

EXECUTIVE

Tuesday 4 April 2023

Present:

Councillor Bialyk (Chair)

Councillors Wright, Denning, Ghusain, Morse, Parkhouse, Pearce, Williams and Wood

Also present:

Councillor D. Moore (as an opposition group Leader).

Apologies:

Councillor K. Mitchell (as an opposition group Leader)

Councillor Jobson (as an opposition group Leader)

Also present:

Director Finance, Service Lead Legal Services, Service Lead Net Zero & Business, Museums Manager and Cultural Lead, Environmental Health & Community Safety Manager, Assistant Service Lead – Local Plan and Democratic Services Manager

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CHIEF EXECUTIVE

The Leader, in opening the meeting, advised that Bindu Arjoon as the new Chief Executive of the Council. The Chief Executive was not in attendance but was welcomed in her new position.

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MINUTES

The minutes of the meeting held on 28 February 2023, were taken as read, approved and signed by the Chair as a correct record.

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DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

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QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions from members of the public were received.

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OVERVIEW OF GENERAL FUND REVENUE BUDGET 2022/23 - QUARTER 3

The Executive received the report which advised Members of the overall financial position of the General Fund Revenue Budgets for the 2022/23 financial year after nine months.

Members were referred to the financial summary in the report and advised that the General Fund had a current underspend of £1,009,313, with an outturn transfer of £806,287. There was an overall projected underspend of £743,010 against a revised Service budget of £20,868,560, which would likely require additional supplementary budgets in the next financial year. The report also highlighted two supplementary budget requests, which would be funded by earmarked reserves with no impact on the projected General Fund working balance.

Councillor D. Moore, as an opposition group leader, spoke on this item. She requested whether detail on the business case for the Affordable Housing

Development budget could be provided, explaining why it had been given up as a saving? She also requested detail on why the Exeter Community Grants Programme had been paused and now deferred.

The Leader, in responding, requested that detailed a response to the questions raised, be provided from the Director Finance.

RECOMMENDED that Council notes and approves (where applicable):

- (1) the General Fund forecast financial position for the 2022/23 financial year;
- (2) the supplementary budgets as detailed in paragraph 8.12 of the report;
- (3) the outstanding Sundry Debt position as at December 2022;
- (4) the creditors payments performance; and
- (5) the One Exeter programme update.

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2022/23 GENERAL FUND CAPITAL MONITORING STATEMENT - QUARTER 3

The Executive received the report on the current position of the Council's revised annual capital programme and advised Members of the anticipated level of deferred expenditure into future years. The report also sought Member approval to amend the annual capital programme to reflect the reported variations.

The Leader proposed an additional recommendation:-

- That a further funding request be added for the purchase an additional workboat for the Harbour team.

It was explained that the reason for the additional recommendation was that a delegated decision had been taken by the Director Net Zero Exeter & City Management and relevant Portfolio Holders to use unspent revenue budgets to fund the cost of £30,000 to purchase the new boat. The Council would then be able dispose of two boats, leading to some small savings in mooring fees and fuel costs. The delegated decision was to approve the funding for the capital asset and now required Council approval to make the purchase.

Members were advised that during the first nine months of the year, the Council had spent £52.592 million on the programme, and was compared with £12.924 million spent in the first nine months of 2021/22.

The Director Finance referred Members to the three further requests for funding outlined in section 8.6 of the report advising that the BLRF scheme would be financed by Grant, the Cathedral Green Display Cases would be financed from surplus money from the Guildhall shopping centre. The Topsham Museum would require borrowing for the further funding request.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired about the budget line carried forward for the Exeter Quay Cellars cliff face, and whether the money would be made available for the re-opening of the Quay toilets.

The Leader, in responding, requested that response to the re-opening of the Quay toilets would be provided from the Portfolio Holder.

In response to a question raised by a Member, the Director Finance explained that the money for the Topsham Museum would cover extensive rendering and repair work to the front of the museum and associated work at the site. He would provide a detailed response on the work to be undertaken at the museum.

Following the discussion, the Leader moved and was seconded by Councillor Wright to include the additional recommendation in the report which was voted for unanimously and supported.

