

COUNCIL

Tuesday 18 July 2023

Present:-

The Right Worshipful the Lord Mayor Councillor Kevin Mitchell (Chair)
Councillors Asvachin, Allcock, Atkinson, Begley, Bennett, Bialyk, Branston, Denning, Ellis-Jones, Foale, Fullam, Hannaford, Holland, Jobson, Ketchin, Knott, Leadbetter, Lights, Miller, Mitchell, M, Moore, D, Morse, Parkhouse, Patrick, Pearce, Read, Rees, Sheridan, Snow, Sparling, Vizard, Wardle, Warwick, Williams, R, Wood and Wright

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APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harvey and M Williams.

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MINUTES

The minutes of the Ordinary meeting of the Council held on 18 April 2023, were moved by the Leader, seconded by the Deputy Leader, Councillor Wright, were taken as read, approved and signed as correct subject to the following correction to Minute 29 of the Ordinary minutes in relation to Strategic Scrutiny Committee held on 16 March 2023, when the request should have read that the Local Planning team response to Devon County Council's consultation on the Local Infrastructure Plan be published and not just circulated to Members.

The minutes of the Annual meeting of the Council held on 16 May 2023 were moved by the Leader, seconded by the Deputy Leader, Councillor Wright, taken as read, approved and signed as correct.

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OFFICIAL COMMUNICATIONS

The Lord Mayor reported the death of former City Councillor, Mayor and Honorary Alderman of the city, John Holman. He had known Alderman Holman well and his wife, Pamela and he would be greatly missed by those who knew him. The Council stood and observed a minute's silence in his memory and recognition of his public service.

Following an invitation from the Lord Mayor, Councillor Fullam spoke on John Holman's ever presence in Exeter's politics having been a City Councillor for the Pennsylvania ward. Alderman Holman had been a role model for him in his formative years. He also paid tribute to his wife, Pamela and family at this sad time.

The Lord Mayor said that he would share the details of the funeral once the details were known.

The Lord Mayor advised that he had attended the following:-

- the 75th Flag Raising Ceremony commemorating Windrush at County Hall in the morning with an evening event at the RAMM on 22 June 2023;
- starting the annual Nello Charity Cycle Ride from Topsham Rugby Club, on a 60 or 100 mile route with proceeds in aid of his chosen charity FORCE Cancer Charity on 25 June 2023;
- the University of Exeter's Vice Chancellor's Annual Garden Party on 1 July 2023;

- he had attended the Armed Forces Day which was an excellent event for the city and for the Friends of the City Rifles;
- the unique Lammas Fair which is a great tradition for the city where he read the proclamation of the ancient event;
- he particularly appreciated the opportunity to mark the 75th anniversary of the NHS and a commemorative tree planting followed by a cream tea at the RD&E Hospital;
- meeting many individuals from the city and from around Europe at the Guildhall; and
 - two musical events at the Cathedral with the 30th Anniversary of the Exeter Festival Chorus' Choral Concert- Edward Elgar "The Dream of Gerontius" on 15 July and the unexpected pleasure of meeting the Lord Mayor of Bad Homburg who made a quick visit to the city to attend the concert;
 - the Stan Hacking Charity Concert, in aid of the Lord Mayor's chosen charity FORCE Cancer Charity 16 July 2023;
- and to finish with just a reminder of the forthcoming Coffee morning at the Guildhall on Saturday 22 July between 10am and 2pm in aid of his chosen charity Force and he welcomed all.

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PUBLIC QUESTIONS

The Lord Mayor reported that no public questions had been received.

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PLANNING COMMITTEE - 25 MAY 2023

The minutes of the Planning Committee of 25 May 2023 were presented by the Chair, Councillor Knott, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 25 May 2023 be received.

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PLANNING COMMITTEE - 12 JUNE 2023

The minutes of the Planning Committee of 12 June 2023 were presented by the Chair, Councillor Knott, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 12 June 2023 be received.

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PLANNING COMMITTEE - 19 JUNE 2023

The minutes of the Planning Committee of 19 June 2023 were presented by the Chair, Councillor Knott, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 19 June 2023 be received.

