



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 20 FEBRUARY 2024**, on the rising of the Extraordinary Meeting of Council which commences at 6.00 pm, at which you are hereby summoned to attend.

The meeting will be live streamed on YouTube - [Democratic Meetings – YouTube](#)

If you have an enquiry regarding any items on this agenda, please contact Mark Devin, Democratic Services Manager on 01392 265477.

The following business is proposed to be transacted:-

	Pages
1 Minutes	
To approve and sign the minutes of the meeting held on 12 December 2023.	5 - 16
2 Official Communications	
3 Public Questions	
Details of questions should be notified to the Democratic Services Manager at least three working days prior to the meeting - by 10am on Thursday 15 February 2024. Further information and a copy of the procedure are available from Democratic Services (Committees) (Tel: 01392 265115) with details about speaking at Council to be found here: Public Speaking at Meetings .	
4 Local Government (access to Information act 1985 - Exclusion of Press and Public	
To pass the following resolution:-	
RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of item 24 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph's 1, 2, and 3 of Part 1, Schedule 12A of the Act.	
To receive minutes of the following Committees and to determine thereon:-	
5 Audit and Governance 29 November 2023	17 - 22
6 Planning Committee - 5 December 2023	23 - 36
7 Planning Committee - 15 January 2024	37 - 44
8 Licensing Committee - 30 January 2024	45 - 46

9	Customer Focus Scrutiny Committee - 30 November 2023	47 - 54
10	Customer Focus Scrutiny Committee - 1 February 2024	55 - 60
11	Strategic Scrutiny Committee - 25 January 2024	61 - 68
12	Combined Strategic Scrutiny and Customer Focus Scrutiny Committee - 7 February 2024	69 - 74
13	Exeter Harbour Board - 14 December 2023	75 - 82
14	Strata Joint Scrutiny Committee - 16 January 2024	83 - 86
15	Strata Joint Executive Committee - 30 January 2024	87 - 90
16	Executive - 9 January 2024	91 - 100
17	Executive - 22 January 2024	101 - 104
18	Executive - 6 February 2024	105 - 114
	Notice of Motion	

19 Notice of Motion by Councillor Read under Standing Order No. 6

Box shifting is a practice whereby businesses “occupy” a commercial premises by means of some boxes and so trigger zero business rates relief for up to 6 months. Businesses return sporadically to shift the boxes creating sufficient proof of occupation meaning that zero rates relief remains applied. In practice, businesses employ other companies to do this. Companies which specifically advertise their capacity to carry this out and indeed in many cases this “box shifting” is their only trade.

It is well known to this Council that there are several businesses of this type operating in Exeter, working with multi chain operating businesses to deprive this Council of vital funds. An internal estimate is that Exeter City Council is losing out by around £150,000 a year because of this practice. Meanwhile, premises stand empty disfiguring our city centre and depriving charities and community art projects or similar of what could be useful community-centred space.

This Council notes that:

- Box Shifting is a well-established business rates avoidance practice which enables landlords and multi chain operators to exploit legal loopholes triggering 3–6-month rate relief and deprive the Councils of England an estimated £250 million annually, according to the charity Ban Box Shifting. Exeter City Council is aware that the practice occurs in our city, depriving the Council of much-needed funds.

- Ethical rates mitigation, ie the offering of rent-free spaces of charities creates benefits to local communities, landlords and charities.

This Council further notes that box shifting could be prevented by:

1. extending the period of occupation which activates rates exemption from six weeks to six months.
2. Giving councils more powers in deciding when empty rates relief can legitimately be granted.

This Council resolves to request the Chief Executive write to Exeter’s two MPs to draw this to their attention and to the Secretary of State for Levelling Up, Housing and Communities to ask for implementation of these points to prevent box

shifting, and promotion of ethical rates mitigation.

20 Notice of Motion by Councillor Jobson under Standing Order No. 6

Nearly 1600 people have now replied to the Conservative organised survey and over 85% are clear, this scheme is not working. It is causing social isolation and increasing the vulnerability of many within the scheme area. It is causing additional pollution on the arterial roads and on North Street in particular. It is adversely affecting local trades and businesses.

There are 8 Members of the Exeter HATOC Committee that also sit on this Council. Those members are urged to:

Either

(i) request in writing that the Exeter HATOC Chairman calls an urgent meeting of Exeter HATOC to pass a motion to suspend the Heavitree and Whipton Active Travel Scheme at the earliest opportunity.

Or

(ii) write to the DCC Committee secretariat demanding that such a meeting is called to suspend the scheme. Only 4 signatures are required.

21 Notice of Motion by Councillor Jobson under Standing Order No. 6

It is understood that the introduction of a car charging - ULEZ style scheme is being considered for Exeter. It is to be hoped that this is not the case.

Such a scheme would penalise many of the less wealthy motorists and would adversely affect trade and business.

This Council resolves to oppose any attempt to introduce such a scheme in Exeter.

22 Questions from Members of the Council under Standing Order No. 8

Pages

23 Senior Leadership Review

To consider the report of the Leader and Chief Executive.

115 - 122

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

24 Senior Leadership Review

To consider the report of the Leader and Chief Executive.

123 - 140

A plan of seating in the Guildhall is attached as an annexe

Date: Monday 12 February 2024

Bindu Arjoon
Chief Executive

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COUNCIL

Tuesday 12 December 2023

Present:-

The Right Worshipful the Lord Mayor Councillor Kevin Mitchell (Chair)

Councillors Asvachin, Allcock, Atkinson, Begley, Bennett, Bialyk, Branston, Denning, Ellis-Jones, Fullam, Hannaford, Harvey, Holland, Jobson, Ketchin, Knott, Leadbetter, Miller, Mitchell, M, Moore, D, Parkhouse, Pearce, Read, Rees, Sheridan, Snow, Sparling, Vizard, Wardle, Warwick, Williams, M, Williams, R, Wood and Wright

69

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Foale, Lights, Morse and Parkhouse.

70

MINUTES

The minutes of the Ordinary meeting of the Council held on 17 October 2023 were moved by the Leader, Councillor Bialyk and seconded by Councillor Wright taken as read, approved and signed as correct.

71

LEADER'S STATEMENT

The Leader sought the Lord Mayor's permission to make the following statement:-

"Lord Mayor and colleagues; our thoughts continue to be with all those who are suffering as a result of the ongoing conflict in Palestine and Israel, and the many people in our city with connections to Israel or Palestine who are watching the situation with horror and distress following the collapse of the recent truce.

Our city is - and must continue to be - a safe, welcoming and diverse community of residents, visitors, students and workers. People of many different nationalities, faiths and beliefs have made their home here - including and alongside - people who have grown up here and may have generations of Exeter-based family around them. We are proud of our diversity and it is one of the many things that make our city so special.

As Councillors, we are elected representatives for our ward communities and for the city as a whole. As such, we will support individuals, families and communities wherever we can and in which-ever way is most appropriate to them and to our collective endeavour to keep Exeter a place for everyone to feel safe and supported.

It is important to recognise that many people including ourselves, will be wanting to express their feelings but must do this without causing harm or distress to others.

These are incredibly challenging times and we are all deeply affected by the brutality and suffering that we are witnessing. I am sure you will agree that it is vital we continue to stand together, to treat each other with respect and care, and keep our city and community a safe and welcoming place for all whilst hoping and perhaps praying for a fast and peaceful end to this conflict".

OFFICIAL COMMUNICATIONS

The Lord Mayor advised that he had attended 56 events in 56 days which included the following:-

- various Remembrance services during November including the GWR Poppies for Paddington service, Armistice Day service of Remembrance for Exeter Veterans at Higher Cemetery, Exeter Chiefs and Exeter City Football Club Remembrance Services; Festival of Remembrance and Dedication of the Field of Remembrance at the Cathedral and the City's Remembrance, which marked the 100th Anniversary of the City War Memorial;
- the Navratri and Diwali celebrations;
- the 307 Squadron Polish Flag Raising Ceremony on 15 November, which included a visit from the Polish Consul General;
- the Personal Wellbeing Service & visit at Exeter Prison on 20 November;
- a visit to the London Guildhall for the Rifles Biennial Military Awards on 30 November, in presence of HM, the Queen Camilla and the Duke of Gloucester;
- the Carol Service at Exeter Cathedral on 4 December, which featured the Exeter Railway Band and Maynard Middle School and Chamber Choir; and
- presenting Alderman Yolonda Henson with her scroll at her Aldermanship Ceremony, making her the only person in Exeter's history to have ever stood in the roles of Mayor, Deputy Mayor, Lord Mayor; Deputy Lord Mayor, Freeman of the City and now Honorary Alderman;

The Lord Mayor reminded Members of the forthcoming coffee morning and Christmas with the Lord Mayor at the Guildhall in aid of the Lord Mayor's chosen charity Force, as well as an invitation to the Lord Mayor's Parlour after the present meeting to celebrate his 15th wedding anniversary.

PUBLIC QUESTIONS

The Lord Mayor reported the receipt of questions from members of the public.

Question from Mr Ian Frankum to the Leader

Four Exeter City Council councillors voted for and advocated the current Low Traffic Neighbourhood (LTN) trial. Recent Freedom of Information requests indicate response times from some Emergency Service vehicles have lengthened when compared to July (pre LTN). Does the Council share my concern at this and what steps can they take to monitor this and keep Exeter citizens safe?

Response from the Leader, Councillor Bialyk

Members of the Exeter Highways and Traffic Orders Committee (HATOC) made their decision to support the LTN pilot schemes based on the best available information supplied to them. None of the Members of the Committee were 'whipped' by their political parties to vote in a particular way. ECC is neither the Highway Authority nor the Transport Authority and therefore does not have any

statutory powers or remit over these matters. However, should we become aware of issues concerning the LTN schemes we will report them to the County Council.

Mr Frankum asked a supplementary question and referred to 11 recorded occasions of Emergency Service vehicles blocked and therefore rerouted. He asked if, in the event of a critical incident or even a fatality resulting from this, the Council believed that some Members would have to share responsibility.

The Leader responded that he did not share that view and it would be wrong to lay any blame on members of the Council, reminding Mr Frankum that Members had had a free vote on the matter. He further advised that the consultation was underway and that changes to the scheme may occur as a result of the findings.

Question from Mr James Banyard provided the following response:-

It is great to see the gradual roll out of food waste collection from resident's homes. There are still parts of Exeter where this is not happening. When will everyone in the city have the opportunity to leave their food waste outside their door, and have it collected by the Council?

Response from the Portfolio Holder for Place and City Management, Councillor R Williams

Thank you for the opportunity to update on the food waste collection. The Food waste rollout for the city has reached its maximum capacity under the term of our Environment Agency Operating Licence for our Exton Road depot. To enable further expansion, we require dedicated food waste bays and several environmental enhancements, including dedicated food waste bays with sealed surface drainage and enhanced fire suppression systems. The funding for these works has been approved, estimates and designs progressed, and the works will shortly be tendered. Once construction is complete and the operating permit revised, we will be able to continue our food waste roll out to the remainder of the city. We expect this to take at least 18 months.

Mr Banyard asked a supplementary question about the temporary measures which would be put in place for the 18-month period to bring forward the universal food waste collection.

The Portfolio Holder for Place and City Management responded that every effort had been made to get more out of the system and that a further 600 collections had been rolled out in the present week alone. There were no plans other than the current course of action and ensuring the rollout happens in the shortest possible timescale.

Question from Mr Clive Hutchings

Mr Clive Hutchings was unable to attend the meeting to present his question on air quality and, in accordance with Standing Order 19(4) (B) in the Council's Constitution, both question and answer would be published on the City Council website and appended to the minutes.

The minutes of the Planning Committee of 13 November 2023 were presented by the Chair, Councillor Knott and taken as read.

RESOLVED that the minutes of the Planning Committee held on 13 November 2023 be received.

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STRATEGIC SCRUTINY COMMITTEE - 16 NOVEMBER 2023

The minutes of the Strategic Scrutiny Committee of 16 November 2023 were presented by the Chair, Councillor Atkinson, and taken as read.

In respect of **Minute No. 68 (Scrutiny Work Plan and Forward Plan of Business)** the Chair referred to discussion at the previous Council meeting on the accuracy of the Minute, and she was able to confirm that the Minute had been agreed, along with a way forward working with external agencies.

In respect of **Minute No. 71 Questions from Members of the Council Under Standing Order 20**, the Leader responded to a Member's question in relation to the status of the emerging Southgate Liveable Exeter development and advised that he would contact the Director City Development about the appropriate time to talk to the Ward Members.

RESOLVED that the minutes of the Strategic Scrutiny Committee held on 16 November 2023 be received.

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STRATA JOINT EXECUTIVE COMMITTEE - 5 OCTOBER 2023

The minutes of the Strata Joint Executive Committee of 5 October 2023 were presented by the Chair, Councillor Bialyk, and taken as read.

RESOLVED that the minutes of the Strata Joint Executive Committee held on 5 October 2023 be received.

77

EXECUTIVE - 7 NOVEMBER 2023

The minutes of the Executive of 7 November 2023 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 103 (Digital Customer Strategy 2023-2025)**, the Leader moved and Councillor Wright seconded the recommendations and, following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 104 (Annual Scrutiny Report 2022-23)**, the Leader moved and Councillor Wright seconded the recommendation and, following a vote, the recommendation was carried unanimously.

In respect of **Minute No. 105 (Amendments to the Scheme of Delegation and minor updates to the Constitution)**, the Leader, in response to a Member's question on being consulted about changes to the Constitution, reiterated his commitment to the Opposition Leaders, that he would discuss any major changes at their regular monthly meetings. A report on a number of governance matters raised at the Governance Review Board would be the subject of a report to the Executive with the opportunity for a full discussion.

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

In respect of **Minute No. 106 (Request to repatriate a sacred bundle - a Motokiks ceremonial headdress to the Blackfoot (Siksika), Alberta, Canada)**, the Leader acknowledged the importance of returning these artefacts. In response to a Member's question, the Portfolio Holder for Culture and City Centre Strategy confirmed that the repatriation would take place in the Spring.

RESOLVED that the minutes of the Executive held on 7 November 2023 be received and, where appropriate, adopted.

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EXECUTIVE - 28 NOVEMBER 2023

The minutes of the Executive of 28 November 2023 were presented by the Leader, Councillor Bialyk, and taken as read.

Min 110 (Development Land Disposal Programme), Councillor Atkinson declared an interest, due to the proximity of her residence to the Clifton Hill site and withdrew from the meeting during discussion of the matter.

In respect of **Min 110 (Development Land Disposal Programme)**, the Leader advised that the following recommendations were amended by Members at (1) and (2) had been approved at the Executive:-

- (1) the disposal of land of the Mary Arches Street car park as shown on the site boundary plans as set out in Appendix 1 and the multi storey car park site for co living use, and the surface car park for residential use;
- (2) the disposal of land at Clifton Hill as shown on the site boundary plans in Appendix 2, for use as residential homes on the existing site (shaded blue), retaining the green shaded area for existing use as an open space, and retaining the yellow and purple shaded areas for existing uses.

Recommendations (3) and (4) were agreed as presented at the Executive.

The Leader moved and Councillor Wright seconded the amendments.

Councillor Bialyk in speaking to the amendments made the following points:-

- the report was understandably of great public interest and every effort had been made to ensure that the matter was discussed in the public domain, despite there being significant commercially sensitive information;
- the amended recommendations offered the opportunity for the Mary Arches Street multi story car park site to be available for both Co-living and other residential use. It would not be Purpose Built Student Accommodation (PBSA), and the Clifton Hill site was designated for residential homes with the existing green space and areas used by the golf driving range and dry ski slope site to be retained; and
- the amended recommendations also offered a greater opportunity for disposal of the sites and a clear direction of travel for future development with a further report to be presented to the Executive.

Councillor Moore indicated that she wished to move an amendment to Recommendation (1), and seconded by Councillor M Mitchell to the following:-

- (1) the disposal of land at Mary Arches Street car park as shown on the site boundary plans in Appendix 1, the multi-storey car park site for mixed development, and the surface car park for residential use.

The Lord Mayor clarified that as there has been an amendment to recommendations (1) and (2) which was contrary to the officer recommendations and as agreed at the Executive, a Council decision to formally make those amendments was required. The amendments, from the Leader would be debated and voted upon. If carried, they would become the substantive recommendation and further amendments could then be made at that stage.

Councillor Wright seconded the amendment in respect of recommendations (1) and (2).

During the discussion on the amended recommendations, the following points were made:-

- the amended recommendation in respect of the Clifton Hill site was welcomed as it had been a worrying time for the residents of Newtown and Clifton Hill and tribute was paid to the individuals and groups who used the outside space. Thanks were also made to the Save the Green Space Campaign for their efforts. It was important that the Council was able to take opportunities to maximise any receipt from the sale of assets and it would have been an easy business decision to sell the whole site to include Purpose Built Student accommodation. the ongoing pledge not to sell such sites for this purpose was welcomed and the amendments were supported; officers had the discretion to consider the best investment consideration for the Council and Members had a discretion to propose a different opportunity;
- there was full support for the amended recommendations from the Executive, which was an entirely appropriate decision for the future of the city. Given the many pressures on the housing stock, any such development would ensure the delivery of houses for local people first;
- there would still be development of purpose student accommodation in the private sector in sustainable locations near to the University campus and the Member supported the amended recommendations to help deliver housing for local people;
- the Council was waiting to attract a developer for the site.

The Leader, responding to Members' comments, advised that :-

- the amendments to the recommendation was not a criticism of the officer advice received and he had absolute trust in the Directors to bring forward their honest view on what developments could be realised; and
- he hoped that Members would wait until a further report was made available where there would be a full debate at Executive and Council.

The amended recommendations were put forward by the Leader, put to the vote and carried.

Councillor Moore was formally invited to move her proposed amendment and seconded by Councillor M Mitchell to read:-

- 1) the disposal of land at Mary Arches Street car park as shown on the site boundary plans in Appendix 1, the multi-storey car park site for mixed development, and the surface car park for residential use.

Councillor Moore in speaking to the amendment made the following points:-

- she had concerns for the community around the Mary Arches site, as it was a difficult area of the city centre and bringing forward a mixed development would help maintain a cohesive community and improve the dynamic in this area. She suggested the amendment to remove the Co living restriction would offer more flexibility to create a liveable neighbourhood and would offer more options for disposal; and
- she noted the commitment made in managing the level of student accommodation in the city, but there were now more Co living development applications coming forward on Council owned sites and did not accept the enthusiasm for Co living arrangements and suggested that some may not be able to afford the rents charged.

During the discussion on the amended recommendations, a Member advised that whilst homes for communities were needed, Co-living was more short-term and may not necessarily provide homes or be a place to raise a family in Exeter.

The Leader referred to the last meeting of the Executive and the debate that had ensued on Co living in relation to this matter. He advised that he did not wish to regulate or pre-empt any views on Co living and that he would not be supporting the amendment.

The amendment was put to the vote and LOST.

Councillor M Mitchell proposed a further amendment:-

- 1) that a report be brought back to the Executive and Council within eight months setting out the proposed disposal options.

The Leader replied that he would not support the eight months' timeframe and that a report would be brought back to the Executive on these sites in due course and would convene a Special Council meeting if required.

The amendment was put to the vote and LOST.

The Leader moved the substantive recommendations and following a vote, the recommendations were carried.

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**NOTICE OF MOTION BY COUNCILLOR ATKINSON UNDER STANDING ORDER
NO. 6**

Councillor Atkinson, seconded by Councillor Miller, moved a Notice of Motion in the following terms:-

The Chancellor's Autumn statement had set the country on course for a "more painful" austerity drive after the next general election and after more than a Decade of austerity starting under David Cameron and George Osborne.

The £20billion package of tax cuts was almost entirely funded by swinging real-term reductions to public spending planned from 2025 according to the Institute for Fiscal Studies

It was estimated that the NHS received 20% of its funding from National Insurance. The plan to cut National Insurance meant that some funding for social care and the NHS would have to come from other budgets or general taxation.

This implied a 1.8% cut for unprotected budgets each year from 2024-25 to 2028-29 – including for prisons, the courts system, local government and further education. After taking into account funding settlements for Scotland, Wales and Northern Ireland, the plan implied cuts of 3.4% in England.

This Council has had more than 50% of its budget cut since 2010 and was still having to make difficult decisions in planning to achieve a legally balanced budget for 2024-25.

Economists doubt efficiency gains on such a scale could be achieved and Councils in the Southwest and throughout the County were on the verge of bankruptcy, with many having already issued S114 notices.

This Council resolves to

- 1) write to the Government to ask them to make no real time cuts to local government until it has undertaken a spending review; and
- 2) seek the support of the Local MPs and the LGA to oppose the Chancellor's Budget for Local Government.

In presenting her Motion, Councillor Atkinson, made the following comments:-

- media reports had indicated that there were more Councils in England being at financial risk;
- the Autumn Statement had increased the likelihood of more local authorities facing bankruptcy;
- years of underfunding and cuts had resulted in risks to the economy and local services;
- many local councils were facing bankruptcy and could only afford to provide statutory services;
- the prudence of Exeter City Council over many decades combined with the excellent support and guidance from the Finance Director and the Senior Management Board had ensured the Council was not facing such a predicament;
- Leaders of some of the 33 largest councils across the political spectrum had written to the Local Government Commission and to the Government Minister, Michael Gove, warning of "painful" cuts to front-line services;
- various Councils and the Local Government Association (LGA), had warned about a precarious financial picture for some time;
- Devon County Council was facing the same crisis in funding;
- the move by Government to increase the local housing allowance in the Autumn Statement was welcomed, but this would have to be funded from existing budgets;
- a County Councils Network's survey showed that many Councils' financial positions were significantly worse than before the Autumn Statement;
- a three-to-five year funding plan was needed, so services could be planned more efficiently; and
- District Councils were required to explain to residents why they were unable to provide the same level of service, despite Council tax having gone up.

Councillor Miller seconded the Motion and made the following additional points:-

- the Autumn statement had again failed to provide the necessary funding for local Councils to deliver on commitments to protect key services on which people relied;

- across the country, Councils were being forced to make extremely difficult decisions;
- lack of funding to keep services running would have the most significant impact on those most vulnerable in our society;
- the Women's Budget Group had also indicated that austerity was likely to have a greater impact on women than on men;
- across the political spectrum, Councillors were calling for action.