RECOMMENDED that Council approves:-

- (1) the overall financial position for the 2022/23 Annual Capital Programme;
- (2) the amendments and the further funding requests to the Council's Annual Capital Programme for 2022/23; and
- (3) the additional funding request for the purchase an additional workboat for the Harbour Team be included in the Council's Annual Capital Programme for 2022/23.

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2022/23 HRA BUDGET MONITORING REPORT - QUARTER 3

The Executive received the report on the financial position of the HRA Revenue and Capital Budgets for the 2022/23 financial year after nine months. Members were referred to Appendix 1 of the report which highlighted areas of risk and advised that certain budgets had been identified as being vulnerable to factors beyond the control of the Council, which could result in potential deviations from budget, and were being closely monitored by officers.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired about the replanting of trees as a result of ash die back. She highlighted that she had been informed that expenditure would be provided, but it had been rolled forward, and was concerned that tree planting was not taking place. Councillor Moore also enquired about the consultancy fees spent on the review of the responsive repairs contract and the consultancy work as cost saving for service improvements for Housing Assets.

The Leader, in responding, requested that detailed response to the questions would be provided from the relevant Director.

During the discussion the following points were raised:-

- Members welcomed seeing Edwards Court in the report and the highlight of the provision for Extra Care in Passivhaus standard; and
- Social Housing was 80% full and some homes had been kept back as part of the pathway project which had generated income for the Council. Five homes had now been made available to social housing tenants.

RECOMMENDED that Council notes and approves (where applicable):-

- (1) the HRA forecast financial position for 2022/23 financial year; and
- (2) the revision of the HRA Capital Programme to reflect the reported variations detailed in Appendix 4 of the report.

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COUNCIL TAX SUPPORT FUND 2023-24

The Executive received the report which set out the new led Government Council Tax Support Fund for 2023-24. The Government had provided £100 million to local authorities to support economically vulnerable residents with their Council Tax payments. The Council Tax Support Fund (CTSF) was a single year grant payment to be made to Council Tax Billing Authorities.

Members noted that the indicative allocation for Exeter City Council was £186,776 which must be fully spent by the end of March 2024 and the use of the funding was divided into two schemes:-

- the Mandatory Scheme would reduce the liability of all current recipients of Council Tax Support at the start of 2023-24 by up to £25 where they had a remaining liability; and
- the Discretionary Scheme which would determine the local approach for using any remaining funds to help economically vulnerable residents with their Council Tax bills.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired whether there would be any performance indicators in relation to the length of time for processing requests for support.

The Portfolio Holder for Customer Services and Council Housing welcomed the report, which was considered to be an excellent scheme to support residents. The £25 liability reduction would greatly support residents in the current economic climate.

The Leader requested that a response on performance monitoring and assessment of potential risk to overpayments be made available.

RECOMMENDED that Council agree to the adoption of the proposed policy for the application of the Discretionary Scheme element of the Council Tax Support Fund scheme.

GENERAL GRANTS POLICY

The Executive received the report on a proposed policy, which would enable the Council, to award grants to organisations to fund activities and would contribute to the achievement of the priorities set out in the Corporate Plan.

The Council currently had a process for awarding Grants through the Community Grants Programme and the policy would provide the Council with an open and transparent policy to award general grants which were outside of the Community Grants Programme.

Particular reference was made to the process which would happen in two ways:-

- where the allocation of a grant has approved funding from Council, the Executive would have the power to award grants; and
- where the allocation of a grant has not been approved by Council, the Executive would have the power to award the grant subject to approval by full Council.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired on the relation of the policy to the Community Grants Programme and whether there were details available applying for a grant?

The Leader, in responding, highlighted that the report provided an overview of the policy, rather than the process for allocating grant money. The policy would allow the Council to support major projects or organisations against the Corporate Strategy. A response on the application process would be made available to Members.

Members welcomed the policy and noted that the policy would not be administered by the Community Grants Programme.

RECOMMENDED that Council adopt the policy to ensure that, should the Council wish to award grants to organisations over and above those within the Community Grants Programme, it had a clear and transparent decision-making process through which to identify opportunities, allocate funds and award grants.