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STRATEGIC SCRUTINY COMMITTEE - 22 JUNE 2023

The minutes of the Strategic Scrutiny Committee of 22 June 2023 were presented by the Chair, Councillor Atkinson, and taken as read.

In respect of **Minute No. 55 (Portfolio Holder)**, the Leader, in response to a Member's question in respect of the City Council's position as a limited shareholder of Exeter City Living (ECL) whether the Business Plan should include social and

affordable housing on all of its sites, and a recent presentation by the Chief Executive had confirmed that a review of ECL was currently taking place.

In respect of **Minute No. 56 (Presentation on the Role of Scrutiny)**, a question was put to the Chair of the Scrutiny Programme Board, whether a list could be published of all the Scrutiny requests for consideration made by Councillors alongside the Scrutiny Work plan. The Chair of the Scrutiny Programme Board would seek advice on any procedural issues relating to the request.

RESOLVED that the minutes of the Strategic Scrutiny Committee held on 22 June 2023 be received.

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CUSTOMER FOCUS SCRUTINY COMMITTEE - 29 JUNE 2023

The minutes of the Customer Focus Scrutiny Committee of 29 June 2023 were presented by the Chair, Councillor Vizard, and taken as read.

In respect of **Minute No. 20 (River Exe)**, the Portfolio Holder for Place and City Management would respond to a Member's questions on the lack of confirmation by the Environment Agency as to whether it was safe to swim in or carry out other leisure activities in the river and Exeter Canal; and of the potentially ten year timeframe by South West Water to install equipment to record real time data on the volume of sewage outlets into the river and canal, being unacceptable and also if a request could be made to deliver this investment much sooner and in a shorter period of three years. The Portfolio Holder for Place and City Management requested the Member to send the full detail of the questions to her and she would ensure an appropriate response was made.

The Chair responded to a further question on South West Water's planning consultation responses, in relation to a matter raised when the Notice of Motion had been discussed at Council in February to request South West Water to advise which treatment works for the management of sewage were being undertaken and whether information on the number and duration, and the impact of sewage discharge into local rivers and the sea might be shared. He quoted the relevant information which was set out in a letter from South West Water on their drainage and waste water management plans, and which had been attached to the Scrutiny Committee agenda. The Member suggested she would seek further information to her question.

RESOLVED that the minutes of the Customer Focus Scrutiny Committee held on 29 June 2023 be received.

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HARBOUR BOARD - 17 APRIL 2023

The minutes of the Exeter Harbour Board of 17 April 2023 were presented by the Chair, Councillor Williams, and taken as read.

In respect of **Minute No. 37 (Harbour Master's Report)**, the Portfolio for Place and City Management, who was also the Chair of the Harbour Board, responded to a question on the duty the Council had to inform canal and river users of any pollution incidents and confirmed that the public were informed of the recent pollution event through the usual channels. She would forward the detail of the communications made reporting the incident.

The Portfolio Holder also responded to a Member in respect of (**Minute No. 39 Harbour Revision Order**) a question whether information on the fee structure

would be included as part of the Harbour Revision Order, and if the consultation would include details of an outline fee structure before the end of the year. The Portfolio Holder confirmed that a consultation process, was part of the application for a Harbour Revision Order.

RESOLVED that the minutes of the Exeter Harbour Board held on 17 April 2023 be received.

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EXECUTIVE - 6 JUNE 2023

The minutes of the Executive of 6 June 2023 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of the list of attendees, Councillor M Mitchell requested the initials be changed to reflect his attendance.

In respect of (**Minute No. 60 Appointment to Outside Bodies**), the Leader, stated that although not an outside body that Councillor Snow had taken the place of Councillor Matthew Williams on the Exeter Harbour Board.

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

RESOLVED that the minutes of the Executive held on 6 June 2023 be received and, where appropriate, adopted.

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EXECUTIVE - 27 JUNE 2023

The minutes of the Executive of 27 June 2023 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of the list of attendees, Councillor M Mitchell requested the initials be changed to reflect his attendance.