During the discussion the following points were made:-

- there was clear support for the Motion and local government was an ideal place to respond to people's needs, but Government should not mandate local governments with a series of responsibilities, without the required resources;
- there was support for the role of local government, the community and local environment but with a long term investment in the services and more investment and support was needed for local government;
- the reference to the reduction of National insurance contributions was welcomed;
- Exeter had seen some big benefits from Community Infrastructure Levy, New Homes Bonus, business rate relief which had provided funding over the years but while the Council was £163 million in debt, the Member could not support the Motion;
- a reduction in the funding of local government was an easy option for Governments to take;
- the voluntary sector had struggled with cuts since 2010 as well as with local government impacts. There were still many innovative ways of working to improve and maintain the services that Exeter provided despite national cuts;
- a Member thanked Councillor Atkinson for bringing forward the Motion and supported the service choices made by Exeter City Council.

Councillor Atkinson, in concluding, welcomed the contributions and the cross party support. She was not against the cuts in national insurance, but against those cuts impacting the public sector and local government which would effect funding their non statutory services, as well as tackling important issues effecting the community. Councillor Atkinson reiterated that a complete spending review should be undertaken, and commended the Motion to Council.

The Notice of Motion was put to the vote and CARRIED.

The meeting adjourned at 8.30 pm and re-convened at 8.38 pm.

80 **NOTICE OF MOTION BY COUNCILLOR READ UNDER STANDING ORDER NO.**

6

Councillor Read, seconded by Councillor Rees, moved a Notice of Motion in the following terms:-

She expressed deep sympathy for all those affected by the conflict in Israel and Palestine and offered support to those in the Exeter area who had been affected by this conflict.

The Council:-

Condemns the murder of Israeli civilians, the taking of hostages by Hamas and subsequent death and destruction in Gaza. Believes that the urgent priority must be

to stop the deaths and suffering of any more civilians in Gaza, Israel and the rest of Palestine.

Hopes for an immediate further release of all hostages and release of Palestinian prisoners held without charge and an immediate permanent ceasefire to allow more aid and the possibility of a peaceful resolution.

Believes the tragic recent events in Israel, Gaza and Palestine must not be allowed to divide our communities in Exeter.

Believes Jews, Muslims and people of all faiths and none should feel safe in our city.

Condemns the increase in anti-Semitic and Islamophobia violence and abuse in the UK and believes all forms of racism have no place in our city.

The Council resolves to:

- (1) explore how the Council can better support and facilitate events for people of all faiths and none, where they can come together and express solidarity and sadness in response to these events.
- (2) offer appropriate support to any local resident who needs our assistance as a result of these violent events.
- (3) stand ready to provide support and open our arms to innocent people displaced and affected by these events.

The Council also calls on the UK Government to press all parties to agree:

- (1) to an urgent permanent ceasefire in Gaza, Israel and the rest of Palestine and to make every effort to resume the peace process;
- (2) to guarantee that international humanitarian law is upheld and that civilians are protected in accordance with those laws;
- (3) to ensure that civilians have access to humanitarian support, including unfettered access of medical supplies, food, electricity, other fuel and water.

The Council requests the Chief Executive of the Council to submit this motion to the UK Government.

In presenting her Motion, Councillor Read, highlighted that emotions were running high and the suffering was beyond imagining. The taking of Israeli hostages followed by the mass killing of innocent people and the unprecedented levels of destruction seen in Gaza were completely unacceptable to witness. She hoped that there would be an end to the terrible scenes seen daily and to ensure that the remaining hostages would be returned safely with a call for an immediate and permanent ceasefire. Ending the violence would create a space for an international arbitrary settlement for the Israeli and Palestinian citizens to ensure their rights, safety and security were protected.

Councillor Vizard who had previously discussed the matter with Councillor Read moved and Councillor Parkhouse seconded the following amendment:-

To add to the section "The Council also calls on the UK Government to press all parties to agree:" point (1):

"To an immediate further release of all hostages and Palestinian prisoners held without charge, and..."

So it now reads: "(1) To an immediate further release of all hostages and Palestinian prisoners held without charge, and an urgent permanent ceasefire in Gaza, Israel and the rest of Palestine and to make every effort to resume the peace process"

The amendment was voted on and CARRIED.

Members made the following comments:-

- the conflict had resulted in over 18,000 people killed and 2 million people had been displaced with over 70,00 children injured. The World Health Organisation in Gaza had referred to the catastrophe as a hell on earth. Save the Children in Gaza and Israel were working to help the children caught up in the conflict. It was important to understand what could be done to help to bring peace back with a permanent ceasefire needed;
- the level of displaced people numbered at 3.2 million, representing 80% of the population with 40% being children;
- it was important for people to see the support of the Palestine Solidarity Campaign;
- a Member suggested that the Council as a political body and internal power could have an effect in countering any hatred or division and reaffirm the Council's 2040 vision of an inclusive city for all of Exeter's residents;
- a Member was horrified by the attacks on 7 October and the reports of sexual violence being used as a weapon of war. She had attended a vigil for 250 healthcare workers and had heard the stories of those in Gaza and the West Bank who had suffered;
- there were concerns that the hatred could escalate and an immediate ceasefire should be in place;
- of the reflections from Members and the wider public since the 7 October attacks which had left many feeling helpless and the Motion would provide support to communities; and
- Members were elected leaders in the community who had a responsibility to their communities and should support the Motion.

Councillor Rees in seconding the Motion, made the following points:-

- she endorsed the heartfelt comments from all parties;
- the conditions in Gaza were very bad and the relief operations were no longer tenable and an immediate ceasefire was needed; and
- she also shared the deep concerns and grief experienced by residents and urged as elected members to do all that they could to support and bring an end to the fighting.

Councillor Read, in concluding, commended the motion and welcomed the views of those Members who had spoken. She reflected on the role of the UK and US Governments in calling for a permanent ceasefire. the Motion would send a message of the Council's support in calling for a ceasefire. She urged Members to vote in support for this Motion.

The Notice of Motion was put to the vote and CARRIED unanimously.

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

No questions were received by Members in respect of Standing Order No 8.

(The meeting commenced at 6.00 pm and closed at 9.08 pm)

Chair

DRAFT

AUDIT AND GOVERNANCE COMMITTEE

Wednesday 29 November 2023

Present:-

Councillor Wardle (Chair)

Councillors Jobson, Allcock, Atkinson, Fullam, Miller, Mitchell, M, Moore, D, Patrick, Snow and Williams, M

Apologies

Councillor Branston

Also Present

Director Finance, Audit Manager (HK), Corporate Manager – Executive Support and Democratic Services Officer (SLS)

Julie Masci. Director, Audit (External; Audit) Grant Thornton

60

MINUTES

The minutes of the meeting held 27 September 2023 were taken as read, approved and signed by the Chair as correct.

61

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interests were made.

62

EXTERNAL AUDIT PROGRESS REPORT AND SECTOR UPDATE

The Director, External Auditor (Grant Thornton) referred to the circulated report on progress made on their recent activity, in relation to the financial statements audit with two audit years for 2021/22 and 2022/23 to bring to a close. The Audit Findings report had been presented to this Committee for 2021/22 and good progress continued to be made in relation to the outstanding areas of work. The majority of the 2021/22 audit had now been completed, and an update on this was included in this agenda. There had been substantial progress on the 2022/23 financial statement and Grant Thornton were working with the Council's finance team to progress the outstanding work in that regard.

The Department for Levelling Up, Housing and Communities (DHLUC) had suggested proposals to address the national backlog of local authority audits, which would offer an opportunity to finalise a number of audits that they were undertaking. She anticipated the outcome of consultation would be known shortly to ensure that both they and the Council had some clarity on this matter.

The Director Finance stated that there were no significant issues identified in the final accounts and the intention was to present the 2022/23 final Statement of Accounts to the March meeting of the Audit and Governance Committee.

The Audit and Governance Committee noted the report.

EXTERNAL AUDITORS - INTERIM AUDIT FINDINGS REPORT 2021/22

The Director, External Audit (Grant Thornton) presented an update of the Interim Audit Findings report on the Council's 2021/22 financial statements. She provided an update on further work undertaken since the last Committee meeting in September 2023, and confirmed there were no matters that would require a modification of their audit opinion. There had not been any significant changes or additional issues to bring to Members' attention. The Value for Money work was ongoing and work in respect of the 2021/22 audit was a joint exercise with the 2022/23 arrangements.

The Director Finance made the following responses to Members' enquiries:-

- information on the completion of declaration of interests of senior officers had been sought and an update would be provided at the next meeting of this Committee.
- progress had been made, as part of a review of the way financial systems were managed across the whole Council, and the number of finance staff who had superuser access.
- Exeter City Living had made appropriate loan repayments in the 2020/21, 2021/22 and 2022/23 financial years. It was appropriate for a minimum revenue provision (MRP) to be allocated for debt repayment for 2023/24 as there would be no loan repayments, and this would be equivalent to what would have been received from Exeter City Living.

RESOLVED that the Audit and Governance Committee noted the update of the Interim Audit Findings report.

STATEMENT OF ACCOUNTS 2021/22

The Director Finance presented the report on the Council's Statement of Accounts for 2021/22 for approval and adoption. It was a statutory requirement to publish the Statement of Accounts which were intended to provide a 'true and fair view' of the financial position and transactions of the Council, including the Group financial statements as at 31 March 2022. The Finance team had some outstanding work to complete. However, there was no change in the overall position as reported to Members in July 2022 on the final outturn position for the Council. The recommendation included a request for delegated powers to be granted to the Director Finance with the Chair of the Audit and Governance Committee to sign off the 2021/22 accounts and support the arrangements for the 2022/23 Audit.

The Director Finance made the following responses:-

- the sum of £3.53 million quoted in the consolidation of the Group Accounts was an error.
- a discrepancy relating to a photograph of the Members depicted in the Statement of Accounts would be updated, if allowed to ensure they aligned with the reporting period for 2021/22.
- a reference to an associate organisation listed in the notes of the financial statement was correct from an accounting point of view.

The Director, External Audit (Grant Thornton) clarified that when looking at group structures, the reference to associate organisations was defined as not having control, but having some form of influence. A Member wished her comment drawing attention to the listing of associate organisations in the Statement of Accounts and a reference made to the relevant guidance as set

out in the Charity Commission to be noted.

RESOLVED that:-

- (1) the Audit and Governance Committee approve the audited Statement of Accounts for 2021/22, and
- (2) subject to any additional material changes to the accounts be delegated to the Director Finance and the Chair of the Audit and Governance Committee to be agreed, and to make any further amendments before signing the accounts and to report back to the March meeting of this committee any findings if they are identified in the remainder of the Audit.

65

MANAGEMENT LETTER OF REPRESENTATION

The Director Finance referred to the Management Letter of Representation to the External Auditor Grant Thornton in respect of the 2021/22 Statement of Accounts, which confirmed the Council had provided all the necessary information, and as required as part of the Audit.

The Director Finance responded to a Member's enquiry on the exclusion of Exeter City Living in the representation of the Statement of Accounts for 2020/21, advising that there was no post balance sheet event added. There would be a reference to a review in the 2022/23 Statement of Accounts to determine if this will be a post balance sheet event.

RESOLVED that the Audit and Governance Committee approve the Management Letter of Representation, and request that it be signed by the Director Finance and the Chair of the Audit and Governance Committee for forwarding to the External Auditor, Grant Thornton.

66

INTERNAL AUDIT PROGRESS REPORT

The Audit Manager (HK) presented the quarterly report on the internal audit work carried out during the period 1 July to 30 September 2023, and advised on overall progress against the Annual Audit Plan. The team were on target to deliver the Plan and there were no outstanding remedial actions to report. She drew Members' attention to an audit with limited assurance relating to corporate credit cards. The Director Finance had made reference to this in the Section 151 comments in the report, indicating that a review by the Strategic Management Board had resulted in a decision to reduce the number of corporate credit cards held.

The Audit Manager responded to Members; questions as follows:-

- that a satisfactory opinion was provided on the spa operations at St Sidwells Point.
- the authority had already carried out significant work in respect of business continuity before the Covid pandemic. This work had stood the authority in good stead enabling priority services to continue to operate with minimum disruption. Implementation of a full business continuity framework was currently work in progress, with a statement of intent to ensure business continuity good practice was met. Every local authority had a responsibility to work with outside partners and businesses to review and recover their activities or business following a major event as part of civil contingency.

The Director Finance responded to Members' comments and enquiries:-

- a timescale for reporting on the significant government issues arising from the Annual Governance Statement would be made when the current financial challenges were no longer an issue for local government.
- a review on housing rents was undertaken in 2012, with the introduction of a central Payment and Collection team to deliver the Council's One View of Debt. It was appropriate for Housing Services to take back the collection of housing rents, as they had good experience of debt recovery and a direct relationship with tenants.
- internal Audit were only responsible for reviewing the system of internal control and do not make a judgement as to whether the system in place would ensure the Council met any targets.

The Audit and Governance Committee noted the Internal Audit Progress Report for the second quarter of the year 2022/23.

67 **LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW OF COMPLAINTS**
2022-23

The Corporate Manager (Executive Support) presented the report and explained the role of the Local Government Ombudsman (LGO) in investigating and resolving complaints about Councils. This report included details of the complaints received by Exeter City Council, and the decisions made by the LGO for the year ending 31 March 2023, which were set out in Annex A of the report. Comparator information of the complaints received by other Devon Councils and Councils in Exeter's "CIPFA Nearest Neighbours Model" or family group, were also included and provided an assurance of the number of complaints that were referred from Exeter.

It was noted the Local Government Ombudsman and Housing Ombudsman had just completed a consultation exercise on proposals to establish a Joint Complaint Handling Code. More information would be presented to Members when the proposals were finalised. In response to a question, the Corporate Manager explained that, in line with the Council's policy, efforts were made to resolve an issue or problem at the first point of contact. If a matter could not be resolved satisfactorily, it would be treated as a complaint.

With reference to the case that was upheld, and the Ombudsman's requirement to produce a policy setting out how the Council would deal within accurately advertised properties on the housing register, he would check if this was an operational or council policy and, if the latter, whether it been agreed by Members. He would also check if the service had actually changed the way it describes policies in line with the Ombudsman's recommendation.

The Audit and Governance Committee noted the Local Government Ombudsman's Annual Review of Complaints 2022/23 report.

68 **REVIEW OF CORPORATE RISK REGISTER**

The Director Finance presented the report, and advised the Audit and Governance Committee of the Council's risk management process, which had involved a significant piece of work carried out with the Strategic Management Board (SMB) and Members over the last 12 months to redefine the Risk Register.

A review of the Corporate Risk Register was before the Audit and Governance Committee to comment on the new process in place to manage risk. The report,

which had been reviewed by the relevant Directors of the SMB and Portfolio Holders was presented to the Executive meeting on 28 November. Members were invited to review and comment on the Risk Register, and any comments would be reported to SMB to continue to strengthen the approach and ensure the Risks were identified and accurately linked together. The Director Finance also advised that he would present a draft Risk Policy to the Audit and Governance Committee in March for Members to comment upon.

The Director Finance responded to the following Members' comments:-

- staff recruitment of some professions remained a challenge in some areas of the Council, including in Estates and Commercial Property Management team, Engineering and Planning, with pay being cited as a factor.
- the Risk Register covered the city's heritage assets and maintenance of the Roman Wall, which had historic significance was very challenging. A revised sum had been set aside in the Capital Programme for repairs to the Wall, and the reworked scheme remained a high priority.
- a request had been made for scrutiny of the commercial property portfolio with a report to Strategic Scrutiny Committee.
- the risk of property failing would be an inability to deliver a full service from the premises and a key mitigation was to regularly review the property portfolio with disposal to provide funding to help maintain the stock.
- the Exeter Development Fund could offer an opportunity to provide the necessary infrastructure to make the development of brownfield sites viable. He would take back the Member's comment about viability, and deliverability of the Fund to the relevant colleague.
- a Member's suggestion that the Risk Register should include a diary log of events and activities was noted.
- an amendment to the Audit & Governance Committee's terms of reference in relation to risk would reflect their changed monitoring and comment role and ensure the reporting schedule was better aligned to the Executive. He would seek an update of the Constitution to reflect the revised reporting regime of the Risk Register.

The Audit and Governance Committee noted the Corporate Risk Register.

(The meeting commenced at 5.30 pm and closed at 7.30 pm)

Chair

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PLANNING COMMITTEE

Tuesday 5 December 2023

Present:-

Councillor Knott (Chair)

Councillors Asvachin, Bennett, Jobson, Ketchin, Miller, Mitchell, M, Patrick, Sheridan, Vizard, Wardle, Warwick and Williams, M

Apologies

Councillors Hannaford

Also Present

Director of City Development, Service Lead City Development, Principal Project Manager (Development) (HS), Principal Officer - Urban Design and Landscape, Planning Solicitor and Democratic Services Officer (SLS)

76

MINUTES

The minutes of the meeting held on 13 November 2023 were taken as read, approved and signed by the Chair as correct, subject to the amendment in Minute 71 which should show that “a Member requested an amendment to the application in relation to an existing condition and this was not allowed.

77

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

78

PLANNING APPLICATION NO. 22/1145/FUL - HAVEN BANKS RETAIL PARK, HAVEN BANKS, EXETER

The Principal Project Manager (Development Management) (HS) presented the application for a comprehensive redevelopment to deliver a new, mixed use neighbourhood, comprising demolition of existing buildings and construction of four residential-led mixed use buildings of two to six storeys, including retail, cafe/restaurant and flexible commercial units (Class E), residential (Class C3) and co-living (Sul Generis) accommodation, pedestrian square and public realm, amenity areas, landscaping, access, parking, servicing and associated works (revised plans).

He set out the detail of each of the key site sections, commenting on the interrelationship, scale, height, and massing. Members were also provided with the detail through a site plan, site photos, an indicative site plan and indicative elevations and set out the following key elements:-

- the application was for a residential mix of development between two and six storeys with 184 co-living and 239 flats;
- the 1.7 hectares site at Haven Banks was currently a retail park and included a number of empty retail units, a bowling alley, which was still in operation and a car park.
- the site was allocated for regeneration as part of the larger Water Lane development and emerging Local Plan policy;

- policy constraints included the whole area located within a floodplain but it was noted that there had been no historic flooding associated with this site, and
- the site was adjacent to a conservation area which included the locally listed Electricity Generating Building.

The Principal Officer Urban Design and Landscape Officer (MP) also provided the history of the area and Canal Basin. He referred to the existing character and gradual change from rural to a post industrial phase. He also referred to national and local planning policies which encourage the optimum use of brownfield sites. Currently there was little public realm, but the site which was adjacent to the Water Lane area, including the Quay and Canal. He presented detail which guided Members through an orientation of the site, which included a sustainable pattern of movement within the four blocks and the skyline.

The recommendation was for approval, subject to the conditions set out in the report and the update sheet.

Responding to Members' queries, the Principal Project Manager (Development Management) (HS) advised that:-

- the loss of trees in the centre of the site was to be determined, any retention of the trees on the existing car park would reduce capacity of the site. The application had been amended to retain some of the trees on the north west boundary and included a condition for new tree planting if required.
- the number of properties moderately affected by the loss of light had been reduced, with two properties having reduced internal light levels and the light of a garden space of another. The majority of properties on the boundary of the site retained a good level of direct sunlight and the application met the BRE (Building Research Establishment) standard.
- a flood evacuation plan had been submitted with the application, and officers continued to work with the Environment Agency over concerns of potential flooding, but in flood risk terms due to the mitigation proposed, this development would provide a benefit to the area.
- a request for funding from the Royal Devon and Exeter Healthcare Trust had been received for acute care provision relating to the first year of occupation relating to this development.
- a Section 106 contribution for walking and cycling improvements could also be used in connection with the Mallison Bridge, or around the Alphington Street and Water Lane junction.
- the presentation illustrated a number of sections to demonstrate the interrelationship of the blocks, showing the separation, height and relative position.
- the site would be serviced from Water Lane with a dedicated service bay for refuse, and space for delivery vehicles at the rear of Blocks C and D.
- although Co-cars and Co-bikes had gone into administration, an alternative provider is currently being procured through Devon County Council.
- the design of apartments in Block C had been revised with entrances from the ground floor through corridor change, now included a hallway.
- the co-living units contributed to housing supply using a national multiplier of 1.8 to calculate the dwelling equivalent. The application made optimal use of density of an urban brownfield site to help address the shortfall in the five year land supply.
- the Principal Highway Development Management Officer (Exeter) advised that the area surrounding the development would be subject to a Traffic

Regulation Order. Residents who reside in this development would not be able to join the Residents' Parking schemes in the surrounding area, but there would be consideration of extending private parking residents' schemes in the local area.

- the management plan would secure occupation restrictions in tenure duration and manage occupant behaviour.
- this scheme compartmentalised the co-living building into two sections, with further division by floor, with a kitchen in each of the subsections offering an opportunity to actively manage groups within the scheme. The kitchen sizes were adequately sized to the 'London' standard.
- Affordable Housing for Build to Rent was set at a 20% level and would be managed within the scheme, with a representative split across the unit types.
- adjacent dwellings with solar panels should not experience significant drop in levels of light.
- a technical specification for tree grading was put together by an arboriculturist. The detail included the amenity value and health of the trees on site and anticipated length of life. Any retained trees that might be damaged or did not prosper would be replaced.
- the Police Architectural Liaison Officer had provided detailed advice regarding that security measures.
- a small play space would be provided within the site, with a Section 106 contribution for off-site enhancement.
- a management plan would be secured as part of the legal agreement.
- a right to walk through the managed central space would be in place through the legal agreement.
- five small commercial units would more likely attract local businesses as occupants.
- consultation was carried out on the revised scheme, and
- a minimum 10% biodiversity net gain was being implemented nationally next year. The application included a metrics level of 24%.

The Principal Officer Urban Design and Landscape Officer (MP) added that the point raised of the blocks experiencing significant windy conditions was not deemed to be a particular issue.