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**AMENDMENT TO THE FINANCIAL REGULATIONS AND PROCUREMENT
CONTRACT PROCEDURE RULES**

The Executive received the report which sought approval to the financial regulations and to the Procurement and Contract Procedures, as outlined in the report appendices presented at the meeting.

Members noted that there were minor changes to the financial regulations which were reflected by the recent introduction of the Council's ordering system. The procurement and contract procedures changes reflected the change of the threshold for officer spending, when going out to tender to improve efficiency. The changes in the report would also bring the Council further in line with other neighbouring local authorities.

Particular reference was made to:-

- the spend threshold for Officers obtaining three quotes would be increased from £10,000 to £25,000; and
- the spend threshold which Officers were required to go out to tender would be increased from £50,000 to £100,000; and
- Officers would continue to be mindful to ensure they were getting value for money on all tenders.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired on the process for analysing tenders and quotes.

The Leader, in responding agreed that clarification on the process would be sought.

In response to a question raised by a Member, the Director Finance explained that:-

- the inclusion of the latest Procurement Policy Note (PPN) for increasing the threshold for advertising in the contracts finder was a change in the Government threshold and therefore wasn't a recommendation to Council; and
- the Executive Committee and the Strategic Management Board (SMB) had responsibility for Risk Management. The Audit and Governance Committee monitored the effectiveness of risk management at the Council and monitored progress against the targets set in Corporate Risk Register.

RECOMMENDED that Council:-

- (1) approve the revised Financial Regulations in Appendix A of the report;

- (2) increase the spend threshold at which Officers are required to obtain three quotes from £10,000 to £25,000;
- (3) increase the spend threshold at which Officers are required to go out to tender from £50,000 to £100,000; and
- (4) approve the revised Procurement and Contract Procedures in Appendix B of the report.

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AMENDMENTS TO THE CONSTITUTION

The Executive received the report which set out the proposals to amend the Council's Constitution to match operational arrangements. The amendments to the Constitution included the changing of the Chief Executive and Growth Director's post title to Chief Executive with immediate effect following the full Council meeting on 18 April 2023. The removal of the post of Corporate Manager, Democratic & Civic Support would be effective from 1 June 2023. The report also sought to ensure that the Scheme of Delegation to Officers was updated to match operational arrangements of the Council.

Members also noted the additional responsibility for the Chief Executive to act in the role of the Council's Shareholder Representative in respect of Exeter City Group Limited and its subsidiaries.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired as to the status of the Governance Review report in relation to constitutional changes.

The Leader advised that the Governance Review report was a separate matter, and would be brought to Executive in due course, following discussions with relevant officers and Members.

Members welcomed the report and expressed their thanks to the Corporate Manager, Democratic & Civic Support for all his dedicated support and hard work during his time at the Council.

RECOMMENDED that Council approve the changes to the Constitution, including the Scheme of Delegation to Officers, as set out in the Appendix of the report, with such changes affecting the post of Chief Executive & Growth Director being with immediate effect, and those affecting the post of Corporate Manager, Democratic & Civic Support being effective from 1 June 2023.

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EXETER PLAN: OUTLINE DRAFT CONSULTATION: CONSULTATION REPORT

The Executive received the report on the responses of the outline draft of the emerging Exeter Plan consultation, which had been undertaken between September and December 2022. The report highlighted the engagement activities undertaken during the consultation and the review of the responses received.

The matter had been considered by the Strategic Scrutiny Committee on 16 March 2023 and the comments made during the consultation would be used in support of the preparation for the emerging Exeter Plan in future.

Particular reference was made to:-

- the summary of responses received to the consultation which were outlined in the report, and that the total number of responses received was 3,473;

- the summary of responses showed that elements of the key strategy in the plan related to climate change, reduction in travel and providing affordable homes, had received significant support;
- there was clearly more support for brownfield development sites than greenfield sites; and
- going forward, the responses to the outline draft plan consultation would be used to develop the next stage of the plan-making process, with a further consultation to be undertaken later in 2023.

During the discussion the following points were raised:-

- there were some excellent points raised by consultees which highlighted the aspirations of those living and working in the city;
- clarification was sought on 15 minute communities, which had been raised by some residents; and
- the report was very detailed and informative and reflected good practice by the Council, and thanks were given to the team for the hard work that had been undertaken.