In respect of **Minute No. 66 (Overview of General Fund Revenue Budget 2022/23)**, the Leader, in response to Members' questions, advised that:-

- a sum of £94,240 was set aside for the roll out of Kerbside recycling in future years and having quickly referred to the Portfolio Holder for Place and City Management, he advised that the intention remained to roll kerbside recycling out and further detail would be forthcoming.
- following a request to use earmarked funds of £143,000 from the affordable housing budget to provide a localised retrofit programme for homes, the Leader referred to other competing commitments, but assured the Member that should any such undertaking be considered, he would share that with Group Leaders prior to consideration at the Executive. The current scheme delivering retrofit to Council property from the Housing Revenue Account (HRA) Fund remained a Council priority.
- a supplementary budget of £59,850 in relation to St Sidwell's Point related to a carryover from last year. He would seek further detail from the Section 151 Officer for the Member. The future plans for the City Point scheme included, the demolition of the former bus station, but identifying a suitable contractor and the challenging economy has resulted in a delay in bringing a scheme forward for the site. He anticipated a further report for an interim plan for the site to the

Executive to come forward, with further discussion with Portfolio Holders, Ward Councillors, the Business Improvement District (BID), businesses and others to consider an appropriate use in the interim meanwhile use, and the creation of more public space to reenergise that part of the city.

The Portfolio Holder for Communities & Homelessness Prevention, in response to a Member, stated that the Exeter Connect programme, despite a review and the final year of the extension of the CIL arrangement, still had a contract with the City Council until March 24. He also updated the Member on the city ward grant scheme. The relaunch of the city's other grant schemes would be first shared with Members at a future meeting of the Grants Panel.

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

In respect of **Minute No. 67 (2022/23 General Fund Capital monitoring 2022/23 and Revised Capital Programme for 2023/24 and future years)**, the Portfolio Holder for Place and City Management responded to a Member's question on the approach to the proposed redevelopment of the Belle Isle Depot and of any further budget identified, confirmed that no detail had been agreed as the work was still in progress. The Leader also stated that no detail had been agreed in relation to the budget for this matter.

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

In respect of **Minute No. 68 (2022/23 HRA Budget Monitoring Report - Outturn)**, the Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 69 (Treasury Management 2022/23)** the Leader agreed to seek further information from the Section 151 Officer on the advice received on sustainable assets and if that had helped to determine the type of investment that could be made as part of this Strategy, the information would be circulated to Members.

The Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried.

In respect of **Minute No. 70 (The Household Support Fund – Scheme 4)**, the Leader, invited the Portfolio Holder for Council Housing Development and Support Services to respond to a Member's question on the separate application process of this and the Economic Vulnerability Fund to assistance funds offered by Devon County Council and if she could work with Devon County Council to create a one stop shop. It was important to get the information out as quickly as possible, particularly as the scheme was targeted at those least likely to engage. The Portfolio Holder Council Housing Development and Support Services advised that two part time outreach posts were being created to assist applicants to access these funds and other schemes. She would look into making the process as joined up as possible.

Members made the following comments that:-

- the Council's support would help with the cost of living crisis and those single parent households who were more likely to be in poverty than other households.

- the funds will enable support for those people who may effectively fall through the cracks.
- the Council tax team and Citizen's Advice should help to protect those available funds to ensure a balanced approach to funding throughout the lifetime of the scheme.

The Portfolio Holder for Communities & Homelessness Prevention also welcomed the collaboration within the Council as well as with the Councils strategic partners including Exeter Connect, Citizens Advice, Wellbeing Exeter and responded to a Member's enquiry that an online language line service could draw on over 127 languages to assist claimants understanding of the funding process. He would arrange to circulate the details of this service.

The Leader said he had every confidence that the Fund would be managed in the proper way to ensure it reached those most in need.

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

In respect of **Minute No. 71 (Economic Vulnerability Fund)**, the Portfolio Holder for Council Housing Development and Support Services also reiterated the commitment to ensure that the Fund would be targeted to those in need.