Councillor Moore, having given notice under Standing Order No. 44, attended the meeting to speak on the item as a Ward Member. She also sought permission to offer comments from Councillor Read as a fellow Ward Member:-

- that this proposal for a Build to Rent proposal would not help Exeter meet its stated aim of building balanced communities.
- light levels for neighbouring properties would be reduced and be below acceptable limits in winter.
- she commented on a proven biodiversity net gain, which was now a requirement for all major developments.
- the development was out of character with the nearby Heritage Harbour.
- the application should be rejected as it had not demonstrated suitability for this area of Exeter, nor suitability with the stated policies of Exeter City Council.

Councillor Moore raised concerns on the following points:-

- that whilst some form of residential development on this site in this iconic part of Exeter would be acceptable, the complexity of the application and concerns from residents should be sufficient grounds for refusal.

- in referencing the Exeter Design Quality Partnership (EDQP) changes to the application had been welcomed, but information on how the scheme would fulfil its ambition and principle on the site were sought.
- Liveable Exeter sought mixed and balanced communities.
- a Section 106 contribution towards improvements to pedestrian and cycling safety were sought for the locality, around Mallison Bridge.
- the development would impose an additional demand on healthcare services, and detrimentally affect safety and care quality for both new and the existing local population. The contribution to GP surgeries was inadequate.
- a shared amenity space was a key element of the co-living model, but the potentially transient occupation of residents may not create a feeling of community.
- there had been no response from Infrastructure :Wales and West Utilities over connection issues.
- an assurance that all areas, reaching more than Part L of the building regulations (BREEAM excellent standards) across the whole of the site to demonstrate quality marks had been sought.
- the EDQP commented on future connection to a future District Heat Network.
- the temperature of the accommodation may fluctuate and overheating should be balanced with the approach to ensuring daylight was adequate in dwellings.
- occupants would not have parking permits, and there were no car ownership rights in the area.
- the developer had failed to properly consider and manage the traffic impact of deliveries, which would be beyond the expected 21 deliveries per week suggested by the applicant. With over 590 residents, that could equate to 839 parcels per week or 119 per day.
- the busy junction with Alphington Street and Haven Road would not cope with the existing traffic at peak times. Traffic control/calming measures for pedestrian traffic would further exacerbate the risk of serious injury resulting from a road traffic collision. The management plan for the building was unacceptable.
- the developers had advised that light levels for adjacent occupiers would be below limits in winter. One suggestion was to relieve the massing of Block C to admit more sunlight into the central spaces and routes. A wind study and flood evacuation should be conducted.
- the redesign was not acceptable and the scale of the scheme would still be overbearing on Stream Court and Diamond Road in particular.
- the height of the development remained significantly too high, with an impact on existing neighbourhoods. The Water Lane SPD had no status as yet, but it has specified that the height of new buildings should be no more than two stories higher than adjacent buildings.
- the development would have a significant impact and reduction in direct sunlight or diffuse light levels to properties in Stream Court, Greenford Villas, Water Lane, Waterside, Chandlers Walk, Maritime Court, Diamond Road, and the Coolings. One property would have the level of sunlight in the garden reduced by half, and four properties would have a 50% reduction to two hrs of sunlight. Loss of in building privacy or overbearing impact was also raised, together with an impact on the income generation of some solar panels.
- this density per hectare was above the LDA Design's 2021 'Exeter Density Study which recommends a minimum for future development in this area at 120 dwelling per hectare (dph).
- 423 units had been proposed, and the fact that there was no conventional shared external amenity space associated with Block B was contrary to the

City Council's amenity guide Policy DG4.

- this application would be an overdevelopment and not acceptable or sustainable in planning terms.
- 20% of the Build-to-Rent flats and the co-living units were Affordable Housing which was consistent with other Build to Rent developments in the city. It did not accord with the Council's own policy of a rate of 35% affordable homes. The 84 homes were welcomed, but the affordable rents were not affordable and should be conditioned to the local housing allowance level.
- concern that the development would harm views from the Grade II Listed Colleton Crescent, as well as the character of the Canal Basin, and an effect on the historic quay/ heritage harbour status.
- none of the existing trees on the site should be lost without good reason. The amended site layout had failed to retain significant and important trees, on the Haven Road and Water Lane frontages. There will be minimal space to larger tree planting due to the footprint of the development.
- a study was being commissioned as part of the options for a Flood Risk Assessment (FRA), Flood Warning and Evacuation Plan would include consideration of the creation of a strategic Southern Safe Access and Egress route. She understood the flood plan would not be developed when this site was built, and only developed once other sites were bought forward, with a general plan for the area. It was important to ensure the flood mitigation measures and the flood escape routes were in place with the Environment Agency.
- in conclusion, this was an unsuitable development and she suggested a number of planning grounds to refuse this application included: flood risk, loss of tree, overbearing, design, massing, density, overshadowing, insufficient infrastructure, and lack of community cohesion.
- Members would be making an extremely important decision and would be the first test of the Liveable Exeter principles and she referred to the future of Water Lane along its whole length and not just this site. She referred to the test of the Liveable Exeter principles to inform a decision that could inspire the residents of Haven Banks to agree or those residents objecting to poorly designed developments that fail to deliver the homes the communities need.

Councillor Moore responded as follows to queries from Members:-

- she had responded to the draft Local Plan and the Water Lane Supplementary Planning document consultations and welcomed the principle of higher density living and the use of brownfield sites. She referred to comments on density and of creating decent homes for Exeter residents. It was important to make sure the Liveable Exeter principles inform good design and development on brownfield sites.
- there was little ability or inclination for the expansion of any of the GP surgeries, despite the £187,000 sum allocated for that purpose. The local GP surgeries in St Thomas, Barnfield Hill and Alphington had no plans for expansion. There had not been a GP surgery in the St David's ward for a number of years and new dedicated facilities were needed.

The meeting was adjourned at 8.00pm and the meeting resumed at 8.07pm.

Councillor Pearce having given notice under Standing Order No. 44, spoke on the item. He confirmed that he was in attendance as the Portfolio Holder for Communities and Homelessness Prevention in the city and raised the following points: -

- Exeter had over 8,000 social rent homes and over 2,400 individuals were on

- the Devon Home Choice register;
- this development would address the number one need for one and two bedroom flats;
- there were only 100 affordable, one and two bedroom flats in the city and this proposal would deliver an additional 50 affordable rent homes and increase the options for those renting;
- Exeter was a thriving city, but the supply of homes of all types remained a challenge. Property prices were now 9.8 times the average salary and beyond the reach of many people in the community;
- this development offered the opportunity for accommodation at an affordable rent to enable people to live, work and contribute to a growing and thriving city;
- the cherished green space was not being taken away;
- there was a local shift to develop brownfield sites;
- over 1,000 licensed HMO's could also be seen as co-living properties, but those existing HMO's were often in older properties, with limited community space and a poor energy rating;
- this development would have lower running costs for the occupants, lower maintenance for the landlords, encouraging investment in other areas such as ensuring the green space would be maintained, provision for cycle storage and good access to public transport;
- the reality of increased delivery traffic was likely to be unfounded;
- Members should support the application to deliver some of the much needed homes in the community.

Councillor Pearce responded as follows to queries from Members:-

- the 35% affordable housing level related to market housing for sale, and the 20% figure related to Build to Rent schemes.
- the affordable rent classification of 80% referred to market rent. The level of building in the last decade had not kept pace with the population growth and the supply side had driven up rents and the cost of buying homes.

Councillor Bialyk having given notice under Standing Order No. 44, spoke on the item. He spoke as the Leader of the Council with an overarching vision for the city. He raised the following points:-

- there had been long standing plans to rejuvenate this area of the city as most of the industry had gone, leaving in the main derelict and contaminated land, which did not accord with a modern successful city like Exeter;
- he understood the bowling alley business was looking to move;
- the whole area, including Water Lane was ready for change and using a brownfield site, saved the hills of Exeter and created good urban living;
- the accommodation would address police concerns about anti-social behaviour;
- the Quay offered a vibrant and waterfront community and be a great place to live and work;
- the Quay had seen many changes and the development of the site in Haven Banks and the Piazza Terracina had similar blocks of accommodation in terms of height;
- the choice of a developer investing in this area and contributing to the next phase of regeneration was a massive vote of confidence for the city;
- Members were in a major strategic position to signal taking the city forward.
- the views around Colleton Crescent remained important;
- the aim was to build a decent city urban environment;

- Exeter had the biggest travel to work area outside of London and people wanted to come to Exeter to live, shop and play;
- this would be a co-living development and not student accommodation;
- there could be 300 or 400 people living there, renting those properties for a period of time;
- families would be accommodated to provide a balanced community;
- some of the co-living room sizes may be smaller but the accommodation would provide all that occupants would want;
- the 20% affordable accommodation with 80% of accommodation for rent would help those people, who do not qualify for social housing;
- the application sent a signal to the developers and others of what the City Council is doing to address the housing crisis in the city.
- he commended the support in the negotiations by officers which demonstrated the commitment and care taken over the application.

Councillor Bialyk responded to a Member's observation of the level of objections from local residents.

Richard Smith attended and speaking against the application, on behalf of the Haver Banks Residents' Group raised the following points: -

- the Haver Banks Residents' Group had over 150 members, not just in their neighbourhood, but from every ward in the city. He referred to the 353 public objections to this application.
- the Quay and Heritage Canal were used by people throughout Exeter and their friends, family, colleagues and local businesses care about what happens there.
- the Group did want to see housing development on Brownfield land including this site, which forms a 1.7 hectare portion of the wider 36 hectares earmarked for around 1600 homes as part of the Water Lane site. The applicant was proposing to put a 5th of the 1600 homes, on less than a 20th of the site which was a massive over development.
- there should not be five and six story blocks next to two story dwellings in any part of the city. This proposal should be rejected outright on density, appearance, height and massing.
- the delay in the proposed dry flood escape route floods was a concern. The area had flooded twice with heavy rain which fell in September resulting in flood water covering both the road and the pavement. The Environment Agency's computer modelling statement was accepted in July, two months prior to the flooding event. It was a public safety issue which could not be ignored. There was an actual risk to life, which needed to be properly investigated and signed off by the Environment Agency.
- if Members felt they were unable to refuse on either of the overdevelopment or flood risk, he suggested that the decision be deferred until after a balloon study was carried out, so that the enormity of the proposals could be seen on the ground. The accommodation would overshadow its neighbours, impact on residents' daylight and solar panels and be detrimental to two conservation areas, as it would be seen from Colleton Crescent. A large part of the precious views of the hillside would be lost as well, as the views from the neighbourhood up to the Cathedral and tower, over the climbing centre and waterside development and 'stick out like a sore thumb'.
- it was not a dangerous site to walk through at night despite some comments made at the meeting.
- he added that the occupants of the bowling alley had no intention of moving from the site.

- in summary the application should be refused, based on the height, density, massing and appearance, on public safety grounds and risk to life due to the concerns of flooding.

He responded as follows to Members' queries:-

- the flash floodwater in September may have been surface water run off from Haven Road, as there was normally water standing on the junction following heavy rain, which would follow the direct escape route for the site. He had not received a response to an email sent to the Environment Agency about the flood event, which he said was unsafe.
- he was not aware that any CCTV cameras had been put down the drain by the water company.
- there would be limited time to evacuate residents in the event of a flood and the only route proposed may quickly result in a search and rescue operation. It was unsafe and the Environment Agency would need to sign off on this before any approval was given.
- a neighbour had described the potential loss of light to their property, suggesting it would be akin to be living in a cave. The daylight report referred to the significant impact on residents, and the effect on solar panels.
- the 35% affordable housing policy would not apply to the homes for rent.
- there would be 423 homes, some of which are co-living, which will be 17.5% of the 1600 homes on the wider Water Lane. That equated to 1.7 hectares out of 32 hectares or 4.7% of the available land, which was an overdevelopment. He suggested reducing the development by two storeys.
- the view from some residents' back gardens would change. His property would be effected and he would look out on a brick wall, rather than trees and the waterside development, as the application was significantly higher than the existing properties.
- the wider Water Lane application was only at outline planning stage, and it was likely to be a number of years before a safe escape route for flooding would be built over the railway line. He acknowledged that a contribution would be made, but it was not clear how that contribution would be calculated or when the scheme would be put in place.

Colin McQueston of Copland Estates speaking in support of the application, thar Members for the opportunity to present and raised the following points: -

- the application would reinvigorate an underused and predominately redundant retail park into a vibrant and sustainable new neighbourhood, that would kickstart Exeter City Council's Liveable Exeter Vision.
- the proposal would offer a comprehensive, well designed residential redevelopment. It would contribute a significant number of new homes within a high-quality development and fulfil an Exeter housing need and address the shortfall in the five year land supply.
- the development would include a range of accommodation including studios, one, two and three bedroom homes on a sustainable brownfield site close to the city centre. It would provide a new form of tenure in this part of Exeter, with professionally managed accommodation including 84 of those homes being provided as affordable, in compliance with City Council policy.
- the application would bring significant investment into the Water Lane area. The £75 million construction budget would filter down to the local sub contractor market, and the scheme when completed would contribute an estimated £2.5 million of additional local expenditure.
- they had been working on the application for over two years with close

collaboration with officers and stakeholders, which was reflected in the quality and sustainability of the development.

- extensive consultation had been undertaken with varied comments resulting in a number of changes to the scheme over the course of the consultation.
- every effort had been made to address concerns, but they could not incorporate all feedback and adhere to local and national policy in delivering the scheme. He added that through a managed process, they would be open to meeting any resident formally or informally to discuss the proposals.
- in conclusion, a car light approach had been adopted and in acknowledging alternative modes of transport along with improved pedestrian connections and significant cycling provision and access to car parks.

He responded as follows to Members' queries: -

- it was intended to provide 20% affordable homes across the whole range of accommodation including co-living.
- the affordable housing accommodation would not be placed in one block.
- the play spaces and boulevard were part of the landscaping with an element of children's play space with grass and gravel in the active areas. The Section 106 contribution would be for facilities elsewhere.
- the car parking management had yet to be determined. He suggested the occupants of the co-living accommodation may not require parking, with demand coming from the family accommodation. The tenants will be aware from the commencement of the scheme, of the limited or no car parking space. Considerable time had been spent researching similar schemes across the country with a shift to other modes of transport.
- the height of the blocks in the immediate locality, including other housing stock and the Waterside development had been carefully considered. The application had taken a long time to achieve, and the Build to Rent product would come with a significant management and community facility.
- as a developer they were subject to all legal approvals and the next step would be to build and identify a partner who would own the buildings long term. The Build to Rent product would offer more security than renting for tenants, with options for leasing for a number of years.
- the blocks would all be under the same ownership.
- there was no exact timing of when the affordable housing element would be released, but a mechanism would be established at commencement and was included in the financial modelling.
- another operator for replacement Co-bikes would hopefully be identified when the development comes forward.

The Director City Development made the following points:-

The Liveable Exeter Schemes would be seeking the highest level of quality. This application was for a flagship site, and the first Liveable Exeter Scheme coming forward for development. It was a critical moment for the Council and the brownfield first approach, would be a key test of that strategy. The site was largely derelict and offered little amenity to the community and had a negative impact on the area of Haven Banks, Water Lane and the Quay. The application would have an overwhelming positive impact, not just on Water Lane, but on the whole city. This application offered an alternative and transformational opportunity.

The detailed report contained a full technical assessment of all the issues with the involvement of experts in the field, including the negotiation and collaboration achieved with the developers. The Environment Agency had conducted detailed

modelling to test the application. The 423 homes would provide Build to Rent apartments, with co-living studios offering a new form of housing for this area, complementing the housing there. The proposal would provide accommodation for single people, couples, and families with access to terraces, balconies and private amenity space. The four to six storeys were expected to complement and respect the character of the area. This development would enhance connectivity with its streetscapes, pedestrian thoroughfare and public spaces as expected in mixed use communities, creating a safer environment and encouraging walkability.

In conclusion he thanked the Planning team, who had spent 18 months working on the design of the scheme, which had evolved significantly and was now ready for Members to consider.

Members debated the application and made the following comments: -

- whilst development on brownfield sites should be supported, the density and massing of the accommodation provided in this application would not offer a family friendly environment. The lack of a formal children's play area was a concern, with older children particularly affected. A Section 106 off site contribution could not be considered sufficient development. The affordable housing element would not be affordable for those on low wages, but aimed at those in professional occupations. The Environment Agency's flood report was signed off before the September flooding occurred. There was concern over the loss of light and overlooking of rear gardens for some adjacent properties. The environment of the co-living hotel style accommodation effectively offered a bedsit and could isolate some residents. The Member was grateful to the officers for their work on the application, but she would not be voting in favour, and suggested that the scheme be deferred to give more opportunity for the developer to continue discussions with local residents.
- development on a brownfield site should be welcomed along with a Build to Rent and co-living in this location, but remained concerned about the massing and density of the site, and the impact that would have on the community. He referred to the issues raised by Councillor Moore and suggested that if only half of the many points she had raised were considered, it would offer grounds to consider if this gain was needed. The application would be setting a standard for brownfield development in Exeter, and it was important to be right. The Member would be voting against the application and hoped that further discussion could take place to achieve a scheme that meets the needs of the community.
- Exeter needs more homes, and this application offered an opportunity for a range of different accommodation. The Member referred to comments made on the lack of opportunity for play and referred to the proximity to nearby play parks, playing fields, the Valley Park and other options including the climbing centre and water sports. Co-living was a newer concept and not something that many people will have experienced, but the amenity and shared community it can create will suit some people. A suggestion that any isolation might impact mental health could occur in any HMO or bedsit. The Member said she would be supporting the application, which would provide much needed housing in a sensible location.
- that officers should be congratulated on the efforts made negotiating this application to provide 423 homes, including 84 affordable homes on a sustainable brownfield site. The following comments were made which included - being reassured by the agreed conditions in relation to flooding; acknowledging the concern over the scale and density, disappointment of the loss of light for adjacent residents which had not been entirely overcome, noting the benefit of the varied travel options and the traffic calming

measures in Haven Road; welcoming any new opportunity for co car and co bike rental; improved safety; public permeability of the site and with the progressive design the opportunity for increased surveillance. He noted the enhanced biodiversity net gain of 25% urban greening and the prospect of further tree planting. The views from the Quay would change, but would be protected. The Section 106 contributions could be used to improve pedestrian and cycle safety features in the locality. There had been some scepticism regarding co-living, but it was not for Members to comment on how people should live and there was a need for different types of homes. The Member would be supporting the application despite those reservations.

- it was appropriate to give due consideration to this important decision and a Member acknowledged the comments on density and massing. The effect on local heritage, as well as residents' comments on the application being out of keeping with the character of the area. The issues of affordability, loss of privacy, and loss of natural light and potentially trees were all a concern. He commented on the five-year supply, national planning policy framework implications and agreed with the need for a quality development whilst addressing and seeking mitigation where possible for the concerns raised by residents. The contributions to local education and health provision were helpful. The sustainable transport links would ensure the accommodation would be a good place to live. This would be a keystone application for the Water Lane development and encourage people to come to live in Exeter and enjoy the benefits of a growing city. The Member was concerned about the loss of light, but he was supportive of the application, and commended the work carried out by officers.
- the Member was satisfied that concerns over flooding had been addressed. She welcomed the co-living aspect and although comments had been made on the transient nature of occupants, possible isolation and loneliness, this could be an issue with any kind of accommodation. Officers had taken care and worked with the developer in a sympathetic way. The effect of loss of light for nearby residents was noted.
- this was the first Liveable Exeter application on a brownfield site, which had imagination and utilised the space to the maximum, and was the only way to protect the countryside from development. He suggested the developers could make contact with those residents whose level of daylight was effected to discuss the likely effects.
- the impact on existing residents and the city must be balanced. A Member welcomed the imaginative design, which would be a significant improvement to the existing site. The accommodation would deliver new homes for residents, improvements in biodiversity and Section 106 contributions for local benefit. There were concerns over the density, loss of trees and loss of light for nearby residents. The work by officers had resulted in a well considered application and the Member stated she would be supporting the application.
- the balance of high standards needed for this very constrained site with many existing residences around it had been met.
- this was a well designed project and a Member felt he could really visualise how this could deliver a great community. He would be voting against the application as it was the simple dynamic of whether this application was acceptable or not. He thanked officers for their hard work.
- concern that the lack of mature trees on the site would have an effect on the future biodiversity, but further areas of planting would allow insects to thrive.
- there was recognition of the hard work by officers in preparing the application. The use of a brownfield site for redevelopment rather than the city's green fields was also welcomed. The Member was reassured by the conditions in respect of the flood risk, but the loss of light for neighbouring

properties, density and height of the build and impact on the existing residents in the area remained a concern.

- there had been 353 objections, with a significant number quoting very valid, but emotive rather than planning issues. The majority of the blocks were four storeys high, matching the height of the surrounding buildings along with the six story block, and the visualisation and modelling should be trusted. This proposal had created a good use of the site and co-living could offer a good opportunity for someone starting off renting. The Member hoped that the proposed landscaping would become a reality.

The recommendation was moved, seconded and CARRIED.

RESOLVED that delegation be made to the Service Lead (City Development) to grant permission subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure development contributions the following:-

- Sustainable Transport measures contribution £100,000.00 towards pedestrian and cycle improvements in the vicinity of the site.
- On-site Affordable Housing at 20% for Build to Rent.
- Contribution, in combination with other developments in the Water Lane Area, to the delivery of Strategic Flood Escape Route for Water Lane Area in a timely manner. Sum to be confirmed following options appraisal and technical design.
- £76,448.84 – towards provision of Equipped Children’s Play Space, and Informal Youth Facilities,
- Provision of five car club vehicles with parking spaces and charging infrastructure.
- Provision of 6 electric hire cycles, parking and charging infrastructure.
- Travel Plan for residents, including provision of initial period car club membership to residents.
- £243,983.00 (£187,255.95) for GP surgeries expansion
- £533,006.25 to Devon County Council Education towards the provision of primary school infrastructure
- £25,250.00 towards Early Years education to ensure delivery of provision for 2-, 3- and 4-year-olds
- Access control Improvements and additional tree planting in Piazza Terracina, £52,000.00
- Traffic Orders
- Management Plan (co-living)
- Securing pedestrian rights of way through development
- Habitats Mitigation for CIL exempt residential development.

be **APPROVED**, subject to the conditions and the S106 Agreement set out in the report.

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

80

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Director City Development was submitted.