The Portfolio Holder for City Development and Planning praised the team for the dedicated work that had gone into the report. The figures for the number of responses received was very good and a large volume of information had been received and checked.

The Leader thanked officers and requested clarification and detail about what a 15 minute community was to be provided to Members.

RESOLVED that the content of the 'Exeter Plan: Outline Draft Consultation Report' in Appendix A of the report be noted as a document which will be used to inform the preparation of the emerging Exeter Plan in future.

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REPORT OF THE PLANT BASED FOOD TASK AND FINISH GROUP

The Executive received the report on the work undertaken by the Plant Based Food Task and Finish Group to develop a City Council Sustainable Food Policy. The cross-party Task and Finish Working Group had been setup following approval of a Notice of Motion on 13 December 2022, to ensure food provided at internal Council meetings would be plant-based foods and ready for the Annual Council meeting in May 2023.

Further work had also been undertaken to ensure that Council run external sites also had plant-based options available as part of their regular catering menu.

Four Plant Based Food Task and Finish Group meetings had been held during February and March 2023, to enable the cross party group to attain information from City Council Officers and external contributors to develop the Sustainable Food Policy .

Particular reference was made to:-

- the policy would address plant based options at all Council owned venues;
- there was a challenge in setting a policy to cover the various venues who had differing resources available;
- the policy would also ensure that only plant based food options would be provided at meetings run by the Council;

- there would be a 50% plant-based and 50% dairy, fish and meat options on menus at all venues; and
- performance indicators would be set up to monitor progress and the impact to the Council. A report would be brought back to the Executive in six months.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired whether the Lord Mayoralty was included under Council meetings. She highlighted the importance of ensuring that all dietary requirements were catered for and sought assurance that there would be no impact to the single use plastic policy.

The Leader, in responding requested that an information table be put together by the Service Lead for Net Zero & Business to address dietary options available to provide further clarity on the policy.

The Deputy Leader advised that the Council no longer provided food at its committee meetings and the Lord Mayoralty had been consulted as part of the work.

The Portfolio Holder for Climate Change thanked all contributors and Members for the work that had been undertaken. The subject matter was complex and there was a lot of variation for different outlets in relation to how they would operate under the policy. He highlighted that the policy would address dietary choices and its impact on the environment.

RECOMMENDED that Council:-

- (1) note the work undertaken by the Plant Based Food Task and Finish Group and endorse the new City Council Sustainable Food Policy;
- (2) agree that the Sustainable Food Policy be reviewed after six months and is brought back to Executive on 28 November 2023;
- (3) raise awareness within the local business community of the work undertaken by the South West Food Hub and the national Dynamic Purchasing UK to support local suppliers and producers to gain new public sector contracts; and
- (4) agree for the Net Zero & Business team to:-
 - review the Single Use Plastic Notice of Motion that was carried at Council on 24 April 2018;
 - develop a range of KPI's to monitor the Sustainable Food Policy and carbon emissions associated with the City Council buying food and drink for consumption through Council meetings, Council events and within Council run sites;
 - work with Procurement in developing an approved supplier list for the catering of Council meetings and Council events, in line with the six month review of the Sustainable Food Policy, with information to be made readily available for staff on the City Council's intranet;
 - work towards the Heart of the South West declaration of at least a minimum of 50% of all food spend to be procured from growers, producers and manufacturers within the South West local region by 2028;
 - co-ordinate customer surveys of City Council venues to understand customer demand for plant based food and drink, and results be made available for the six month review;
 - work with the Waste & Recycling team to develop food waste collection from City Council venues, once food waste has been rolled out to residential homes;
 - research options of developing a Devon Fruit and Veg Wholesale Market, utilising the Matford Centre;

- review options of installing a filtered water dispenser at the historic Guildhall; and
- explore the potential of registering all public facing Council catering venues as Refill stations under the refill water scheme.

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FINANCIAL ASSISTANCE POLICY FOR THE BETTER CARE FUND

The Executive received the report which sought to revise the Council's Financial Assistance Policy to ensure that financial assistance was available to vulnerable individuals, both inside and outside of the mandatory Disabled Facilities Grant system. The Financial Assistance Policy was a ring fenced, Devon-wide policy with input provided from both District Councils and Devon County Council to provide more consistency for those working in social care, who refer service users to the provisions of the policy.