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

In respect of **Minute No. 72 (Review of the Corporate Risk Register)**, the Leader responded to a Member's question and stated that the work on the Corporate Risk Register was still being progressed. He advised that the risks posed by not achieving Net Zero by 2030 would continue to be progressed as part of the Strategic Scrutiny Committee agenda, but there would be an opportunity for further discussion at the Executive.

The Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried.

In respect of **Minute No. 73 (Revised Local Development Scheme)**, the Leader responded to a Member who had sought confirmation that there will be an opportunity for further Member involvement and scrutiny of the Local Plan before it is published. He reassured the Member that there will be further opportunity for debate. The Portfolio Holder for City Development referred to the intention to bring back a report to Scrutiny Committee as well as widespread consultation as part of the timetable for the preparation of Council planning policy documents, which included the emerging Exeter Plan.

In respect of **Minute No. 74 (Water Lane Compulsory Purchase Order)**, the Leader responded to a Member's question and would ask the Section 151 Officer to provide a detailed response for the Member on the nature of the final costs to the Council. He would seek to ensure there were no increased costs to the Council. He also responded to a question on progression of a Transport Strategy for the site and commitment for the west side of the river and stating that whilst highways issues were important, they would be dealt with by the engineers and discussed at the Planning Member Working Group.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations 1 and 2 were carried.

In respect of **Minute No. 75 (Honorary Alderman of the city)**, the Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried unanimously.

The Leader moved and Councillor Wright seconded the recommendation to move into Part II to exclude the press and public and following a vote, the motion was carried unanimously.

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the items Minutes 77 to 79 on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1,2 and 3 of Part 1, Schedule 12A of the Act.

The Ordinary meeting of the Council adjourned at 7.40pm and re-convened at 7.52pm with the Extraordinary meeting of Council of 18 July.

The Ordinary meeting of the Council recommenced at 8.00pm with a continuation of the Minutes of the Executive held on 27 June starting at Minute No.77.

In respect of **Minute No. 77 (Vaughan Road Development Site)**, the Leader invited the Portfolio Holder for Council Housing Development and Support Services to respond to a Member's question, and she suggested that some work would be completed by the end of 2024. The Leader added that further reports to update Members on progress and any further decisions required would be presented to Members.

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

In respect of **Minute No. 78 (Social Housing Development Opportunities Report)**, the Leader confirmed that he would continue to update Members and he moved and Councillor Wright seconded the recommendations and following a vote, the recommendations was carried unanimously.

In respect of **Minute No. 79 (Proposals regarding staffing at RAMM)**, the Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried unanimously.

RESOLVED that the minutes of the Executive held on 27 June 2023 be received and, where appropriate, adopted.

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COMMITTEE APPOINTMENTS

RESOLVED that Councillor Asvachin be appointed Deputy Chair of the Planning Committee.

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QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER NO. 8.

In accordance with Standing Order No. 8, the following question was put by Councillor Wardle to the Leader

Does the Leader agree that the announced plans to close almost all staffed ticket offices in England, totalling nearly 1,000, following changes to the

Government's guidance relating to ticket office opening hours and operation are likely to discourage use of the railways, compromise safe travel and increase road and air congestion and pollution. The plans are very likely to result in the closure of the Central Station and St David's Station ticket offices. Would the Leader agree that the Council should write to the Secretary of State for Transport, expressing the Council's opposition to the possible closure of staffed rail ticket offices, and in particular the offices at St David's and Central. Together with responding to the consultation due to finish on the 26th July 2023.

For information to the question for councillors
(<https://www.rmt.org.uk/campaigns/rail/save-ticket-offices/>)

Read a fuller briefing on why you should oppose ticket office closures here:
<https://www.rmt.org.uk/news/public-document-library/act-now-to-save-your-ticket-offices/>

Response

The Leader thanked the Member for submitting a question relating to the proposed closure of the city's station ticket offices and he encouraged Members to register their views before the end of the consultation on 26 July. Residents used the ticket offices for a variety of reasons, and any withdrawal of this service may have an impact on travel, with some passengers avoiding the trains and travelling by car instead. It was important to make sure the railways and the ticket offices were supported by all, and the new station at Marsh Barton, had showed the importance of investing and not divesting in the railways.