RESOLVED that the report be noted.

81

UPDATE SHEET

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(The meeting commenced at 5.30 pm and closed at 10.00 pm)

Chair

DRAFT

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PLANNING COMMITTEE

Monday 15 January 2024

Present:-

Councillor Knott (Chair)

Councillors Asvachin, Bennett, Jobson, Ketchin, Miller, Mitchell, M, Patrick, Sheridan, Vizard, Warwick and Williams, M

Apologies

Councillors Hannaford and Wardle

Also Present

Director of City Development, Service Lead City Development, Democratic Services Officer, Planning Solicitor, Principal Project Manager (Development) (HS) and Assistant Planning Manager (HS) and Democratic Services Officers (PMD and SLS)

Councillor Wood attended under Standing Order No 44.

1

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

2

PLANNING APPLICATION NO. 23/0490/FUL - LAND AT SUMMERLAND STREET (BETWEEN RED LION LANE AND VERNEY STREET), EXETER

The Principal Project Manager (Development) (HHS) presented the application for the demolition of existing buildings and construction of a 145 bedspace co-living Development (up to 6 storeys in height) and associated works.

He provided the following information:-

- The proposed development comprised the demolition of existing buildings and the construction of a five and six storey co-living residential building;
- The proposed development would feature communal facilities on the ground floor, with a further kitchen and dining space and a roof terrace at the uppermost floor, with 145 bedspaces in ensuite rooms on the first to sixth levels;
- The building was arranged with perimeter block and internal court on upper levels and a ground floor that had roof lights from the rear court to give natural light to the rearmost spaces with more active uses arranged on street frontages;
- The main entrance would be on Summerland Street with service accesses from Red Lion Lane and Verney Street;
- The application has been revised since first submitted to reduce the height by one storey and reduce the number of rooms by 22;
- Communal kitchen-diner spaces on each floor have been amalgamated to be provided at ground and uppermost floors.

Members received a presentation which included detailed location photographs, floor plans, street views and aerial views, room layouts, elevations, sustainability as well as highway, heritage and sustainability considerations. The presentation concluded with a summary of the potential benefits and harms of the project.

The application was recommended for approval subject to completion of a S106 Agreement relating to the matters identified and subject to conditions as set out in report, but with secondary recommendation to REFUSE permission in the event

the S106 Agreement was not completed within the requisite timeframe.

In response to queries from Members, the Principal Project Manager (Development) (HHS) clarified that:-

- the revised scheme reducing the height by one story was now the maximum acceptable;
- any scheme increasing height over the existing would have impact in terms of daylight;
- reducing the size (as opposed to height) of the project would only yield marginal benefits in terms of daylight;
- the NHS had been consulted but had not requested a Section 106 contribution;
- noise levels from the Unit 1 nightclub had been considered;
- the design for the submitted project had been considered;
- the type of accommodation offered by the project was not an in principle reason for refusal;
- the national guidance for affordable housing for build-to-rent schemes was 20%.

Mr Petrou, speaking against the application on behalf of Acland House residents, made the following points:-

- eight properties would see a total loss of 100% winter annual probable sunlight hours;
- no attempt had been made to mitigate the impact on light for the residents at the front of Acland House through the design of the building;
- the new development would be directly overlooking Acland House, diminishing the privacy of many of its residents;
- the height of the proposal was not in keeping with the surroundings and the lay of the land;
- there was no critical need for housing in the area; and
- the demolition of the extant buildings scheme would cause a worrying amount of noise.

Responding to questions from Members, he clarified that he was not opposed to the principle of a development on the site but that the one proposed would adversely affect Acland House residents.

Mr Ruddle, speaking in support of the application, made the following points:-

- the proposal would offer high-quality housing to young professionals, with EPC 'A' accreditation;
- there had been a rigorous consultation process, which had resulted in significant reduction in height;
- the developer acknowledged the issue around loss of daylight for Acland House residents and had, as a result, carried out detailed assessments.

He responded as follows to queries from Members:-

- the London guidance around room sizes in communal living developments was the only guidance available in the country;
- the freehold of the property was owned by Exeter City Council;
- on the issue of loss of light, mitigation was the only option;
- the development was not aimed at students;
- bathrooms would have a 'pod' configuration;
- there would be an on-site manager available 24/7;
- the opening hours for the roof garden would be decided by the management company;
- it was expected that the 20% of affordable housing in the development

would cover different sizes and price points and not just the cheapest option;

- no surcharge to tenants would be made for the cost of the management company or use of any of the communal facilities on site; and
- the developer had currently included no definitive restriction on having more than one occupant per room.

The Director City Development made the following concluding points:-

- the developer had significantly revised the original proposal;
- the expectation was that there would be a development on the site;
- communal living did make a contribution towards addressing housing needs and was an attractive proposition to young people;
- everything rested on planning balance;
- although the ownership of the freehold was irrelevant to the professional assessment of the City Development team, it was a fact that Exeter needed such a project.

During debate, Members expressed the following views:-

- the issue around loss of daylight was overwhelming;
- any building of two storeys would have an impact on daylight for Acland House residents;
- no detailed analysis had been provided on whether such types of occupations were needed;
- the room sizes and communal spaces were inadequate;
- NHS support was noted;
- the proposed development would help workers facing difficulty in finding accommodation in Exeter;
- the emotional comments from the objector were compelling;
- the site was clearly a development site and the real question was needed to be done with such brownfield sites and how the city could be serviced;
- development of this site was envisaged at the time that neighbouring flats were built; and
- the development was sustainable.

The Chair moved the recommendation for approval which was seconded, voted upon and CARRIED.

RESOLVED that the application for Demolition of existing buildings and the construction of a 145 bedspace co-living Development (up to 6 storeys in height) and associated works be **APPROVED** subject to completion of a S106 Agreement relating to the matters identified and subject to conditions as set out in the report.

3

PLANNING APPLICATION NO. 22/1548/FUL - EXELAND HOUSE, TUDOR STREET, EXETER

The Service Lead - City Development presented the application for Renovation, conversion and change of use from retail unit and office to form a co-living scheme of thirty-four units including communal facilities and a co-working office space, front extension with four floors, link building, public plaza on the existing car park and renovation of existing bridge link to New Bridge Street.

He provided the following information:-

- The application sought full planning permission for the change of use and extension of Exeland House to provide co-living accommodation;
- The proposals would convert the existing Exeland House into sixteen

residential rooms across three floors, retaining the building's exterior. New window openings would be formed internally between existing windows. Dormer windows were proposed to the rear roof slope;

- A part three, part four storey extension was proposed to the front of Exeland House. This would be linked to the existing building via a new glazed atrium entrance. The extension would provide a further eighteen co-living rooms
- The residential floors would be grouped into six clusters, each having a communal kitchen;
- The extension would have a red brick facade and use traditional proportions. The top floor would be set back and finished in standing seam zinc cladding. The proposed extension aimed to respect the scale of adjacent buildings and provide a transition between Exeland House and the more contemporary Frog Street development;
- The existing frontage would be re-landscaped to provide a new public plaza, residents' cycle parking and co-working office accommodation on the ground floor. Vehicular access would be maintained via Hick's Court at the rear.

Members received a presentation which included detailed location photographs, the existing site plan, street views and aerial views, historic streetscapes, the isometric view, room layouts, elevations, proposed site plan, the New Bridge Street entrance, floor plans and various illustrative views. The presentation was concluded with a summary of key issues as well as the full, revised recommendation. He also advised that:-

- the Environment Agency were close to withdrawing their objection; and
- if significant changes were required, the scheme would come back in front of the Committee.

The revised recommendation was for approval subject to the conditions as set out in the update sheet.

In response to queries from Members, the Service Lead - City Development clarified that:-

- there would be a vehicular right of way across the site but no dedicated bay was planned for deliveries and emergency vehicles;
- the average room size was 19sqm;
- Historic England has praised the modern element of the project; and
- cycle parking and electric bike charging were compliant with Exeter City Council standards.

No objectors had registered to speak at the meeting.

Mr Collar, speaking in support of the application, made the following points:-

- discussions had been taking place for years with the Service Lead - City Development and Historic England;
- the location was highly sustainable for a co-living scheme;
- he expected the Environment Agency to withdraw their objection imminently;
- there would be no bedrooms on the ground floor;
- there would be a kitchen and lounge for every six bedrooms; and
- a layby would be available for delivery and emergency vehicles to park.

He responded as follows to queries from Members:-

- affordability across the spectrum of rooms could be negotiated as part of

- the Section 106 agreement;
- the layby contained a single bay which could host a lorry-sized vehicle;
- there was also a disabled parking bay;
- the concierge service – intended to be available 24/7 - would alleviate police concerns;
- there would be no cooking facilities inside the rooms; and
- the specific glazed features outside the concierge area would deter rough sleeping and anti-social behaviour.

The Director City Development made the following concluding points:-

- this was a well-considered scheme responding to very exacting requirements from Historic England;
- the Environment Agency did not have any concerns in principle;
- any significant changes to the scheme would result in it being brought back to the Committee;
- many issues and concerns could be addressed in the Section 106 agreement; and
- regardless of personal considerations about the type of accommodation, the proposed development did meet a need in the city.

During debate, Members expressed the following views:-

the scheme would suit car-free living;
the design of the scheme would improve the area;
some of the concerns raised by the police remained and could possibly be addressed by the Section 106 agreement;
co-living had strict rules, which would facilitate eviction in case of rule-breaking;
no objections had been received from ward Councillors;
loss of privacy was the only contentious element to the scheme; and
the design of the proposed development had risen to the challenge.

The Chair moved the recommendation for approval which was seconded, voted upon and CARRIED.

RESOLVED that planning permission for renovation, conversion and change of use from retail unit and office to form a co-living scheme of thirty-four units including communal facilities and a co-working office space, front extension with four floors, link building, public plaza on the existing car park and renovation of existing bridge link to New Bridge Street be **APPROVED** subject to completion of a S106 Agreement relating to the matters identified and subject to conditions as set out in the update sheet.

4

PLANNING APPLICATION NO. 22/1223/FUL - 58 MAIN ROAD, PINHOE, EXETER

The Assistant Service Lead - City Development (HSS) presented the application for replacement of existing garage, forecourt and retail units with a mixed-use development including residential and commercial (revised plans).

She reminded Members of the planning history for the scheme and provided the following information:-

- The proposal included ground floor commercial use and would provide residential development in close proximity to local amenities such as shops and schools;
- The proposal was for a two-and-a-half-storey development consisting of 1 no 4-bedroom dwellinghouse, 4 no. 2-bedroom flats and 4 no. 1-bedroom

flats, 447.82sqm of commercial development and associated landscaping and parking for the commercial use;

- The site was situated within an eight-minute walking distance of Pinhoe railway station and within a fourteen-minute walking distance of a large supermarket.

Members received a presentation which included detailed location and existing site photographs, floor plans, back to back distances, proposed sections, street views and aerial views, elevations, landscaping as well as neighbour consultation. The presentation concluded with a summary of the proposed uses for the various components of the development.

The application was recommended for approval, subject to the conditions set out in the report.

In response to queries from Members, the Assistant Service Lead - City Development (HSS) clarified that:-

- the house had parking facilities;
- the proposal had originally been presented to a Delegation Briefing but referred to the Planning Committee because of concerns from Devon County Council Highways;
- the mature ash tree would be removed after a tree officer had assessed that it suffered from ash dieback;
- the landscape conditions could be negotiated;
- there were no plans to set the buildings back as the proposal had already been revised; and
- there would be 10 cycle parking spaces for eight dwellings.

Speaking under Standing Order 44, Councillor Duncan Wood made the following points:-

- the site was prominent in Pinhoe and was currently unattractive;
- as a brownfield site, the location was suitable for development;
- condition #13 in the recommendation failed to mention the approved business hours for the commercial properties;
- some of the current businesses on the site caused heavy car use;
- it was not strictly true that this was a zero-car development;
- parking was currently at a premium in Pinhoe and the proposed development could make the situation even more difficult;
- two driveways in the proposed development led to a tight curved road, which was concerning;
- the house inset instead of aligned with the other properties in the development;
- the food kiosk was not a walk-past facility and customers required parking.

The Assistant Service Lead - City Development (HSS) explained that there was a layby and that the new proposal would make parking in the tight curved road more difficult.

Cllr Wood responded as follows to queries from Members:-

- although this was the best proposal he had seen for this site, illegal parking would increase as a result;
- there was a private car park nearby, where people could park for one hour for free;
- the concept of the proposal was good but required better public transport options; and
- there was no guarantee that people moving into the development wouldn't

want to use the car.

Mr Collar, speaking in support of the application, made the following points:-

- as a Pinhoe resident himself, he felt strongly about the unattractive nature of the site in its current state;
- the boundaries of the existing site were particularly poor;
- the back-to-back distances were acceptable as the angle of the properties backing onto each other was 45 degrees;
- the house was set back slightly so as to create some defensible space against the main road; and
- the proposal would make the site an example of a sustainable location.

He responded as follows to queries from Members:-

- he would consider moving the house if its location was a ground for refusal;
- the site seemed like an ideal location for car-free living; and
- he was unsure whether there would be a communal back passage.

During debate, Members expressed the following views:-

- there was no reason not to approve the scheme;
- the supporter had given solid answers to probing questions;
- some concerns remained about the Langaton Rd entrance;
- the scheme would deliver much needed flats in the area; and
- other options were available in Pinhoe for people who were determined to drive.

The Chair moved the recommendation for approval which was seconded, voted upon and CARRIED.

RESOLVED that the application for replacement of existing garage, forecourt and retail units with a mixed-use development including residential and commercial (revised plans) be **APPROVED**, subject to the conditions as set out in the report.

5 LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

6 APPEALS REPORT

The Director City Development advised that there was a slight inaccuracy in the report, namely that, while the appeal for 22/1177/FUL Land Adjacent to Gras Lawn and Fleming Way had been allowed, costs had not been awarded. Further details would be provided at the earliest opportunity.

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(The meeting commenced at 5.30 pm and closed at 8.31 pm)

Chair

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LICENSING COMMITTEE

30 January 2024

Present:

Councillor Marina Asvachin (Chair)

Councillors Warwick, Begley, Bennett, Fullam, Foale, Holland, Parkhouse, Patrick, Rees, Sheridan, Snow and Vizard

Apologies:

Councillor Wood

Also present:

Service Lead - Environmental Health & Community Safety, Legal Advisor, Democratic Services Officer (PMD) and Apprentice Solicitor (MM)

1 **Minutes**

The minutes of the meeting held on 12 September 2023 were taken as read, approved and signed by the Chair as correct.

2 **Declarations of Interest**

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

3 **Licensing Fees and Charges for 2024/25**

The Licensing Committee received the annual report for the proposed licensing fees and charges for 2024/25. The Committee had a statutory responsibility to set fees for the year which related to the cost of performing the various Licensing functions. Members were referred to appendices attached to the report, which listed all the fees levied by the Licensing Authority. The Service Lead - Environmental Health & Community Safety explained that Appendix A summarised the Council's powers to set its fees in respect of licensing applications, and any limitations on those powers, and Appendix B listed all the fees levied by the Licensing Authority as of last year and the proposed fees for 2024/26. He highlighted:-

- Exeter City Council's (ECC) administrative duty to set fees;
- how the fees relating to the Licensing Act and the Gambling Act were prescribed in law;
- how fees could only be collected from a cost-recovery perspective as opposed to as a money-making enterprise;
- the proposed change for street trading licences to a Part A / Part B system.

Responding to queries from Members, the Service Lead - Environmental Health & Community Safety explained that:-

- with regard to the Part A / Part B approach for street trading, there was – presently - no exact comparison possible with other local authorities;
- the Part A / Part B system was long established in e.g. animal licensing;
- it was impossible to foresee potential rushes on certain types of licences;
- whilst increased fees were never welcomed by those that had to pay them, they did reflect the costs in delivering the respective licensing regimes.

RESOLVED that the proposed Fees and Charges for the period from 1 April 2024 to 31 March 2025 be approved, as set out in Appendix B of the report.

The meeting commenced at 5.30 pm and closed at 5.56 pm

Chair

DRAFT

CUSTOMER FOCUS SCRUTINY COMMITTEE

30 November 2023

Present:

Councillor Matthew Vizard (Chair)
Councillors Rees, Atkinson, Begley, Fullam, Harvey, Holland, Miller, Patrick, Sparling and Warwick

Apologies:

Councillors Hannaford, Knott and Wardle

Also present:

Assistant Director of Housing (LB) and Democratic Services Officer (SLS)

In attendance:

Councillor Philip Bialyk	- Leader
Councillor Barbara Denning	- Portfolio Holder Council Housing Development and Support Services
Councillor Martin Pearce	- Portfolio Holder Communities & Homelessness Prevention
Councillor Ruth Williams	- Portfolio Holder Place and City Management

35 **Minutes**

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 5 October 2023 were taken as read, approved and signed by the Chair as correct.

36 **Declarations of Interest**

Councillor Fullam declared a non pecuniary interest relating to Minutes 39 and 40 as an officer with Sanctuary Housing.

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

No questions from members of the public were received.

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

In accordance with Standing Order No. 20, the questions below to the Portfolio Holder for Communities and Homelessness Prevention – Councillor Pearce had been submitted by Councillor Rees and had been circulated in advance to Members of the Committee. The response of the Portfolio Holder is set out in italics.

1). What are the portfolio holder's plans and what funds are available for helping people with the cost of living this winter?

The question could also be answered by the Portfolio Holder for Housing Development and Support Services, and he referred to the Household Support Tranche 4, which had been considered by the Executive and Council and had the main share of the funding that was available. It was a well designed scheme and he referred the Member to the minutes of those meetings.

Councillor Rees asked a supplementary question and referred to the excellent support detailed on the Council's web site and if similar support was planned for this year.

Appropriate signposting would be in place this year.

2). Can the Portfolio Holder indicate the likely level of grant funding he is looking to recommend for inclusion in the Council's budget for next year, to support the work of the Citizens Advice Bureau?

The Portfolio Holder for Communities and Homelessness Prevention said he was unable to advise that figure at present.

Councillor Rees made a comment and referred to the work on the homeless working group and one of themes was around the continuity of funding. She asked if he was aware of plans for funding but did not know the figure currently.

The Portfolio Holder Citizens Advice confirmed that no funding had been received since 2019, but there was a contract to provide information and advice services until the end of March 2024. No decision had been reached on a new contract or any alternative funding method if the service was continued.

39 **Update from the Portfolio Holder for Council Housing Development and Support Services**

Councillor Denning reported on the Council Housing Development and Support Services areas of her Portfolio, detailing the issues relating to achieving the Council's published priorities, major ongoing programmes of work, issues impacting delivery, financial performance and budget requirements and potential changes being considered.

Councillor Denning responded to an advance question from Councillor Rees as follows:-

1). The Portfolio Holder report refers, to 'Council owned brownfield housing development sites are unviable, and will remain so without significant government interventions.' Is that every single site? How many of those did Exeter City Living assess? What is the funding gap between the Council funds and the additional funds required?

The cost of developing on brownfield land is higher due to the abnormal costs associated with demolition, asbestos removal, contaminated ground, utility upgrades and services diversions. The Housing team has assessed a number of sites, some in more detail than others due to the design development of each scheme, and due to brownfield development costs, tender price inflation and high interest rates all of the sites assessed are showing viability challenges. Each site is unique, and the size of the viability gap is different, but this will be a six-figure sum per property in most cases. Some of this gap can be met by bidding to Homes England for Affordable Housing Grant and that the pressure will reduce significantly if, and when the interest rates return to their previous levels. Exeter City Living have contributed towards the viability assessments carried out on the Housing Revenue Account (HRA) sites as part of their engagement as Development Agent.

Councillor Rees asked a subsequent question, noting the uncertainty of the national position, and queried whether this would have a significant impact on the Council's housing building targets.

The Portfolio Holder responded that this should not have an effect and the Council will still attempt to reach the house building targets. She hoped the Government would increase the funding and reduce the cost of borrowing to enable the Council to build more houses.

The Portfolio Holder offered the following responses to Members' questions:-

- tenants living in the new passive houses built had adapted well. She had spoken to those tenants and although there was some adjustment, it was a good way to live as well as having cheaper energy bills.
- in referencing scrutiny under the Consumer Regulation Scheme, arrangements at Exeter City Council included residents' groups including a Tenants' Voice, and the Council Housing and Development Advisory Board which all offered the opportunity for dialogue. There was also a Compliance and Complaints Panel. Following a further comment on discussion with residents, the Portfolio Holder undertook to raise the comments in relation to the Residents' Engagement Terms Strategy at a Portfolio Holders meeting and discuss with the Director.
- the position in relation to the Laings properties at Newman Road and Merrivale Road, had been raised regularly and was a priority to progress when there was funding to do so. She had spoken to the Assistant Director Housing, as there were a number of other issues associated with the build and she invited the Member to email the Service Lead - Housing Assets.
- the funds for the completion of 25 properties as part of Phase 1 of Vaughan Road were available to completion.
- achieving the retrofit programme would depend on the funding allocation, but every effort was being made to retrofit as many as possible depending on the outcome of funding bids. The Assistant Director Housing also thanked his colleague, the Service Lead - Housing Assets, who had worked hard to secure funding, winning awards as well as sharing the experience at a number of conferences and events around the country.

The Assistant Director Housing also responded to the following comments in support of the Portfolio Holder:-

- relating to the mutual exchange scheme and a number of incentives for any resident wishing to downsize, where they may be under occupying any property. Any resident had the opportunity to work with the Housing Officer to help identify such opportunities.
- sites can be unlocked by working in partnership and with other housing associations and where land may be owned by the Council that may help result in a site becoming more viable. A fuller response could be offered.
- the acronym MMC stood for modern methods of construction.
- in relation to a comment on those tenants seeking Right to Buy who may have benefited from the retrofitting of their property. There had been a reduction of the right to buy applications more recently. He added that in the scheme there is what is termed a 'cost floor', if a significant level of work was carried out at the property then the discount would be reduced accordingly and may not be as attractive for the tenant to but under the right to buy incentive but the Council achieves more money to build more homes.

Members noted the report.