The report also sought permission to transfer £300,000 from the Exeter City Council Better Care Fund (BCF) allocation for 2022-23 to the Exeter City Council 'Lendology' Loan Fund. The transfer would allow the Council to use non-committed funds from the 2022-23 financial year to benefit residents in future years through the provision of loans offered at 0%.

Members were referred to the changes to the policy, with particular reference made to:-

- the Accessible Homes Grant had increased from £20,000 to £40,000;
- the Healthy Homes Grant had increased from £5,000 to £10,000;
- the Warm Up Grant had increased from £2,000 to £3,000;
- the introduction of the 0% BCF loan, which would be funded by £300,000 of unallocated BCF funding from 2022-23.;
- the Stairlift Grant had been extended to include other lifts and access options; and
- the introduction of a bathroom Grant, which removed the means testing for the most common adaptations.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired about the money being passed to 'Lendology', and why there was a large underspend. Was there a means to use the under-spend on grants or to promote the policy further?

The Leader, in responding, requested that a breakdown on the number of residents who had applied for the Financial Assistance be provided from the Environmental Health & Community Safety Manager.

During the discussion the following points were raised:-

- welcomed the inclusions of solar panels, and other methods as part of the Healthy Homes Grant, which was important in reducing carbon emissions whilst supporting residents to warm their homes;
- continuing to further the partnership working with 'Lendology' was welcomed, particularly with the means to continue supporting residents and maintaining a revenue stream in the city; and
- the means testing may have been a contributing factor for grants not being applied for, and its removal was welcomed.

RECOMMENDED that Council adopt the revised Financial Assistance Policy for the Better Care Fund, incorporating the creation of a ring-fenced Better Care Fund loan fund of £300,000.

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PROPOSAL TO ESTABLISH AN OVERSIGHT PANEL TO MONITOR THE ROYAL ALBERT MEMORIAL MUSEUM & ART GALLERY'S DELIVERY AGAINST THE FUNDING AGREEMENT MADE BETWEEN EXETER CITY COUNCIL AND ARTS COUNCIL ENGLAND FOR PERIOD 2023-26.

The Executive received the report on establishing a new Oversight Panel to provide Arts Council England (ACE) with monitoring, evaluation and reporting information, relating to the City Council's receipt of National Portfolio Organisation (NPO) funding for the Royal Albert Memorial Museum & Art Gallery (RAMM).

An Oversight Panel was a requirement of the national funding programme, and provided the ACE with the assurance of the governing body's engagement with the funding programme, as well as providing an appropriate level of scrutiny. Exeter City Council was the accountable body for the funding agreement with the ACE and their offer covering the period 2023-26 was for £618,000 per annum, which was subject to the settlement received from Government for this period.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired on the relationship between the oversight group and other organisations who had an interest in the RAMM

The Deputy Leader and Portfolio Holder for Arts, Culture and Corporate Services advised that the purpose of the oversight panel was not to direct the activities of the Royal Albert Memorial Museum & Art Gallery, but to focus on monitoring and reporting on work delivered through funding from Arts Council England's NPO programme.

The Museums Manager and Cultural Lead explained that the Museum was grateful for the support its two associated independent charities, the Friends of RAMM and the RAMM Development Trust, however neither had decision making responsibilities for delivery of museum activities. The oversight panel would similarly have no decision making role but act solely as a monitoring panel for Arts Council England targets which formed part of the NPO funding agreement with the City Council.

RECOMMENDED that Council agree:-

- (1) to establish a new Oversight Panel, as a prerequisite of the Funding Agreement that the Council will make with Arts Council England, in connection with its receipt of National Portfolio Organisation Funding 2023-26; and
- (2) the Terms of the Reference for the Oversight Panel.

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COUNCILLOR GHUSAIN

The Leader expressed his thanks to Councillor Ghusain, who was standing down from her role as a City Councillor, after the election. He highlighted her contribution and work to the Executive and the Council.

(The meeting commenced at 5.30 pm and closed at 6.45 pm)

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 18 April 2023.