The Leader responded to Councillor Wardle's supplementary question and welcomed the legal challenge being mounted for the appropriate consultation period not being followed under Section 29 of the Railways Act 2005.

In accordance with Standing Order No. 8, the following questions were put by Councillor D. Moore to the Leader

- 1. Last week an updated Brownfield register was published on the Council's website ([Brownfield Land Register - Exeter City Council](#)) and states that inclusion in this does not confer planning permission. But it does allow permission in principle for residential development. In relation to the area designated BL30 in the St David's Ward, the Council flats Westgate and Southgate are designated as brownfield sites - is this an error? If it is not an error why has it been included?**

Response

The Leader stated that the City Council has decided against identifying any sites in the Register for "permission in principle". Westgate and Southgate are Liveable Exeter brownfield sites and were proposed for redevelopment in the Outline Draft Exeter Plan.

Councillor Moore in asking a supplementary question enquired if the Leader will know when the site will be developed, as in principle planning permission would be for 15 years.

The Leader responded and stated that they had not identified any sites for permission in principle and the site was identified in the Local Plan.

- 2. A number of the Brownfield sites suggest edge of or inclusion within the City Wall - how will the Leader ensure that the City Wall is protected and should a protection zone be included on these areas?**

Response

The Leader stated that the City Wall is a Scheduled Monument and there is no intention to propose development which would cause any harm to these important assets which are of national significance.

Councillor Moore asked a supplementary question and enquired whether a protected zone would be introduced or if further advice could be sought from Heritage England on how to treat the boundary of the base site of the city wall.

The Leader responded and stated that when the sites come forward, the required planning advice from Heritage England would ensure that all works were fully compliant, to protect this asset for the city.

- 3. The area designated BL30 includes St Edmunds Church - does the Leader consider this historic building on the City Wall and its curtilage as a Brownfield site and suitable for redevelopment?**

Response

The Leader stated there is no intention to propose development which would cause any harm to St. Edmunds Church.

Councillor Moore asked a supplementary question that if any development would look to improve on this heritage site, why not include it, as a brownfield site.

The Leader responded and stated that there will be no harm caused to any church on any development. There was a strong planning team at the Council, dealing with in principle planning matters in an efficient way, including heritage sites which are maintained for the benefit of the city. A planning zone had been suggested and he assured the Member there was no intention to cause any harm.

- 4. What are the Leader's aspirations for the proportion of a) affordable homes, b) council homes c) co-living on the Liveable Exeter sites that he will be pushing to inform emerging planning policy?**

Response

The Leader stated that draft policies for the provision of affordable housing and for the tenure mix of homes on Liveable Exeter sites will be included in the next round of public consultation on the Exeter Plan.

- 5. Site BL23 has historically been zoned for employment land. Does this inclusion of Marsh Barton in the Brownfield register now confer permission in principle for residential use, in whole or in part?**

Response

The Leader stated that the Brownfield Register does not include a Part 2 section, therefore none of the sites on the Brownfield Register have been granted permission in principle as a result of being identified on the Register.

Councillor Moore asked a supplementary question and enquired if site BL23 was empty land and included in the Marsh Barton brownfield allowance with permission in whole or part and set out in the Government guidance and not on the Part 2 register.

The Leader responded and stated that the Brownfield Register does not include a Part 2 element as he previously advised.

- 6. Given that the Planning Member Working Group only has the status of a 'sounding board', which Council committee or body has formally approved this new Brownfield Register?**

Response

The Leader stated the Brownfield Register does not require formal approval to publish. However, the detail of this will come to the Executive and Council. In response to the reply, Councillor Moore advised that she had previously raised these issues at meetings of the Planning Member Working Group and brought these questions back to Council for an appropriate response. The Leader referred to the questions and welcomed the opportunity to meet the Member, with the Portfolio Holder for City Development and also the Director of City Development to discuss this important issue.

(The meeting commenced at 6.00 pm and closed at 8.05 pm)

Chair