40 Council Housing Strategy

The Assistant Director Housing presented the report which summarised the contents of the proposed Council Housing Strategy 2023-2027 and the context in which it has been developed. A copy of the full strategy document was circulated with the agenda. The Strategy set out the overarching plan for the next four years as well as setting out how they are going to manage and grow the service.

He referred to the following five key objectives of: -

- enhancing the resident's experience
- providing the right homes in the right places
- providing value for money services
- supporting our residents
- ensuring the safety of our homes and residents

The Assistant Director Housing sought Members' enquiries and comments: -

- the majority of the contracts were outsourced, Mears was the main contractor, and there is an innovative practice of maintenance for a set price per property and price for void properties to ensure that any empty properties are then offered to a lettable standard. A team of two electricians work in house carrying out small jobs in a reactive way.
- a new contract has been secured for the gas engineering and gas safety checks. Although overseen by his colleague the Service Lead (Housing Assets) he was able to advise that the Mears contract had been running for two years, but prior to procurement, an option paper for insourcing was considered by Members.
- he welcomed the suggestion of a year on year figure to better reflect satisfaction trends. The Government have introduced through the regulation tenant satisfaction measures, with an annual set of 21 questions that every social landlord has to ask all tenants. The analysis does help to offer a comparison with neighbouring and similar authorities with retained stock. The satisfaction levels are reported to the Council Housing and Development Advisory Board, but he would in future report the stock condition survey to this Scrutiny Committee. The stock condition survey was nearly completed and will meet the Government regulations and dictates of knowledge. He added that whilst they did take seriously any response to Councillors' enquiries, there was a process which they operated to with an explanation to the Councillors and tenants. They were reactive over a genuine problem.
- he would take the comments back to colleagues in relation to including the target performance in 2022/23 for referrals to external partner organisations and evictions. He added that evictions were rare and were at zero, but he would check that detail. The aim was to address proactively all cases where people fall into significant arrears offering support to pay or with the help of benefits.
- following a Member's comment that eviction may not necessarily be seen as a failure of service, and the importance of having a robust back up, he announced that he would be talking to the Portfolio Holder about formulating an Arrears Policy shortly.
- he would obtain a response to a Member who raised an enquiry in relation to the assessment of need made for homes of those individuals with a range of needs. He did reassure the Member around adaptations is that the HRA has

a significant sum ring fenced to provide aids and adaptations. The Council has an occupational therapist in their service, who can offer an assessment to make sure any referral was carried out quickly.

- with regard to buying in built properties, there was a small acquisitions budget to buy suitable properties from the open market. They were also able to use a portion of the Right to Buy receipts. Those people who have purchased under the Right to Buy Scheme were asked to give the Council first right of refusal when they wished to move on.
- Environmental Health oversee the Empty Homes, but there are grant incentives for owners to renovate the property requesting an undertaking that they could be used in the temporary housing stock for a period. It remained a challenging area.
- the Housing Officers were the first contact for dealing with anti-social behaviour, where there were 75 to 85 open cases at any one time, with up to 10 cases open and closed a month. The main complaints related to noise nuisance and child nuisance particularly during the summer months. A multiagency Anti-Social Behaviour Action team chaired by the Council's Environmental Health service with representatives from Housing, the police, social services and other registered social providers in the region to discuss more complex anti-social behaviour and agree an action plan. The Anti-Social Behaviour Policy Strategy was currently being reviewed and would be presented to Members in due course.
- the level of anti-social behaviour averaged at 120 cases a year with seasonal peaks and troughs ranging from 53 in April 2023, to 97 in August. The level did not dramatically increase during the Covid pandemic, but reports were still received during the lockdown.
- in terms of using recent technology, the component sensors for door entry systems for communal flats sit with the Council and they will be introducing a key fob system for contractors to monitor their visits. With the support of the Council's IT company Strata, an online tenant's portal will enable tenants to log onto their individual accounts as well as make payments and report repairs. He was proud that they were one of the first services in the Council to introduce this opportunity.
- all of the data would be included in the report to the Executive.

The Assistant Director Housing also responded to advance questions from a Member relating to whether the number of individuals in Council temporary accommodation was a static or rolling figure, of the projections for temporary need, as well as the pressure for temporary accommodation and managed as part of the service budget. The temporary accommodation figure was now at 150, and it was a rolling figure that changed with demand. His colleagues in the Housing Needs and Homelessness team were looking to lease properties to reduce the costs of bed and breakfast to aggregate the costs paying to meet those demands that we have.

He also responded to the Member's question on the assessment of need in relation to the Council Housing Strategy, and what assessment in relation to planning of need has been undertaken for Gypsies, Roma, and Travellers (for fixed or travelling sites)? He stated that a Gypsy and Traveller Accommodation Assessment was also currently being undertaken by consultants on behalf of the City Council. This will identify the need for permanent and transit pitches for the Gypsy and Traveller community (including Travelling Show-people). The results will be used to plan for the provision of additional accommodation for Gypsies and Travellers in Exeter, including through the emerging Exeter Plan. This information would be included in the Strategy.

The Assistant Director Housing agreed to feedback the comments and request for some training in relation to completing the Equalities and Assessment relating to providing an assessment of the impact on those members of society with protected characteristics. The Members thought that this was an area that might be strengthened through training. He would talk to the Policy Officer who looks after equalities within the Council. The Chair suggested a discussion on the support training for officers on the EQIA which may promote a be a wider question revisit.

The Chair referred to the importance of the knowledge of the housing officers of their tenants and the service, and he asked the Assistant Director Housing how the Scrutiny could receive feedback. In reflecting on the changing role of the Housing Officer, it remained a challenging and difficult job, dealing with more complex issues working with other support agencies such as police, health and social services who were under their own pressures. He was happy to arrange an opportunity to have an informal chat with housing officers to talk through the day-to-day changes. The Chair welcomed the opportunity to understand how the Council supported officers in this regard. The Portfolio Holder also referred to the good relationship and communication work with tenants and the Housing Officer.

Members welcomed the comprehensive and informative report.

RECOMMENDED that the report be noted, and that Executive note and Council approve the new Council Housing Strategy as summarized in the circulated report.

41 **Tenancy Policy**

The Assistant Director Housing Service presented the report which summarised the revised Tenancy Strategy and Policy following a review and consultation. It is proposed that the revised Tenancy Strategy and Policy 2023-2027 be adopted and implemented. A copy of the Strategy and Policy documents was appended. The Council as a social landlord, had to have due regard as to how tenancies were managed with a Tenancy Strategy and Tenancy Policy.

Particular reference was made to:-

- the proposed change of moving from a fixed term to a lifetime tenancy approach. The Council had introduced a fixed term tenancy policy in 2015 with a two to five years tenancy and introductory period for the first 12 months, provided the rent was paid and the terms and conditions of the tenancy agreement were met.
- the lifetime tenancy scheme was set out in paragraph 6.6 of the report. It was established that following a review of tenants housing circumstances that only 2% of tenants had to have their tenancy ended. A number had moved to a smaller or larger property, but the number of properties returned to let on the Devon Home Choice register was small.
- there were 418 responses to the consultation with 81% being supportive of lifetime tenancies. Reversion to the lifetime tenancy with a probationary period was around the Council's Corporate priorities on building communities to enable those tenants to continue to engage in their local area.

The Assistant Director Housing responded to the following enquiries: -

- there are very few non-statutory successions and he would obtain the answer. They will assess their person's housing need and if they move into a property and it was less than 12 months, if their need was less they would

facilitate them moving to a smaller property to free up the larger property or the succession would not be able to go ahead.

- he explained that the succession is where the tenant passes away and someone remains in the property and their succession to the property. There can only be one succession on a tenancy. The law is that the individual must have lived there for 12 months and must be a partner to reassign the tenancy. Children were not included, as that changed in 2012 after the Localism Act.
- there should be evidence of co habitation, such as joint household bills but the team took a sensible approach.
- there was no automatic move to a lifetime tenancy and if they had been there less than 12 months there would be a case review to establish if that was an appropriate property for them to have.
- the Member suggested that the joint to sole tenancies should be reported, and the Assistant Director would report back and take forward if Members saw that as a useful measure to see what is happening in the stock in the future.
- he clarified the term succession which is where someone dies and succeed the tenancy and an assignment was when the tenancy goes from joint to sole and sole to joint.
- the direct letting figure was in the public domain on the Devon Home Choice portal, but he could also provide that information. An example of a direct match is where someone is in hospital and returning to their existing home is not possible and move to find alternative accommodation to allow them to leave hospital and that is the exceptional circumstance when they use the direct match process. The vast majority use the Devon Home Choice portal.
- with the regeneration of areas those people will be offered alternative and similar accommodation from the Council's stock at the same rent and receive a financial remuneration to assist with moving home, as well as a decamp officer to support people moving house. We are obliged to find alternative accommodation and the opportunity to return to the regenerated area.
- a number of downsizing schemes have been offered in the past, which was at one point was up to £2,000 but the take up was still low. He had spoken personally to people who did not wish to move when they had lived there all their lives. Currently there was an offer of £500 removal fee for people to downsize as well as access to the decamp officer for support.

Members also made the following comments:-

- more houses were needed as there was little turnover in the waiting list and the Member understood the dilemma of those that remain in a property all of their lives. it was appreciated that the ending of a tenancy was difficult, and the lifetime tenancy was a sensible approach but there was underoccupancy in both the private and social sector against the number on the Council Housing waiting list. The Member hoped that those people with less need for the space might be encouraged to downsize their Council property. The Member was disappointed over the outcomes of the fixed term tenancy approach but welcomed the move to the lifetime tenancy approach.
- of concern for the current housing market with not enough social housing being built. The Member hoped there would be cross party working to discuss this further.

The Assistant Director Housing was invited to respond to an advance question from a Member in relation to Equalities Impact Assessment (EQIA) and of any impact on those aged 16 to 18 years and on care leavers, in accessing housing. He stated that tenancies were only issues to those over the age of 18 years. He thanked the

Member for the comments, and they will amend the EQIA to reflect the comments around young people. Discussions were currently taking place with colleagues from Devon County Council over the issue of housing and moving on of care leavers and housing and the support network and the discussions are still taking place. It would be unusual to offer a tenancy for someone under 18 years, a guarantor would be required either from Audit Social Services or a parent or grandparent.

RECOMMENDED that Scrutiny Committee and Executive note and Council approve the new Tenancy Strategy and Policy as summarised in the report.

42 **Forward Plan of Business and Scrutiny Work Plan**

The Chair referred to the work plan and to look at what business was coming forward and to encourage Members to look at what is moving forward and to submit any proposal for consideration using the proforma form.

A Member enquired about the circulation of the Scrutiny proforma list. It was noted that this matter would be considered by a forthcoming meeting of the Scrutiny Programme Board. A Member referred to the list of the topics raised over the last three years and suggested it be made available to Members. Following a request, a link to the scrutiny proposal form would be sent to Members.

Members also noted the Director Finance was due to attend the Scrutiny Programme Board meeting to discuss the opportunity to feed into the annual budget process at an earlier stage in the year.

Members noted the Forward Plan and the Scrutiny Work Plan.

The meeting commenced at 5.30 pm and closed at 7.05 pm

Chair

CUSTOMER FOCUS SCRUTINY COMMITTEE

1 February 2024

Present:

Councillor Matthew Vizard (Chair)
Councillors Rees, Begley, Fullam, Harvey, Holland, Knott, Miller, Patrick, Sparling and Wardle

Apologies:

Councillors Atkinson and Warwick

Also present:

Director Net Zero Exeter & City Management, Public and Green Spaces Service Manager, Service Lead - Environmental Health & Community Safety, Service Lead Legal Services, MRF Manager, Interim Waste, Recycling & Fleet Manager and Democratic Services Officer (PMD)

In attendance:

Councillor Philip Bialyk	Leader
Councillor Denning	Portfolio Holder Council Housing Development and Support Services
Councillor Foale	Portfolio Holder for Corporate & Democratic Services and Environmental Health
Councillor Pearce	Portfolio Holder Communities and Homelessness Prevention
Councillor R Williams	Portfolio Holder for Place and City Management

1 **Apologies**

The Chair noted the apologies received and, on behalf of the Committee, expressed condolences to Councillor Atkinson on her recent bereavement.

2 **Minutes**

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 30 November 2023 were taken as read, approved and signed by the Chair as correct.

3 **Declarations of Interest**

Councillor Harvey declared an interest relating to Minute 9 as a Council allotment tenant. As a result, he would be leaving the meeting for the entirety of the item.

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

No questions from members of the public had been received.

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

No questions to Portfolio Holders from Members of the Council were asked.

6 **Portfolio Holder Update - Corporate and Democratic Services & Environmental Health**

Councillor Foale, Portfolio Holder for Corporate & Democratic Services and Environmental Health, introduced the report submitted and made the following further comments:-

- he would be seeking to improve diversity and inclusivity in the Democratic process;

- he viewed Scrutiny as a two-way process;
- he wanted to introduce “City Ambassadors” in the city centre to address anti-social behaviour, and would be liaising with the Deputy Leader about this.

Members expressed support for Councillor Foale’s suggestions. The Portfolio Holder for Corporate & Democratic Services and Environmental Health responded to questions from Committee Members as follows:-

- he expressed concerns regarding Voter ID requirements and the number of people turned away, although it should be noted that two-thirds of those had returned;
- he advised that the Office 365 rollout was not ready yet and that he had put himself forward as a test user;
- he noted Councillor Knott’s offer to raise the issue of the Office 365 rollout at the Strata Joint Scrutiny Committee, which he chaired;
- he recognised that, at one location on Heavitree Road, air quality was in exceedance of the legal objective;
- he felt that members of the public often failed to differentiate between Exeter City Council and Devon County Council; and
- he clarified that there was presently no funding available for his proposed “City Ambassador” posts there was a review taking place to look at how this could be achieved.

Responding to technical queries from Members about air quality monitoring, the Service Lead - Environmental Health & Community Safety explained that:-

- the Royal Albert Memorial Museum and Alphington Road were the only two locations which were monitored continuously;
- there was a network of 80 diffusion tubes;
- data was available on the ECC website;
- a bid had been submitted to Defra and awarded for the project looking at Heavitree Road; and
- air quality data results would be published on a month-by-month basis as they have been for many years in the annual status report.

Members praised:-

- the recent successes of the Legal team;
- the introduction of the points-based disciplinary system for licensing; and
- the Street Trading licensing review.

The Service Lead - Legal Services agreed to confirm to a Member who the delegated power sat with in the middle of a Planning appeal.

Members thanked the Portfolio Holder for Corporate & Democratic Services and noted his update report.

7 **Waste Recycling and Fleet**

The Service Lead - Environmental Health & Community Safety, the Waste, Recycling and Fleet Manager and the Resource Recovery Manager talked Members through their presentation, which included:-

- key service statistics;
- operational setup;
- current food waste collections;
- comparison of waste collected;
- recruitment;
- electric refuse vehicles;

- collections;
- MRF statistics for 2023-24 to date;
- current products extracted for sale;
- current issues and costs;
- MRF upgrade;
- future production;
- MRF projects and wider working for 2024; and
- social media and bus stop campaigns.

They further highlighted:-

- the increase in weights for recyclables;
- the current recruitment status of the service;
- the potential impact of the Deposit Return Scheme; and
- how the MRF was 23 years old and required investment.

Members praised the slides and noted the enthusiasm of the presenting party.

Officers responded to Members' questions as follows:-

- £8m worth of investment was required;
- the scheme for separate household glass collection was in the early stages of the government setting out their thoughts and would require careful planning as well as Government money; and
- the infrastructure for sterilising glass bottles wasn't there anymore.

Members made comments about:-

- the consequences of the growth in housing;
- the monitoring of the number of trips that are made to the bottle bank; and
- student properties.

On the last point, the Service Lead - Environmental Health & Community Safety explained the legislation in place and further advised that developers of student properties:-

- used trade waste collection companies and paid more for more frequent collections because of bin storage size issues;
- were sent guidance documents on waste collection; and
- could use Exeter City Council as a commercial trade waste provider.

Members noted the presentation and thanked the officers involved.

8 **Street Cleansing Litter Bin Review**

The Public and Green Spaces Service Manager presented the report, highlighting:-

- the evidenced based approach to rationalising bin stocks;
- how street cleansing teams spent approximately 50% of their time on transport;
- how, after litter bins had been removed, more than 200 visual inspections were carried out, highlighting no visual contamination issues;
- that the last point that the programme had had no significant detrimental impact; however, with the ad-hoc nature of street cleansing, one-off contaminations would continue to occur and be managed as they arose;
- how the second stage of the programme would feature new and revised schedules;
- the necessary bedding-in period; and
- how optimisation was an enabler towards a balanced budget.

Members made the following comments:-

- the process of constant review was a good thing;
- budgetary cuts to street cleansing were contrary to the core functions of a council;
- the deep cleansing system was not frequent enough;
- the optics were essential to any policy implementation and the public perception was that the situation was getting worse;
- it should be noted that conversations were constantly taking place.

The Public and Green Spaces Service Manager clarified what constituted a service request and responded to further questions from Members as follows:-

- the statistics submitted in the report indicated direct service requests;
- an “A” standard of cleanliness across a whole municipal area was hard to achieve and a “B” standard was more realistic;
- visual monitoring was used to measure cleanliness across the city;
- provision for recycling on the go was poor because of contamination;
- mingled bins were used predominantly: however, a dog bin would be installed if residents requested it specifically;
- there was currently no capacity for litter-picking stations;
- it was difficult to put a figure on how much it would cost to improve cleanliness across the entire city;
- changing the culture around litter picking was a national issue. The Government had acknowledged the importance of combining education with enforcement and infrastructure.

She also recognised the negative visual impact caused by the lack of road sweepers, who residents viewed as “bespoke ambassadors”. The Director Net Zero Exeter and City Management confirmed that the optimisation of street cleansing was a continuous process.

Members thanked the Public and Green Spaces Service Manager and noted her report.

9 Allotment Service Review

Cllr Harvey left the meeting, having declared an interest as a Council allotment tenant. The Public and Green Spaces Service Manager presented the report, highlighting:-

- that Exeter City Council’s lease fees were lower than those of its District peers;
- the proposed lease fee increase of £3 per rod;
- indicative expectations;
- the consultation from 26 January to 16 February (not city-wide but targeted at allotment tenants, who had been consulted directly) as well as the recent forum;
- the statutory position;
- the turnover rate; and
- how eviction would always be a last resort.

She replied to Members’ questions as follows:-

- six-monthly payment plans were possible;
- the allotment scheme was cost-neutral;
- while five-rod plots were the standard, ECC offered various sizes and 2.5-rod plots were available;

- other possible options to fund the rise in costs include increasing allotment services, improving turnover and a three-pronged cost review;
- there was no appetite for a voluntary self-management model;
- the current consultation was a genuine consultation, which could generate new methods and ideas;
- the main reason for eviction was mismanagement (after the expiry of the grace period); and
- the role of Exeter City Council was statutory.

The Director Net Zero Exeter & City Management remarked that the annual lease fee increase from £41.75 to £59 (for a five-rod plot) was not significant and felt that increases formulated in percentages could be misleading.

Members thanked the Public and Green Spaces Service Manager and noted her report.

10 **Forward Plan of Business and Scrutiny Work Plan**

The Chair referred to the work plan and sought views and suggestions from Members, reminding them to submit any proposal for consideration using the proforma template.

Members noted the Forward Plan and the Scrutiny Work Plan.

The meeting commenced at 5.30 pm and closed at 8.11 pm

Chair

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STRATEGIC SCRUTINY COMMITTEE

25 January 2024

Present:

Councillors Mitchell, M, Allcock, Asvachin, Branston, Ketchin, Knott, Moore, D, Read, Snow, Vizard and Williams, M

Apologies:

Councillors Atkinson and Leadbetter

Also present:

Director Corporate Services, Service Lead Net Zero & Business and Democratic Services Officer (SLS)

In attendance:

Councillor Philip Bialyk	- Leader
Councillor Josie Parkhouse	- Portfolio Holder Climate and Ecological Crisis
Councillor Duncan Wood	- Portfolio Holder Leisure Services and Physical Activity

1 Chair

In the absence of the Chair, the meeting was chaired by the Deputy Chair, Councillor M. Mitchell, who on behalf of the Committee, expressed condolences to Councillor Atkinson on her recent bereavement.

2 Minutes

The minutes of the meeting held on 16 November 2023 were taken as read, approved and signed by the Chair as correct, subject to the amendment that in Minute 71 (Questions from Councillor M Mitchell) and the response to the supplementary question should remove the second sentence and commence the third sentence with "The Portfolio Holder advised that"

3 Declaration of Interest

No declarations of interest were made by Members.

4 Questions from Members of the Public Under Standing Order No.19

There were no questions submitted by the public.

5 Questions from Members of the Council Under Standing Order No.20

In accordance with Standing Order No. 20, the following questions were submitted by Councillor Moore in relation to the Portfolio of Councillor Bialyk who attended the meeting. The questions were circulated at the meeting to Members of the Committee. The response of the Leader is set out in italics below: –

QUESTIONS FROM MEMBERS UNDER SO20 TO CLLR BIALYK

Questions from Councillor Moore

1. The Exeter Development Fund (<https://www.globalcityfutures.com/case-study/next-phase-exeter-development-fund/>) no longer features in the Regulation 18 version of the Local Plan. Please can the Leader explain why this project is not included?

Work is in progress to explore how it could function, and should it come into being, which sites it could support. Until there is clarity on these matters, it is not necessary to include a reference in the plan.

Councillor Moore asked a supplementary question and referred to the Exeter Development Fund Task and Finish Group which had only met once to agree a set of terms of reference. She asked about their role and if there would be further involvement when the work was complete.

The Leader asked the Member to contact him in writing, so that he could obtain a response.

2. How much money has the Council secured and spent on the development of the Exeter Development Fund? How much staff time has been estimated to have been spent on the development of the Exeter Development Fund?

Exeter City Council had received £850k in total from the Government. To date £329,153 has been spent. The City Council has no data on officer time spent on this project.

Councillor Moore asked a supplementary question regarding the lack of outcome, despite the level of expenditure. She referred to the sum still to be spent and asked when further outputs from this work might be forthcoming.

The Leader undertook to seek a response to the question.

Councillor Moore asked an additional question in relation to flood mitigation measures which would come at the end of approved developments in the St Davids ward, and sought assurance that there will be more immediate measures before the Local Plan comes forward.

