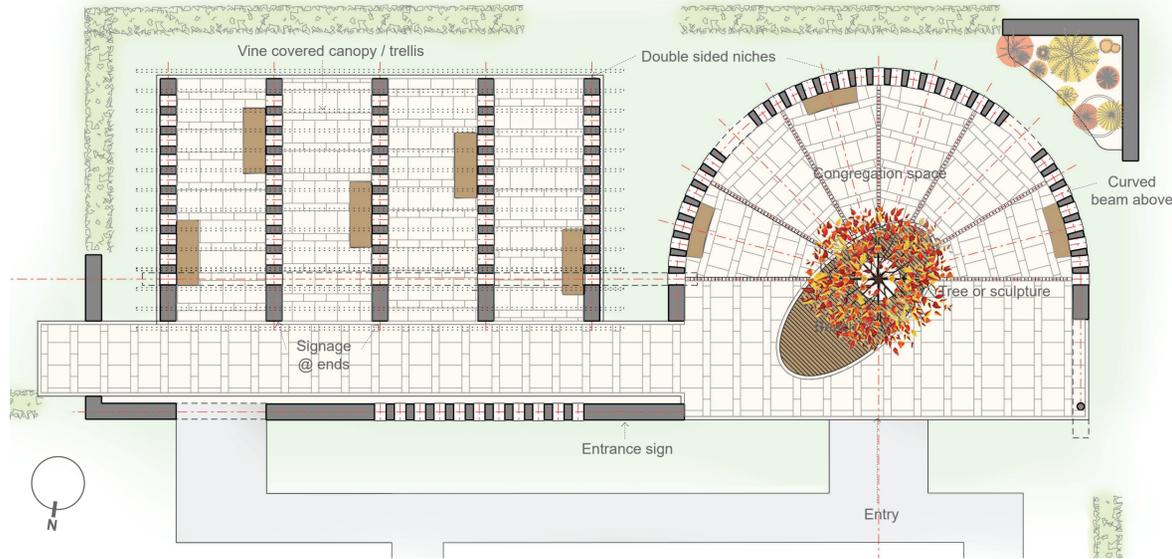


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COLUMBARIUM

HIGHER CEMETERY, EXETER



1. VINE COVERED WALKWAYS

2. PUNCTURED METAL SIGNAGE

3. NATURAL STONE PAVING

4. TIMBER BENCHES & SEATING

5. FEATURE TREE OR SCULPTURE

6. BRICK OR STONE WALLS

7. TEST CASE FOR SOLAR BRICKS

Niches: 303
Burials: 606

The design features a large semicircular entrance space aligning with the existing approach path which welcomes visitors and provides gathering area for large groups of people.

In the centre of this space there is a focal point, either [as shown] a seating area and feature tree or a sculpture with a radial beam incorporating appropriate poetry.

The niches are contained within a walled courtyard or 'external room'. Brickwork walls are efficiently organised in an orthogonal grid with an elegant timber trellis covered with meandering vines.

Burnished Core-ten patinated metalwork is used for signage (to identify niche locations) as a contrasting material to the white brickwork.

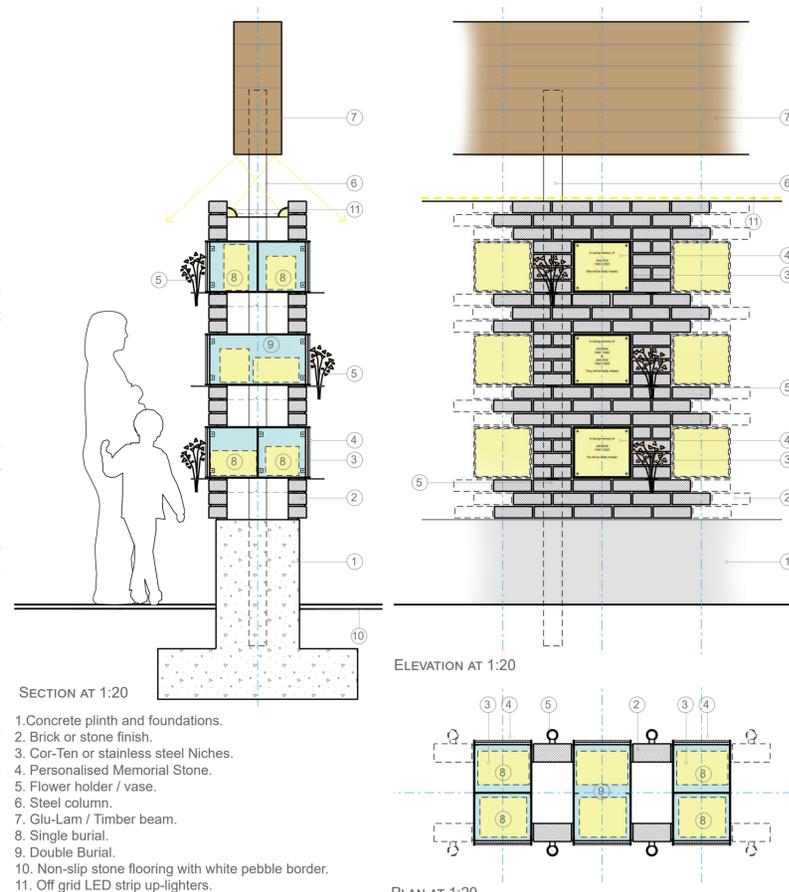
The design is robust, with longevity a primary focus. The concrete plinth, bricks, treated timber and stainless or corten steel niches will all survive the elements for decades to come.

The materials will slowly patina over time as they are exposed to the elements to evoke a timeless quality.

The Niches are sized to fit commercially available ash caskets within the brick wall dimensions.

The niches can be subdivided for single burials or joined together for collective burials spaces for family members. A range of memorial blank name cover plates will be installed as part of the original construction. These can be removed to be engraved once the niches are occupied.

Solar bricks will be installed to provide off grid energy for safety and feature lighting.



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