The Leader advised that he would seek a response as consideration of the appropriate flood measures and mitigation would be important as the future development in the Water Lane area of the city progressed. He reiterated that he would be happy to discuss this with Councillor Moore through the usual channels of discussion.

6 **Portfolio Holder report - Climate and Ecological Crisis**

Councillor Parkhouse reported on the Climate and Ecological Crisis areas of her Portfolio and detailed the issues relating to achieving the Council's published priorities, major ongoing programmes of work, issues impacting delivery, financial performance, budget requirements and potential changes being considered.

The Portfolio Holder provided further updates on the key areas set out in the report which included:-

- the City Council taking on the co-ordination and facilitating role for city wide net zero, with a temporary two year Programme Manager post to coordinate activity and to work with existing structures across the city such as the Exeter Place Board. That person will also be the main point of contact for city businesses, and community groups as part of a collective effort to reach Net Zero 2030. Progress will be reported to scrutiny every six months, starting September 2024.
- highlighting the successful recognition of the internal Net Zero team following an independent review and being named as one of the top District Councils in the country for their work in net zero, as well team who oversaw the Water Lane Smart Grid and Storage (the Portfolio Holder would issue an invitation to visit the facility after the City Council Elections in May), and the Green Spaces team, who had also made great achievement in their work enhancing biodiversity within the city.
- a visit to Bristol City Council included meeting with colleagues from the Bristol City Leap initiative (a community energy proposition).
- the launch of the Exeter Innovation Hub in the city.
- the successful bid by 1Energy to the Green Heat Network Fund to install a District Heating network in Exeter.
- the South West Energy & Environment Group (SWEEG) will review the City wide Green House Gas report.

The Chair referred to the resolution at the September meeting of Strategic Scrutiny Committee, and the in principle decision to set up a Climate Change Sub Committee, subject to discussion with the Portfolio Holder, lead Members, officers and the Chief Executive on the best approach to progress city wide net zero without any duplication of work. The meeting in December, and report to Executive on 9 January proposed utilising existing structures within the City Council. A report would be made to this Committee every six months to provide a closer examination of the work undertaken, as well as the opportunity to invite speakers to contribute and focus on particular activity connected with city wide net zero.

Councillor Moore welcomed the planned work with the community, but considered the proposal for a Climate Change Sub Committee, which had been agreed in accordance with legislation had still to be addressed, and if the matter was not to be pursued, then it would have to be overturned formally at the Scrutiny Committee.

Councillor Knott indicated that he wished to make a proposal for the resolution made at the Strategic Scrutiny Committee in September to be rescinded.

Members made the following comments on the proposal:-

- of disappointment that the proposal for a Sub Committee was now the subject of further discussion rather than making time to discuss net zero. The Member supported the proposal to rescind the minute and move forward.
- this matter had been discussed on a number of occasions and the position had now changed, and any duplication of effort or calling on limited resources would not be helpful.

The Director Corporate Services referred to the previous conditional resolution made at this Committee requiring a meeting with the Chief Executive and others to agree the way forward. This meeting took place in December, and an agreement was reached and the detail was included in the Portfolio Holder's report. A proposal to rescind the previous decision would bring to an end the conversation about creating a Sub Committee.

Councillor Moore remained concerned over the lack of progress to form the Sub Committee, and the busy work programme of the Strategic Scrutiny Committee. The Chair noted the Member's concern on the workload of the Scrutiny Committees, which could be raised at the Scrutiny Programme Board.

Councillor Knott in conclusion, stated that the proposed recommendation was constructive and still offered clear scrutiny to the decisions that would be made. He proposed, and was seconded by Councillor Asvachin, that as Scrutiny of Net Zero progress would be dealt with appropriately and brought before this Committee on a regular basis, the proposal to establish any formal Climate Change Sub Committee be rescinded.

Following a vote, the recommendation was carried.

The Portfolio Holder and Service Lead Net Zero & Business responded to the following Members' questions and comments:-

Section 1 – Issues relating to achieving the council's published priorities:-

The Portfolio Holder responded:-

- the Public and Green Spaces Operations Manager worked to achieve how best to increase the biodiversity of all City Council owned sites despite the different competing priorities. Through the Public and Green Spaces Operations Manager, a draft Tree Strategy would be presented to Executive.
- planning considerations would continue to offer the most impact in improving biodiversity and ecology in the city's diverse sites, including the natural green spaces and the valley parks. She would work with the Portfolio Holder for Place and City Management and with the Net Zero biodiversity community group on what can be achieved, ward by ward, including the Clifton Hill site.

The Service Lead Net Zero & Business responded:-

- the spend of £1 million to deliver net zero both internally and externally is reported to Strategic Scrutiny Committee every six months, outlining where the money has been spent. For city wide net zero, approximately £155,000 was left from a budget allocation of £200,000 that will be earmarked for the Programme Manager role, with any money left over for delivery and redundancy payments.
- SWEEG would be commissioned to review the city wide Green House Gas report to establish areas of focus going forward. The Programme Manager would be focused on delivery and reducing city wide green house gas emissions across Exeter.

Section 2 Update or commentary on any major ongoing programmes of work

The Portfolio Holder responded:-

- the preference was for Exeter to benefit from the off site biodiversity net gain, radiating out to Devon, rather than further afield. She would ask the Services Lead Net Zero & Business to contact Planning colleagues to clarify the position.
- she would speak to the Public and Green Spaces Operations Manager regarding the budget spend for tree planting. The team was working with the Suitable Alternative Natural Greens Spaces (SANGS) and Planning to look at

capturing green sites across the city to improve biodiversity. In relation to a comment on the hills around the city, she was considering a watch and looking at all of the land that we own.

- the Council were not the transport authority, but the City Council's Transport Working Group, provided the opportunity to respond to consultations. A response had been made in respect of the transport section of the Exeter Plan. An invitation would also be made for transport colleagues from Devon County Council to attend a future meeting to continue some constructive dialogue.

The Service Lead Net Zero & Business responded:-

- in referring a matter raised by a Member in improving the trains and frequency in the city and across our travel to work, this will form of the work programme for the Transport Working Group, in lobbying public transport providers across Exeter.
- the Group were revising their terms of reference.
- the scale of Bristol City Council's Leap Project included significant funding, for a very ambitious joint venture project with Ameresco. Any similar venture in Exeter would be on a much smaller scale.
- Exeter had made impact with retrofitting the Council's social housing , producing solar energy, plans for a District Heating Network, as well as decarbonising work on RAMM and the Riverside Leisure Centre. There may be future opportunities that can be explored, particularly once the Programme Manager for city wide Net Zero was in place.
- representatives from the Anaerobic Digestive Plant located just outside Exeter were keen to work with the City Council, ensuring renewable gas produced is used across the city. The Programme Manager will be able to develop that relationship with Exeter.
- the Local Electric Infrastructure Funding (LEVI) Bid funding was through Devon County Council, who had an allocation of over £7 million to install EV charging both off street and on street. The fund was aimed at residents rather than commuters or visitors. The Council had discussed the installation of EV charging in nearly all of the City Council's car park estate, but were mindful of ensuring there was still access to bays for disability, motor cycles or family bay use. A tendering process, managed by Devon County Council, would provide off street and on street charging points.
- 1Energy had received Government funding to develop a new District Heat Network for the city. The City Council are developing its own business case to determine a way forward, which would be subject to a procurement process.
- the next report on City Council Net Zero would be presented to the Committee in March and the first report on city wide net zero will be presented in September.

Section3 – Issues that may impact service delivery/financial performance/future budget requirements

The Portfolio Holder responded that:-

- she had confidence in the team that they were looking at all of the things that were immediately possible to ensure a gain. A key task of the new Programme Manager would be to identify the financial cost of achieving city wide net zero by 2030.

The Service Lead Net Zero & Business responded:-

- current resources were focused on delivering net zero for the City Council, and the new Programme Manager would focus on city wide net zero. The work with SWEEG to review the city wide Green House Gas report would help the discussion on the costs around achieving net zero by 2030.
- some projects funded through Shared Prosperity Fund supports city wide net zero, such as Community Energy Project, the Exeter College Retrofit Project and the Greening Your Business.

Councillor Moore referred to the review of City Council policies in respect of impact on city wide or corporate carbon emissions and in referring to Internal Audit, if there had been a review of the Service Plan policy. The Portfolio Holder stated that it was premature to ask for this action in relation to a review of City Council policies in relation to the impact on carbon emissions. The Service Lead Net Zero & Business has commenced discussions with the services and will provide an update in the future. The Service Lead Legal also suggested that the issue could be raised with Internal Audit in the meantime, and an update be provided to this Committee.

Section 4 – Potential Changes to Service/provisions being considered

The Portfolio Holder noted the request for a review on city wide net zero delivery be made in a year's time.

Section 5 – Other Matters the Portfolio Holder wishes to raise with the Scrutiny Committee

The Portfolio Holder responded that:-

- she would make enquiries about the point raised in relation to measuring air pollution from wood burners and bonfires.
- the comment made about co location of public sector accommodation were noted.

Councillor Moore, seconded by Councillor Read, proposed that there be consideration of the investment in net zero in relation to the Community Infrastructure Levy and the Infrastructure Plan to include a detailed analysis of the level of carbon emissions including any offset and the impact to be clear on the carbon ramifications.

The Portfolio Holder advised that consideration of net zero was already included with an assessment of the carbon footprint in every Committee report.

Following a vote, the recommendation was lost.

After some brief discussion with Councillor Moore, the Service Lead Net Zero & Business agreed to speak to the planning team and raise the points made and report back to this Committee in March.

The Portfolio Holder report was noted.

7 Forward Plan of Business and Scrutiny Work Plan

Members commented on the work plan and topics of proforma submitted. The Democratic Services Officer responded to questions on the list of Scrutiny proforma submitted:-

- that two scrutiny proformas recently submitted would be discussed at the forthcoming Scrutiny Programme Board in March; and
- that a request for scrutiny of the strategic direction of the Local Plan, rather than just consideration of the consultation outcomes and to further scrutinise a number of aspects which related to the Air Quality Action Plan would be made.

Members noted the Forward Plan and draft Scrutiny Work Plan.

The meeting commenced at 5.30 pm and closed at 8.00 pm

Chair

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COMBINED STRATEGIC SCRUTINY AND CUSTOMER FOCUS SCRUTINY COMMITTEES

7 February 2024

Present:

Councillors Allcock, Asvachin, Begley, Branston, Fullam, Harvey, Holland, Ketchin, Knott, Miller, Mitchell, M, Moore, D, Patrick, Snow, Sparling, Rees, Vizard, Wardle and Williams, M

Apologies:

Councillors Atkinson, Read and Warwick

Also present:

Director Finance, Democratic Services Officers (PMD and SLS)

In attendance:

Councillor Philip Bialyk - Leader

1 **Appointment of Chair for the meeting**

RESOLVED that Councillor Vizard be appointed Chair of the meeting.

The Chair advised that, given the nature of the agenda, the Leader, in his capacity as MTFP and Budget Portfolio Holder, would be answering all political questions from Members.

2 **Minutes**

The minutes of the meeting of the Combined Strategic Scrutiny and Customer Focus Scrutiny Committees held on 9 February 2023 were taken as read, approved and signed by the Chair as correct.

3 **Declaration of Interests**

No declarations of disclosable pecuniary interest by Members were made.

4 **General Fund/HRA Estimates and Capital Programme 2024/25**

The Director Finance presented the report considered at Executive on 6 February 2024. His responses – as well as the Leader’s where applicable – to Members’ queries set out in italics.

The Director Finance thanked Members and officers for proposing a balanced budget given the number - and difficult timing of - financial pressures. He also advised that the budget-setting process would change next year and that a new meeting of this Committee would take place in June 2024 where he would set out:-

- MTFP requirements;
- timetable; and
- process.

This had been agreed at the previous Scrutiny Programme Board meeting.

Local Government Finance Settlement 2023/24

The Director Finance clarified that:-

- *it was not his role to determine how any additional money received by Exeter City Council (ECC) would be spent;*
- *it was true that the rise in costs incurred was higher than the rise in income generated, which made the budget-setting process more difficult;*
- *the condition survey underpinned the Capital Programmed;*
- *ECC could not presently borrow at an interest rate lower than 5%;*
- *not all operational properties generated an income;*
- *in terms of investment required, the situation with car parks was not dissimilar to the one with the Material Recycling Facility (MRF);*
- *car park income appeared close to its peak, which was lower than the budget set;*
- *ECC had a choice of investing to maintain the car park or risk losing income;*
- *it was extremely difficult for ECC to find new income streams; and*
- *the option of losing the multistorey car park required the assumption that other car parks could absorb the overflow.*

The Leader responded to Members' questions as follows:-

- *Not all services were being treated as cost-neutral at the moment; and*
- *He was leaning on advice from officers regarding the commercial strategy.*

New Homes Bonus

The Director Finance advised that:-

- *there was little left (£59,000) of the £3,028,000 in the "Unused / Projects" column at paragraph 8.7.2; the money had been used entirely;*
- *all of the "Unused / Projects" money would be used by the end of the year; and*
- *he would enquire with the Director of City Development if there had been any update on the Community Infrastructure (CIL) review announced by the Prime Minister.*

Medium-Term Financial Plan

The Director Finance responded to Members' questions as follows:-

- *On the issue of the Corporate Plan, the Finance Team's role was to deliver options for funding to the leadership;*
- *Building homes was an HRA matter;*
- *There was a number of ways budgeting could be done so long as the Council's statutory obligations were met; and*
- *Some of the proposals of One Exeter could offer solutions to the approach to financial planning.*

The Leader responded to Members' questions as follows:-

- *The Corporate Strategy was being looked at again; and*

- *In terms of Risk, the Equality Act 2010 and Carbon Footprint implications were always considered.*

Business Rates

The Director Finance explained that:-

- *business rates had become an increasingly complex area;*
- *the current scheme enabled ECC to be part of a pool with other local authorities across Devon;*
- *the Devon business rates pool was one of the most successful in the country;*
- *the Government wanted to link a reset to reforming the funding formula;*
- *every loss of business rates through government policy would be fully funded by the Government;*

Spending Pressures

- *there had been a reduction of £1.4m in income;*
- *there had been a loss of housing benefit admin grant as a result of the transition to universal credit, increased pensions contributions, external audit fees and an increase in software licences, among others;*
- *debt recovery had increased;*
- *a new telephony system would be needed next year;*
- *the reduction in car park income had been caused largely by a change in commuter patterns;*
- *housing benefit overpayments had reduced significantly;*
- *while there was a team in place in charge of marketing ECC's trade waste services, it was hard for the Council to compete with national companies; and*
- *trade waste still made more money than it cost to run.*

Council Tax Budget Requirements

The Director Finance clarified that:-

- *Exeter probably had the lowest council tax compared to cities of the same size, although no comparison would be like-for-like;*
- *Exeter received £51 per head of population, which was the lowest in the country of similar Cities and prominent towns;*
- *the Government had introduced a referendum limit for council tax; and*
- *it was possible to hold a local referendum about paying more council tax, but this would be a gamble and carried a risk associated with the cost of running the referendum and rebilling.*

Housing Revenue Account

The Director Finance explained that:-

- *despite the impact of the HRA financial challenges, tenants would continue to get repairs;*
- *additional staff had been required to cover new regulatory responsibilities for the Council as a landlord;*
- *maintenance was a challenging area;*
- *£16m would be made available for improvements to ECC's housing stock;*

- *the retrofitting of properties did have an impact on the budget;*
- *budget was going up for housing rents.*

General Fund Capital

The Director Finance clarified that:-

- *Strata was wholly owned by three local authorities (Exeter, Teignbridge and East Devon);*
- *Strata was a limited company which didn't pay dividends;*
- *IT hardware used by ECC was owned by the Council, while software was owned by Strata;*
- *Strata was not a company in the normal sense;*
- *it was cheaper for ECC to use Strata than to run its own IT.*

Responding to a Member, the Leader explained that he did not want to contract out for IT solutions and felt that the Strata system was working.

Robustness of Reserves and Estimates

The Director Finance explained that:-

- *commercial property income and car park income were regarded as "risky income;*
- *consequently, ECC was deemed to be a high-risk local authority as it relied on such income to deliver its statutory functions;*
- *the impact that the cuts from Devon County Council had on housing needs could be significantly be offset next year but would have a major effect in future years; and*
- *the cuts from Devon County Council caused unavoidable pressures (around £200,000; potentially £700,000 next year).*

The Chair and Committee Members thanked the Director Finance for his report and answers. The report was noted.

5 Capital Strategy 2024-25

The Director Finance presented the report which explained the detail of the long term policy objectives and resulting capital strategy requirements, governance procedures and risks for the Capital Programme. The Strategy being a statutory requirement.

There was one change to the previous year's Strategy with the implementation of a new International Financial Reporting Standard (IFRS 16 Leases), which has changed the way the Council treats a number of operating leases in accounting terms and they now form part of the Capital Programme.

A Member referred to the Capital Strategy and enquired why the Strategy did not include an assessment of whether a scheme reduces the environmental impact resulting from construction. She suggested that would address a fundamental issue relating to the corporate objective of climate change as a consideration of how capital projects were devised and funded. In responding to the Member's comment, the Director Finance advised that the Strategy was very prescriptive, but he noted the suggestion for future years.

Councillor Moore proposed a recommendation, which was seconded by Councillor Sparling that the Executive review the position that the Capital Strategy includes an improvement to the environment as a specific objective of any capital projects over the year. Following a vote, the proposal was carried.

The Combined Strategic Scrutiny and Customer Focus Scrutiny Committees noted the report.

6 **The Prudential Code for Capital Finance in Local Authorities (Incorporating the Annual Statement of Minimum Revenue Provision)**

The Director Finance presented the proposed 2024/25 prudential indicators for Capital Finance for adoption by the Council and to set the Annual Statement of Minimum Revenue Provision (MRP). He referred to a range of indicators, which demonstrated the affordability and prudence of the Capital Programme, set out in appendices A to C attached to the report. He also highlighted the following key indicators that the Council had to consider -

- the Capital Financing Requirement which demonstrates the amount that the Council has an underlying need to borrow, regardless of whether that amount has actually been borrowed;
- the Operational Boundary which sets out the amount that the Council intends to keep within over the period covered by the indicators, and
- the Authorised Limit, the maximum that the Section 151 Officer is allowed to borrow to cover the Operational Boundary and day to day cash flow needs. The Council is not allowed to exceed this amount of borrowing without first authorising an increase to the limit.

Responding to Members, the Director Finance advised:-

- the Council sets its own cap on borrowing, in line with what was required.
- all Councils had any open credit allowance, but the Government could step in where there were concerns over the level of borrowing by a local authority. He was aware that approach may be reviewed in the light of a number of Section 114 notices facing some local authorities
- every Council was required to have a Treasury Management Advisor, who provided specialist advice including the provision of an estimate and forecast in relation to interest rates.
- the Council had a number of fixed term loans with the Public Works Loan Board and the interest payable would not change over the lifetime of the loan.
- the borrowing approach in relation to requirements of the Housing Revenue Account (HRA) as opposed to the General Fund is slightly different.

The Combined Strategic Scrutiny and Customer Focus Scrutiny Committees noted the report.

7 **Treasury Management Strategy Report 2024/25**

The Director Finance presented the report, which sought the adoption of the Treasury Management Strategy report and the Incorporated Annual Investment Strategy 2024/25, as required under Section 15(1) (a) of the Local Government Act 2003. There had been no significant change in the Strategy which set out the approach for investing and borrowing money by the Council, the details of which were set out in section 4.3 of Appendix A.

Responding to Members, the Director Finance advised:-

- the Council was unable to enquire as to the degree of environmental and social responsibility of bodies with whom the Council invested, but they were legally required to prioritise the following of security, liquidity and yield. He would, however, make that request of brokers.
- the services of an intermediary was used and the Council enjoyed a good relationship with the brokerage firms used
- the Council could choose the arrangement that most suits their need and Commission is paid to the broker by the borrower.
- he understood the Member's concerns, but the institution may state their business ethos was green in nature and the proviso of security, liquidity and yield were paramount.
- That borrowing was made at the point that it was most affordable. The Council had borrowing on three commercial properties over a 30, 35 and 50 year period on a fixed term basis so the debt repayment was known for that period. Unlike Exeter, some local authorities have made losses on properties purchased due to the high interest as their short term loans require refinancing.

The Combined Strategic Scrutiny and Customer Focus Scrutiny Committees noted the report.

The Chair thanked the Director Finance for his presentation.

The meeting commenced at 5.30 pm and closed at 8.15 pm

Chair

EXETER HARBOUR BOARD

Thursday 14 December 2023

Present:-

Councillor Ruth Williams (Chair)
Councillors Pearce, Read, Snow and Ms Green and Messrs Garratt, May, Michaelson and Seddon

Apologies:-

Councillor Leadbetter and Mr Eggleton

Also Present:-

Director Net Zero and Waterways, Service Lead, Legal Services, Harbour Master and Democratic Services Officer (SLS)

Also Present:-

Lara Moore – Partner Ashfords Solicitors
Tommy Fox – Solicitor Ashfords Solicitors
David Turner – Moffat & Nichol

61

MINUTES

The minutes of the meeting held on 25 September 2023 were taken as read and signed by the Chair as correct.

62

DECLARATIONS OF INTEREST

No declarations of pecuniary interest were made.

63

PUBLIC QUESTIONS

There were no public questions.

64

HARBOUR REVISION ORDER UPDATE

Lara Moore, from Ashfords Solicitors attended the meeting and provided an update on the Harbour Revision Order (HRO) application, confirming that a draft of the Orders and Statement of Support had been submitted in September.

The process would be lengthy and include a 42 day formal public consultation, which was not due to take place until at least May 2024. Although the documents were not yet in the public domain ahead of the consultation, there was an option to run an informal consultation locally, with a pre-application exercise. The Waterways Operations team could help to facilitate some drop in sessions and some dates had been identified in February. There would be an opportunity for the public to read the documentation and then comment. A dedicated email address would also be set up for this informal consultation. Ms Moore stated that she would draft a summary of the likely questions and prepared responses that would be legally and factually correct to offer the public, as part of this pre-consultation exercise and for general enquiries. It should be noted that this would not take the place of the formal public consultation. More discussion and further detail about

the pre-application consultation would take place at the Harbour Board's Vision Day in January.

Ms Moore gave the following responses to questions:-

- it was important to ensure the right message and information was offered, and the responses should be relevant to the Marine Management Organisation (MMO) process.
- the power to charge for use of the river and canal was not changed by the implementation of a HRO. The Council had chosen not to charge. The implementation of a HRO may mean that users of the river and canal may have to make a financial contribution, but if and when any charges are imposed, there will be a separate statutory process with a right of appeal, under Section 31 of the Harbour Act. This was a matter for post-HRO discussion, but was useful to provide reassurance about the ability to challenge any future dues.
- charging was a general principle, and any local position was based on the desire to spread the cost as widely as possible and any opportunity for payment of goods was a standard approach.
- the HRO would ensure a good and efficient process as a future proof of Port compliance.
- the Council had taken the decision to apply for a HRO and the role of the Harbour Board was to share the message. A brief with an outline of potential questions and responses would be made available to Board Members to help guide them with any approach from the public.

The Chair reminded Members that the pre-consultation period will take place with three drop-in sessions, and the dates would be confirmed but would take place in February.

The report was noted.

65

PRESENTATION - DAVID TURNER

David Turner of Moffatt & Nichol, was invited to the meeting. The company provide marine engineering and consulting services and had been commissioned by the Port Authority, to help the City Council reach its low carbon ambitions in a number of harbour areas.

He made a short presentation and provided an update on a survey carried out with the Port Authority on their fuel and usage patterns. Over the next few months, he would coordinate an online survey and develop an action plan. The first phase of the work would include engaging with community and recreational users.

He responded to the following Members' questions:-

- the Mobility Centre carry out various research projects and £180 million is spent on research funding.
- fuel parts in the small boat sector and automotive sector have capitalised their supply chains.
- there was a broader diversity of fuel including electric and a hydrogen combination.
- the experiences of port infrastructure was varied with organisations such as Maersk shipping who have committed to green fuel, and there was not a one size fits all approach.

In response to a Board Member, he would report back on progress in the Spring.

The presentation was noted.

66

EXETER PORT USERS GROUP UPDATE

The Chair of the Exeter Port Users Group (EPUG), Rex Frost attended to provide an update from the Group's recent meetings and activities. A copy of his report was circulated to Members and covered the following topics:-

- a survey of river users by consultants on low energy options might result in future challenges, and electric charging points for new electric boats may require some creativity due to the mixed ownership of the river and access points.
- the Exeter Port Authority were due to hold a pre-consultation for the planned HRO, but no specific dates have been set in the areas yet. Users are keen to have more engagement and information on the HRO.
- the new work boat was a significant asset for the Harbour and would reduce the continuing reliance on Teignmouth Harbour.
- there have been changes in sand levels along Dawlish Warren with sand being swept up the river towards Starcross and Lypstone and moving moorings which have relocated the channel.
- EPUG members have commented on the Exeter Plan consultation and the Water Lane Supplementary Planning Document and raised the following matters:-
 - there was only one location for a slipway in the Gabriels Wharf area and good road access was needed for cranes along with suitable vehicle and trailer parking. Representations have been made in this regard.
 - the height of the proposed buildings along the canal vary and will result in significant overshadowing of the canal affecting the public amenity and wildlife.
 - the Water Lane SPD had identified that a towpath would be provided with lighting, but this should be kept to a minimum to support the varied environment and wildlife.
 - the location of the cycle paths should be reviewed to avoid a mix of users on the towpath.
 - the road layout was very restrictive with cars only able to enter the site via Haven Road. A traffic assessment was essential for the whole area.
 - EPUG had requested that the Harbour Board note the comments made in respect of Gabriel's Wharf to ensure that it was maintained as a facility area for the Harbour and canal.
 - the East Devon MP Simon Jupp had written to South West Water in relation to the continued sewage overflows in the Port. He welcomed the intervention of the Council in corresponding with South West Water.

Members noted the report.

67

DUTY HOLDER PORT AUTHORITY UPDATE

The Director Net Zero and City Management advised that he had recently attended training by the Port Marine Safety Code organisation as he had been designated as the Duty Holder for the Exeter Port Authority. They advised that he was unable to be the designated Duty Holder, as the post holder was generally an elected body of Members with an overview of local government finance. He would seek

advice to identify a new Duty Holder and discuss with the Harbour Master.

The Harbour Master advised that he had investigated the position at other local harbour authorities. There was a range of models including the Director of Place and Environment for South Hams at Salcombe Harbour, and Weymouth Harbour with its separate committee of Dorset Councillors.

The Chair tasked the Director and Harbour Master on identifying a practical solution and report back to the Harbour Board.

68

PLANNING RELATED MATTERS

The Chair advised that a planning related matter had been discussed with the Director City Development and the Director Net Zero and City Management. It was confirmed that a Harbour Board Member was able to make a comment on any planning application in an individual capacity.

69

HARBOUR MASTER'S REPORT

The Harbour Master, Graham Forshaw presented his report. He highlighted a number of issues:-

- the level of staffing was at full capacity, and staff were concentrating on their core work.
- the new boat was fully coded and staff welcomed the additional equipment.
- a service of navigation aids was being undertaken. Poor weather conditions had hampered the repair of the buoys.
- representatives from Trinity House will visit at the end of January for their annual check.
- maintenance work will be undertaken at Topsham Quay in May and June.
- a Best Practice Maritime consultant was due to carry out a stock check in January and an update report will be made to the next meeting.
- colleagues will start to promote the historic harbour with the annual event taking place on 8 and 9 June 2024.
- news was awaited on the outcome of an offer of a weed cutting boat for eligible organisations, by a charity based in Peterborough, which would help deal with some of the canal repairs.
- seven canal based volunteers now worked with the Friends of the Estuary.
- the Alaska 500 boat was in the canal now ready for the volunteers in the canal to be trained on its use.

Members noted the report.

(The meeting commenced at 5.00 pm and closed at 7.25 pm)

Chair

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Exeter Harbour Board

Decarbonisation update

14/12/2023

Moffatt & Nichol | Presentation

Minute Item 65



Progress



International Shipping
20% reduction
(30% stretch target)

International Shipping
70% reduction
(80% stretch target)

International Shipping
Net-zero

Draft UK target
48% - 75% reduction

Draft UK target
48% - 75% reduction

UK Net Zero



2020

2030

2040

2050

2021 - 2025
£180M
Clean Maritime
Innovation Fund

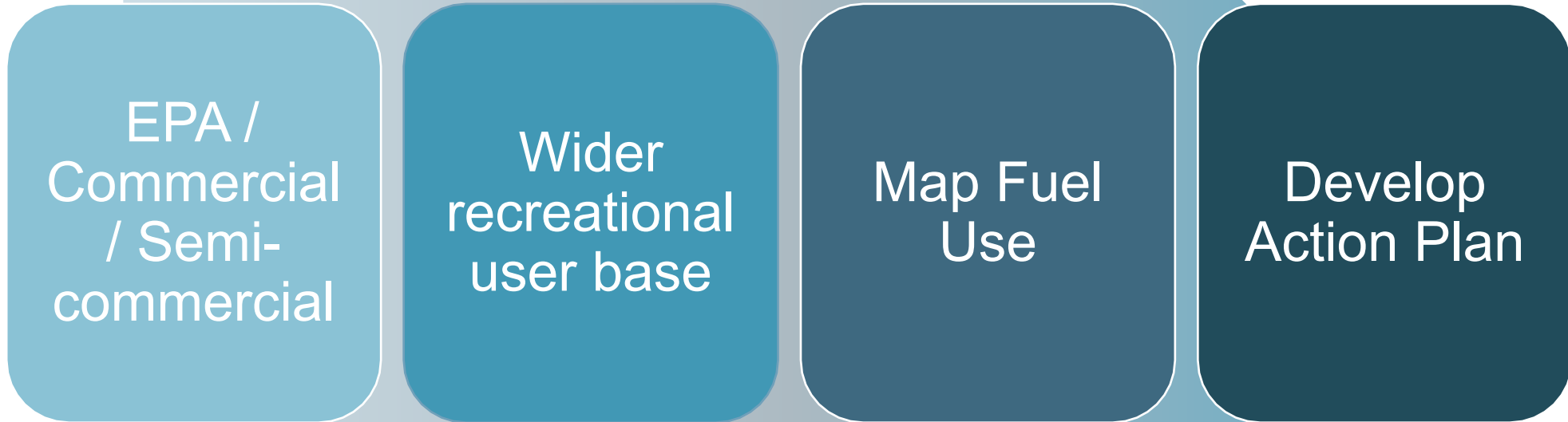
RYA Recreational
boating
50% reduction

UK EV mandate
22% cars 10%
vans

UK EV mandate
100% cars
100% vans

UK EV mandate
80% cars 70%
vans







moffatt & nichol



01



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STRATA - JOINT SCRUTINY COMMITTEE

TUESDAY, 16 JANUARY 2024

Present:

Councillors Levine, Westerman, Knott (Chair), Clarence, Radford and Smith

Members Attendance:

Councillors Wrigley

Apologies:

Councillors Hartnell, Leadbetter and patrick

Officers in Attendance:

Trish Corns, Democratic Services Officer

Simon Davey, Strata Board Director

Suzanne Edwards, Strata Finance Director

Steve Mawn, Director of IT and Digital Transformation

**These decisions will take effect from 10.00 a.m. on Tuesday 6 June 2017
unless called-in or identified as urgent in the minute**

14. MINUTES

It was proposed by Councillor Knott and seconded by Councillor Radford that the minutes of the previous meeting be agreed as a correct record and signed by the chair.

Resolved

That the minutes of the previous meeting be agreed as a correct record and signed by the chair.

15. DECLARATIONS OF INTEREST

None

16. QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES

None

17. QUESTION FROM MEMBERS OF THE COUNCILS UNDER PROCEDURE RULES

None

18. OVERVIEW OF SCRUTINY ROLE AND RESPONSIBILITIES

The Director of IT and Digital Transformation presented the overview of roles and responsibilities to the Committee. The Committee heard that they would have sight of Strata JEC minutes in order to scrutinise decisions and that they were available on the Teignbridge and Exeter Councils' websites. The Committee also discussed how Strata JEC and JSC meetings are administered between the three councils.

19. FINANCE AND PERFORMANCE UPDATE

The Strata Finance Director updated the Committee on the organisation's financial performance.

The Committee heard that:

- The increased staffing cost resulting from the pay award had been offset by cut in contract spending and increased profit.
- 6500 incidents had been logged in the previous month
- The average feedback rating for strata support was 4.5 of 5
- Differing levels of time required for differing scale of incidents
- The two lowest levels on the scale were combined
- The next update would include the SLA
- Strata was created to replace previous Teignbridge IT system
- Each council has unique goals that are covered by Strata
- Benchmarking and structure of accounts to determine cost

It was noted that there is not currently a Councillor consideration for the IT Strategy.

20. 2024/25 STRATA BUSINESS PLAN

The Director of IT and Digital Transformation introduced the plan to the Committee.

The Committee were informed about the following:

- Thousands of projects had been completed by Strata last year
- Transformational changes were requested by the Executive
- Linking of council strategies
- Positive staff survey results
- The move towards digital infrastructure and away from copper
- Loss of Skype system soon, requiring further transformation

The Committee discussed the impact of generative AI which was highlighted in the presentation. It would provide benefits for local residents and work as a tool to aid officers. One example given was calculating the dangers of skidding cars on roads

in order to target areas for salting. The Committee also discussed the moral and ethical questions that would arise from the use of AI.

The meeting started at 4.00 pm and finished at 6.00 pm.

Chair
Cllr Paul Knott

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STRATA - JOINT EXECUTIVE COMMITTEE**TUESDAY, 30 JANUARY 2024**Present:

Councillors Arnott (Chair), Wood (Substitute) and Wrigley

Members Attendance:

Councillors

Apologies:

Councillors Bialyk

Officers in Attendance:

Phil Shears, Managing Director

Trish Corns, Democratic Services Officer

Bindu Arjoon, Chief Executive - Exeter City Council

Steve Mawn, Director of IT and Digital Transformation

Jo Yelland, Director

Neil Blaney, Director

Simon Davey, Director

David Sercombe, Head of Business Systems & Business Intelligence

Christopher Morgan, Trainee Democratic Services Officer

13. MINUTES

The minutes of the previous meeting held on 5 October 2023 were agreed as a correct record and signed by the Chair.

14. DECLARATIONS OF INTEREST

None

15. QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES

None

16. QUESTION FROM MEMBERS OF THE COUNCILS UNDER PROCEDURE RULES

None

17. FINANCE AND PERFORMANCE UPDATE

The Director of IT and Digital Transformation presented the updated which advised on the financial position of Strata.

The discussion included:

- The increased staffing cost resulting from the pay award had been offset by cut in contract spending and increased profit.
- 6500 incidents had been logged in the previous month
- The average feedback rating for strata support was 4.5 of 5
- Differing levels of time required for differing scale of incidents
- The two lowest levels on the scale were combined
- Benchmarking and structure of accounts to determine cost
- Positive feedback from Agilisys consulting
- Provided sight of an additional slide that would be presented to JSC

RESOLVED that the update be noted.

18. 2024/25 STRATA BUSINESS PLAN

The Director of IT and Digital Transformation introduced the plan to the Committee.

[Strata Business Plan v1.8 2.pdf \(teignbridge.gov.uk\)](#)

The Committee were informed about the following:

- Thousands of projects had been completed by Strata last year
- Transformational changes were requested by the Executive
- Linking of council strategies
- Positive staff survey results
- The move towards digital infrastructure and away from copper
- Move away from global desktop
- Loss of Skype system soon, requiring further transformation
- Councils to work on data strategies
- Move to use of sharepoint/cloud storage

The Committee discussed the impact of generative AI which was highlighted in the presentation. It was agreed that double-hatted members should be included in the information gathering process.

RECOMMENDED that the Business Plan be approved by the partner Councils.

Chair
Cllr Paul Arnott

The meeting started at 4.00 pm and finished at 6.00 pm.

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EXECUTIVE

Tuesday 9 January 2024

Present:

Councillor Bialyk (Chair)

Councillors Wright, Denning, Foale, Morse, Pearce, Williams, R and Wood

Councillor Jobson (as an opposition group Leader);

Councillor Moore (as an opposition group Leader); and

Councillor M. Mitchell (as an opposition group Leader)

Apologies:

Councillor Parkhouse

Also present:

Chief Executive, Director Corporate Services, Director Net Zero Exeter & City Management, Director of City Development, Director Finance, Assistant Director of Housing (LB), Service Lead Net Zero & Business, Service Lead for Commercial and Procurement, Policy Officer – Community Safety, Safeguarding and Equality & Diversity and Democratic Services Manager

1

MINUTES

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

2

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

3

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions from members of the public were received.

4

URGENT MATTER - RESPONSE TO THE GOVERNMENTS CONSULTATION TO THE HOME OFFICE'S CONSULTATION CAP FOR SAFE AND LEGAL ROUTES FOR ASYLUM SEEKERS

The Executive noted the urgent matter of the response from Exeter City Council to the Home Office's consultation on the cap of properties that the Council would agree to accept under the safe and legal routes for asylum seekers. The response was facilitated by Devon County Council with all second tier authorities inputting their number of properties, which Exeter would facilitate five properties from the private sector.

Members were advised that due to the timings of the consultation and Exeter City Council's meeting dates it was not possible for the Council to consider a draft response in advance of its submission and that the response to the consultation was treated as an urgent matter. In accordance with the Council's Constitution, it had been discussed with the Council Leader, the Portfolio Holders for Communities and Homelessness Prevention and Council Housing, Development and Support Services and with the Chair of the Customer Focus Scrutiny Committee.

RESOLVED that the urgent matter be noted.

CITY WIDE NET ZERO

The Executive received the report which detailed the way forward for coordinating and facilitating City Wide Net Zero activity for the next two years, using an existing budget, staffing resources and internal and external structures. In 2021 a temporary Net Zero £1million earmarked reserve was established, of which £200,00 allocated for city wide net zero, which £155,513 was in place to fund a Programme Manager for the next two years to lead on delivering net zero.

Members were referred to the reporting structure in the report for the Liveable Exeter Place Board, Communities, Devon Climate Emergency and Exeter City Council, noting that various Council services would be working together. All minutes of the various groups would be reported to the Strategic Scrutiny Committee and all decisions would be reported to the Executive Committee.

Particular reference was made to Exeter City Council being recognised as the second-best UK district council in terms of performance and leading on Net Zero by an independent review. It was intended to replicate the work undertaken for reducing the Council's corporate carbon emissions for City Wide Net Zero.

Councillor Jobson, as an opposition group leader, spoke on this item and welcomed the report.

Councillor M. Mitchell, as an opposition group leader, spoke on this item and enquired on having quarterly key performance indicators reported with the action plan.

Councillor Moore, as an opposition group leader, welcomed the report and suggested the inclusion of a work plan which focused on the project priorities to reduce emissions to benefit communities.

Executive Members debated and welcomed the report and made the following points

- the report, highlighted the scale of ambition in achieving City Wide Net Zero by 2030 and was welcomed; and
- the report demonstrated how the Council led by example in reducing carbon emissions and its collaborative approach in achieving funding and resources with partners.

The Leader welcomed the report and confirmed he would speak with the Portfolio Holder in relation to the points raised by Opposition Leaders. He highlighted the importance of continuing to work to the 2030 target and recognised excellent work undertaken in Exeter.

RECOMMENDED that Council approve:-

- (1) that Exeter City Council take a leading role in coordinating and facilitating City Wide Net Zero for two years (2024/25 and 2025/26); and
- (2) that a temporary two year post of Grade M (indicative) be established to coordinate and facilitate City Wide Net Zero, sitting within the Net Zero team and be paid from the one-off net zero earmarked reserve.

The Executive received the report which provided Members with an overview of the work of the Governance Review Working Group, providing clarity to the original purpose of the Governance Review Working Group and the reason meetings were no longer proceeding.

Members were referred to the groups Terms of Reference outlined in the report which had been achieved in 2019. A 2020 review had been delayed until 2021 due to the Covid Pandemic and then three subsequent meetings were held in 2022, which involved a level of mission creep which were outlined in the report. Members noted that some of the recommendations had been completed and officers were working to ensure that all the issues were being addressed and be reported back to members at the proper time.

Councillor M. Mitchell, as an opposition group leader, considered that there needed to be an all-party mechanism to review the constitution on a regular basis, and that the Audit and Governance Committee needed to have more focus on governance matters.

Councillor Moore, as an opposition group leader, enquired on whether board members were aware of the mission creep and sought assurance that the outstanding governance issues would be addressed. She also commented on the recommendation related to the climate subcommittee.

Councillor Jobson, as an opposition group leader, noted that constitutional issues were addressed through liaison between the Monitoring Officer and Audit and Governance Committee.

Executive Members debated the report and made the following points:-

- thanks were given to Members and Officers involved with the Governance Review Group and for providing the update on the progress of work; and
- there had been mission creep at the meetings which was outside the groups remit. However, the Audit and Governance committee would continue to monitor the council's constitution.

The Director Corporate Services advised that the Monitoring Officer had a statutory responsibility in ensuring that the constitution was up to date and that updates to the constitution would continue to be reported to full Council.

RESOLVED that:-

- (1) the content of the report be noted;
- (2) the actions from the last meeting of the Governance Review Board, as detailed in 8.4 of the report be noted as being taken forward; and
- (3) the Members of the Governance Review Working Group be thanked for their contributions.

7

MEMBERS' TRAINING

The Executive received the report which provided an update on the progress of work on the Members' training programme and Member attendance for the various training sessions, which had been held since September 2023.

Particular reference was made to the 13 training sessions held which equated to an average attendance of 52% and that feedback showed a total of 77% of Members being either very satisfied or satisfied with the training sessions provided. Thanks,

was also made to the Assistant Democratic Services Officer who spent a significant amount of time coordinating the sessions and encouraging Members to attend.

Opposition group leaders welcomed the report and the opportunities made available to Members and thanked the officers involved in delivering the training sessions.

Executive Members debated the report and made the following points:-

- the training programme was welcomed and was essential for new Members;
- appendix A should be updated to reflect to indicate where sessions were held in person and not recorded;
- the improvements to attendance were excellent and thanks were given to all officers for the work involved; and
- the SSS Training Platform, which was a highly beneficial training package.

The Portfolio Holder for Corporate & Democratic Services and Environmental Health expressed his thanks to the Councillor Development Steering Group in working to develop the training sessions.

RESOLVED that the Executive Committee note the Members' Training report.

8

TENANCY POLICY AND STRATEGY REVIEW

The Executive received the report on adopting the revised Tenancy Strategy and Policy following a review and consultation. The Council was required as a social landlord, to have a Tenancy Strategy outlining the expectations for all social landlords who operated in Exeter.

Particular reference was made to the recommendation to agree a return to lifetime tenancies in the policy which had been suggested following the review.

Councillor Jobson, as an opposition group leader, spoke on this item and advised she had some concerns which she would raise with officers outside of the meeting.

Councillor M. Mitchell, as an opposition group leader, welcomed the return to lifetime tenancies in the policy.

Councillor Moore, as an opposition group leader, welcomed the move from fixed term tenancies and enquired about the survivorship policy and to whom it applied.

Executive Members debated the report and welcomed the outcome for moving back to lifetime tendencies having considered evidence and research into the matter.

The Assistant Director of Housing advised that the survivorship policy was dependent on individual cases but there were exceptions to prevent evictions and agreed to discuss individual circumstances and scenarios with Members outside of the meeting.

The Portfolio Holder for Council Housing Development and Support Services commended the report.

RECOMMENDED that Council approve the adoption of the new Tenancy Strategy and Tenancy Policy for the period 2023-2027.

9

COUNCIL HOUSING STRATEGY 2023 - 2027

The Executive received the report on the Council Housing Strategy 2023- 2027, which provided a high-level overview of the City Council's priorities for the future for its Council Housing Service whilst acknowledging other forms of housing tenure and impacts on the Council Housing Service.

Particular reference was made to the five key objectives outlined in the report which set out the Councils aspirations and the work involved in ensuring the aspirations were met.

Councillor M. Mitchell, as an opposition group leader, enquired on how current the figures were for the average private sector rent median figures listed in the Strategy document.

Councillor Moore, as an opposition group leader, enquired whether the 35% housing and development liability target would be met for homes built on brownfield sites in the new local plan?

The Leader advised that the enquiry for homes built on brownfield sites be submitted to the relevant officers.

The Assistant Director of Housing advised that the figures for the average private sector rent median were taken from the last local housing needs assessment, which would be updated going forward.

The Portfolio Holder for Council Housing Development and Support Services commended the report and advised that it had been considered by the Tenants Voice and had been through the scrutiny process.

RECOMMENDED that Council approves the new Council Housing Strategy as summarised in the report presented at the meeting.

10

2024/25 BUDGET STRATEGY AND MEDIUM TERM FINANCIAL PLAN

The Executive received the strategic overview report for the budgetary position for the 2024/25 financial year and beyond. The report included the likely level of available resources, the known demand for resources and proposals to ensure that a balanced budget was achieved. Members were advised that the Council was required to set a balanced budget and Council Tax prior to the start of the financial year.

Particular reference was made to:-

- The Local Government Provisional Finance Settlement used the same principle as the previous year, and Exeter City Council had received the funding guarantee grant which totalled £1.173 million to reach the minimum allowed increase.
- The New Homes Bonus settlement payment was £485,000 for 2024/25, which was for one year only, and was a reduction from the previous year of £672,000.
- There had been no significant changes to Business Rates.
- The Council Tax referendum principles were set at the higher of a less than 3% or a £5 increase for district councils. For Exeter, the budget strategy for next year assumed a council tax increase of 2.99% along with the estimated surplus on the collection fund of £127,014 and an increase in the tax base would raise an extra £384,393.

- Other budgetary assumptions outlined in the report highlighted the challenges faced in relation to inflation.
- The Medium-Term Financial Plan (MTFP) had remained static for most of the year, however, there would be a need to identify a further £2.8 million of savings to balance the budget in 2025/26.
- The General Fund Capital Programme was focussed on schemes brought forward from the current financial year into the new financial year. This was due to being unable to undertake further borrowing and the only exception was in financing new IT projects.

Councillor Moore, as an opposition group leader, enquired on when the programme could become a critical issue and would the priorities and proposed cuts over the next three years be made available to residents and businesses in Exeter.

Councillor Jobson, as an opposition group leader, thanked the Director Finance for the detailed report.

Councillor M. Mitchell, as an opposition group leader, enquired on the resources for the medium-term strategy after 2027/28 and if it would be reviewed again in relation to government decisions. He also enquired on how the £1.7 million borrowing would be paid to improve car parks.

Executive Members debated the report and made the following points:-

- would the new homes bonus likely to disappear in future years;
- Exeter, had a lower Council Tax amount, but was able to deliver key services to residents;
- could the 0% general inflation figure in the report be explained; and
- would there be an opportunity to bid for money in relation to the schemes listed in Appendix 3 of the report?

The Director Finance in responding the questions and points raised advised that:-

- the government had announced the end of the new homes bonus in 2019 after implementing the business rate review and the reason it was lower than in previous years was that less houses this year had been built this year;
- the general inflation rate of 0% was used by Finance Directors to help keep costs down; and
- the Council ensured it maintained a sensible approach to borrowing which was built into the MTFP, but any opportunities to bid for funding would be sought, to identify and generate capital receipts

RECOMMENDED that Council note the contents of the report and approve the proposals to establish a balanced Revenue Budget and Capital Programme.

11

COUNCIL TAXBASE AND NNDR 1 2024/25

The Executive received the report which set out the 2024/25 Council Tax base in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012. The report also sought approval to delegate the estimate of Business Rate Income (NNDR1) for the next financial year to the Director Finance to ensure the Council met its statutory deadline for notifying Precepting Authorities and the Government by 31 January 2024.

Particular reference was to the gross tax base being over 40,000 for the first time in Exeter's history with a recommendation to increase the collection rate to 97.5%, which would generate a tax base of 39,045 for 2024-25.

RESOLVED that:-

- (1) in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amount calculated by Exeter City Council as its tax base for the year 2024/25 shall be 39,045;
- (2) the Collection Fund Surplus of £1,572,067 and the 97.5% increase in the Collection Rate be approved; and
- (3) the responsibility to approve the Council's NNDR1 return by 31 January 2024 be delegated to the Section 151 Officer.

12

HOUSING RENTS AND SERVICE CHARGES 2024-25

The Executive received the report setting out the proposed changes to Council dwelling rents, garage rents and service charges with effect from 1 April 2024.

Reference was made to Council house rent, which was set by government policy, and allowed the Council to increase by inflation plus 1% each year, with the Consumer Price Index (CPI) figure, which for September 2023 was 6.7%. The Council was proposing an increase of 7.7% from the 1 April 2024, which was also being applied to garage rents and service charges.

Councillor Moore, as an opposition group leader, enquired on what risk analyses for non-payment from low-income homes.

Executive Members debated the report and made the following points:-

- confirmation was sought that the Council was not deviating from its rent policy and that rent increase would happen, in relation to the annual uplift of property rents by CPI + 1%;
- rent collections were being managed by housing officers, who could support residents; and
- the recommendations provided good value for money and were welcomed.

The Director Finance in responding the questions and points raised advised that:-

- the recommendations were in-line with the government policy, which the Council always followed; and
- there had been no deviation in terms of setting the rent. Assessments were made on any potential bad debt, particularly within the HRA to ensure best practice.

RESOLVED that the Executive approves:

- (1) the increase of Council dwelling rent by 7.7% from 1 April 2024;
- (2) the increase of garage rent by 7.7% from 1 April 2024; and
- (3) the increase of service charges by 7.7% from 1 April 2024.

13

APPROVAL OF DEVON DISTRICTS PROCUREMENT STRATEGY (DDPS)

The Executive received the report which sought Council approval for to adopt the Devon Districts Procurement Strategy, which would continue to support the

corporate approach to Procurement and strengthen the Council's available collaborative opportunities.

Members were advised that this was the fourth joint strategy with the other Devon districts and was based on national procurement recommendations. Members were referred to the three key themes for 2023-2025 period and the 2019-2022 key outcomes outlined in the report.

Councillor Moore, as an opposition group leader, welcomed the updated strategy and enquired on the low scoring for climate change and how it would be monitored and progressed by the partner authorities.

Councillor Jobson, as an opposition group leader, enquired on whether a Councillor briefing will be undertaken as part of the engagement with Councillors?

Councillor M. Mitchell, as an opposition group leader, enquired if there was an inter authority procurement policy for delivering value for money to save the Council money in the longer term?

Executive Members debated the report and made the following points:

- Ensuring a Councillor training or briefing session on procurement would be welcomed.
- How was the minimum of 5% weighting on social value tenders measured?
- The three key themes outlined in the report supported achieving community benefits.
- The level of partnership across the authorities to ensure value for money was welcomed.
- Sections 14 and 15 of the report outlined the impacts to the carbon footprint and whether the Council was creating social value.

The Service Lead for Commercial and Procurement advised that, this was a high-level strategy involving four organisations with different priorities. However, each individual council would make their own action plan under the strategy, detailing what they were going to deliver.

RECOMMENDED that Council approve the themes and outcomes set out in the Devon Districts Procurement Strategy 2023-2027.

14

REVIEW OF SAFEGUARDING POLICY

The Executive received the report on the adoption of the revised Safeguarding Policy, which had been updated to ensure it reflected best practice in safeguarding and incorporated recent updates to legislation and statutory guidance.

Members were advised on the amendments made to the policy which were outlined in the report, with particular reference made to the removal of the need for a central record on safeguarding, to prevent duplication of information. Reference was also made to a new section setting out the organisation's Corporate Parenting responsibility under the Children and Social Work Act 2017.

Executive Members in debating report highlighted the need for corporate parenting training to be provided to Members. Members, however, raised concern with regards to the removal of the central record for safeguarding, which was an audit requirement and could lead the Council open to criticism. It was agreed that the

report be deferred to allow officers to address the removal and report back to the special Executive meeting on 22 January 2024.

RESOLVED that the report be deferred to enable officers to address the removal of the central record relating to safeguarding.

15

REVIEW OF POLICY FOR DEALING WITH UNACCEPTABLE CUSTOMER BEHAVIOUR

The Executive received the report which sought approval for the revised Policy for Dealing with Unacceptable Customer Behaviour. Since the Policy was last reviewed in August 2020, there had been several changes to the associated guidance documents, and it was necessary to ensure the policy reflected the current processes. Members were advised on the policy amendments which were outlined in section 8 the report.

Councillor M. Mitchell, as an opposition group leader, enquired on how the Council worked Devon County Council and other authorities in relation to making staff aware of potential issues.

Councillor Moore, as an opposition group leader, emphasised that staff abuse was not acceptable, however, due to some people having varying challenging and complex needs, whether there was an appeal process for complaints?

Executive Members debated the report and enquired how Councillors dealt with unacceptable behaviour and to whom they could make a complaint?

In response to questions raised by Members, the Director Net Zero Exeter & City Management and the Policy Officer explained:-

- Councillors were included in the policy;
- there were currently 68 people on the employee protection register, with differing risk levels. The register was reviewed by the Councils review group to assess cases and whether support was required;
- the Council maintained relationships with other authorities, including Devon County Council, voluntary sector organisations and the Police; and
- the Council had a complaint process to document complaints and appeals to ensure consistency.

The Leader welcomed the report and suggested a Member Briefing be held and asked whether policies would have clarity on which referred to Councillors as well as staff. The Chief Executive confirmed that all policies would be clear on which applied to Councillors.

RECOMMENDED that Council approves the revised policy for Dealing with Unacceptable Customer Behaviour.

16

REVIEW OF EQUALITY AND DIVERSITY POLICY

The Executive received the report which sought approval of the revised Equality and Diversity Policy, which had been reviewed and updated to ensure it reflected current good practice. Members were advised on the amendments made to the policy which were outlined in section 8 the report, with particular reference made to the inclusion of the process in dealing with complaints of discrimination.

Councillor Moore, as an opposition group leader, welcomed the updates and enquired how Councillors would be updated on the progress of work?

Executive Members welcomed the report and made the following points:-

- there was a typo in the policy in relation to paragraphs 4.8 and 4.9, which should have been paragraphs 4.7 and 4.8; and
- the inclusion of the anti-racism statement was commended.

RECOMMENDED that Council approve the adoption of the revised Equality and Diversity Policy.

(The meeting commenced at 5.30 pm and closed at 7.41 pm)

Chair

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 20 February 2024.

EXECUTIVE

Monday 22 January 2024

Present:

Councillor Bialyk (Chair)

Councillors Wright, Denning, Foale, Morse, Parkhouse, Pearce and Wood

Also present:

Councillor Jobson (as an opposition group Leader); and

Councillor M. Mitchell (as an opposition group Leader).

Apologies:

Councillors Williams, R and Councillor Moore (as an opposition group Leader).

Also present:

Chief Executive, Director of Culture, Leisure and Tourism, Service Lead - Environmental Health & Community Safety, Service Lead - Active & Healthy People and Democratic Services Manager

17

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

18

SAFEGUARDING POLICY

The Executive received the report on the adoption of the revised Safeguarding Policy, which had been updated to ensure it reflected best practice in safeguarding and incorporated recent updates to legislation and statutory guidance. This report was previously presented to, and deferred by the Executive on 9 January 2024, to address the removal of the central record for safeguarding.

Members were advised that there were two registers held separately for operational purposes but could be accessed at any time. This process had been in place for a number of years, but the policy changes had been made to reflect current practices.

Councillor M. Mitchell, as an opposition group leader, enquired on the two registers and how the information was updated on each.

Executive Members debated the report and made the following points:-

- whether the Safeguarding policy was in line with other local authorities; and
- the Director Net Zero Exeter & City Management had confirmed that any requested information on the central registers would be made available.

In response to questions raised by Members, the Environmental Health & Community Safety, Service Lead advised:-

- both registers were continuously kept up to date and could be viewed at any time; and
- the contents of the registers were regularly discussed at the safeguarding representative's group and the Council was also part of the Devon Safeguarding group which shared best practices with other authorities.

RECOMMENDED that Council approves the revised Safeguarding Policy.

COMMUNITY GRANTS PROGRAMME PROPOSAL 24/25

The Executive received the report which set out the proposals for the Community Grants Programme for 2024/25 and how it could be funded using the Neighbourhood portion of the Community Infrastructure Levy (NHCIL).

The Exeter Community Grants Programme had been agreed in July 2019 and a Wellbeing Exeter Strategic Development Review was published in February 2023. This was followed by the launch of the Wellbeing Exeter sustainable funding campaign, which formed the basis of the recommendations in the report presented at the meeting.

Members were advised that the grants enhanced the way the Council helped communities, and the report provided clarity on Wellbeing Exeter and work to date had provided significant support to residents during a period of uncertainty. Particular reference was made to the budget planning taking place on an annual basis with regular reviews undertaken throughout the year, with an update report to be presented to Members in 12 months.

The Director of Culture, Leisure and Tourism commended the detailed report and expressed his thanks to the Director and officers involved. He also advised Members that diagram on page 42 of the report for the community connectors was in the wrong colour but clarified the report text was correct.

The Leader moved and Councillor Wright seconded two amendments to the recommendations to read as follows:-

- (1) Under recommendation 2.1 - to amend recommendation 10 of 8.6 in the report to say:-
 - It is proposed to use an earmarked reserve in the General Fund which is no longer required for its original purpose to provide a one-off grant of £75,000 to CAB. This will allow officers work with CAB on transitional arrangements.
- (2) Recommendation 2.6 - to Allocate the remaining £760,000 to a general budget under the Community Grants programme and delegate authority to the Portfolio Holder and the Director of Culture, Leisure and Tourism to allocate the additional, available funding from the NHCIL reserve to fund Wellbeing Exeter Enhanced Model to continue community building within Pinhoe and St. James wards which are the areas in the City subject to the greatest housing development.

The Portfolio Holder for Communities & Homelessness Prevention spoke to the amendments and welcomed the continued funding to the Citizens Advice Bureau (CAB) which added an annual £4million value to local communities and was almost double that of other authorities. He also highlighted that the importance of including the Pinhoe and St. James communities which had seen a significant growth in recent years. It was hoped that Teignbridge would eventually partner with Wellbeing Exeter in relation to their developments on the south western area of the city.

Councillor M. Mitchell, as an opposition group leader, welcomed the detailed report and considered the various levels of the report would an ideal topic for Scrutiny Committee at the proper time.

Councillor Jobson, as an opposition group leader, welcomed the report and also supported a future scrutiny report on the progress of work.

Executive Members debated the report and made the following points:-

- the report authors were thanked for the detail in the report and the recommendations as amended, were supported;
- the Citizens Advice Bureau was an important resource that needed to be supported;
- clarification was sought on where the earmarked reserve funding had been found from?
- the report highlighted the challenges involved with developing and supporting local communities in relation to funding cuts;
- the funding to small community groups living on estates had made a big difference to residents; and
- ward grants also supported local traders in enhancing the local economy.

Portfolio Holder for Communities & Homelessness Prevention in commending the report noted that many organisations had benefited from small ward grants and had invested in local communities. He welcomed the clear audit trail in relation to the investments and the £155,000 investment into community grants next year. He further advised that Wellbeing Exeter funding was not being reduced and welcomed the continued investment from Sport England into the city.

The Leader in responding to a question raised by a Member advised that the earmarked reserve funding had been set aside a number of years ago from the New Homes Bonus and had been repurposed from an allocation for work at Northbrook.

That Executive RECOMMEND that the officer recommendations to Council be amended as follows to approve:-

(1) the 11 recommendations relating to the Community Grants Programme as set out in, section 8.6 of the report and as amended at the meeting .

(2) the five recommendations relating to Wellbeing Exeter as set out in section 8.8 of the report.

(3) the allocation of £154,000 from the NHCIL reserve, to fund the proposed 2024/25 Community Grants programme.

(4) the allocation of £30,970 from the NHCIL reserve, to fund the staffing costs of administering the programme.

(5) the allocation of £275,563 from the NHCIL reserve, to fund the new core Wellbeing Exeter programme in 2024/25.

(6) the allocation of the remaining £760,000 to a general budget under the Community Grants programme and to grant delegate authority to the Portfolio Holder and the Director of Culture, Leisure and Tourism to allocate the additional, available funding from the NHCIL reserve to fund Wellbeing Exeter Enhanced Model to continue community building within Pinhoe and St. James wards which are the areas in the City subject to the greatest housing development.

(7) the allocation of £70,000 of the ring-fenced Wellbeing Exeter reserve to aid the transition to the new core model in 2024/25 and to provide a baseline for other funders to match.

(8) that delegate authority be granted to the Director of Culture, Leisure and Tourism to commission a Lead Organisation to take over from Devon Community Foundation and the co-ordinator of Wellbeing Exeter

(9) that the Portfolio Holder and Director of Culture, Leisure and Tourism be required to update the Executive on the progress of the transition of Wellbeing Exeter and the Community Programme and bring forward recommendations for priorities and spending in 2025/26 by September 2024.

(The meeting commenced at 5.30 pm and closed at 6.00 pm)

Chair

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 20 February 2024.

EXECUTIVE

Tuesday 6 February 2024

Present:

Councillor Bialyk (Chair)

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

Councillor Jobson (as an opposition group Leader);

Councillor Moore (as an opposition group Leader); and

Councillor M. Mitchell (as an opposition group Leader)

Apologies:

Councillor Foale

Also present:

Chief Executive, Director Corporate Services, Director Finance, Assistant Service Lead – Local Plan, Organisational Transformation Programme Lead and Democratic Services Manager

20

MINUTES

The minutes of the meetings held on 9 and 22 January 2024, were taken as read, approved and signed by the Chair as a correct record.

21

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

22

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions from members of the public were received.

23

ANNUAL REVIEW OF ONE EXETER PROGRAMME

The Executive received the annual review report of the One Exeter programme and the planned programme of work over the next 12 months in supporting the delivery of a well-run Council. Since the previous report, work had also incorporated organisational improvements to deliver on Member's priorities and respond to recommendations put forward by the LGA as part of their Decision Making and Accountability review.

Particular reference was made to:-

- the various workstreams outlined in the report had been assigned to a specific Strategic Director;
- a new values and behaviours framework had been introduced through collaboration with staff and that reference had been made in the corporate plan;
- work on developing a more collaborative working culture had been undertaken, which the creation of the Extended Leadership Team, consisting of the Strategic Management Board (SMB) and Operational Management Board (OMB) to address cross cutting issues;
- work had been undertaken to identify similar areas of work being conducted across the organisation and whether there were opportunities to do this work differently;

- all staff were invited to attend a meeting with SMB to talk about priorities, values and behaviours, which had been well received;
- Microsoft 365 had been rolled out to staff and work was underway to provide the system for Members; and
- thanks were made to SMB and OMB for their work in bringing the One Exeter initiative forward.

Councillor Moore, as an opposition group leader enquired on the strategic risk relating to the outcome of the change process and the impact on quality of service. She also enquired on the review trigger point to ensure the risk of cuts was reduced.

Councillor M. Mitchell, as an opposition group leader suggested a Members Briefing would be beneficial later in the year and enquired on how the customer and Member relationship fit in.

Councillor Jobson, as an opposition group leader welcomed the report and supported the suggestion of holding a Member Briefing.

Executive Members made the following points:-

- the report and the extensive work undertaken was welcomed,
- the LGA summary of improvements were noted;
- work on how Executive Members collaborated with Directors was underway and would be rolled out at the proper time;
- how were the staff briefings received and what was addressed? and
- how was the issue of administrative support being addressed?

The Chief Executive in responding to questions and points raised by Members advised:-

- the all-staff meetings, were incredibly positive and staff appreciated seeing all of SMB together in one place to engage with them. The questions and responses put to SMB would be made available to Members; and
- work on automation and digitization was being addressed to reduce the level of admin and the cross cutting work would also help to provide understanding of what admin work was being undertaken.

The Leader advised that a Member Briefing would be provided going forward and the detail of the work would be provided.

RECOMMENDED that Council note the progress with the programme.

24

GENERAL FUND / HRA ESTIMATES AND CAPITAL PROGRAMME 2024/25

The Executive received the report on the General Fund revenue estimates for 2024/25 and also included the proposed Capital Programme for 2024/25 and future years, together with the proposals for the Housing Revenue Account for 2024/25.

Particular reference was made to the following:

- the Council had received an extra £140,000 in the local government final settlement which was not included within this budget;
- the Council tax referendum threshold had been confirmed as less than 3% or £5 for District Council's. For Exeter, the increase was 2.99% or £5.24;

- the new homes bonus had been confirmed at £485,000 and meant that the Council had tipped over £30 million of new homes bonus over the life of that funding;
- the budget for 2024/25 would be balanced, however, work was required to identify further reductions of £5.6 million over the next three years. There were current proposals covering £1.5 million, requiring £4.15 million to be identified;
- the council tax budget recommendation was an increase of £5.24 on a Band D Council tax, equating to £7.04 million of council tax;
- a 2.99% increase for Band D council tax would equate to £180.37;
- the General Fund Capital Programme being proposed for next year was £15 million with a significant carry forward expected, for which approval would be sought for in July 2024, with £168,000 set aside for new IT equipment; and
- the Section 25 statement highlighted that a significant amount of work had been undertaken to address the level of reserves for the general fund and the HRA. A risk assessment process was used to identify risks and why reserves were held.

Councillor Moore, as an opposition group leader enquired about the recommendation for a public consultation on the council budget.

Councillor M. Mitchell, as an opposition group leader expressed concern on the decreasing percentage of income from council tax and its impact in delivering statutory and discretionary services.

An Executive Member commended the report and advised that the Police and Crime Commissioners Panel had set a precept increase of £12.94.

The Director Finance in responding to questions and points raised by Members advised that a comprehensive consultation would be in place for next year.

RECOMMENDED that Council:-

- (1) approve the overall spending proposals in respect of its General Fund and HRA revenue budgets;
- (2) approve the General Fund and HRA Capital Programmes, subject to the identification of sufficient capital receipts to finance the new General Fund Capital bids in respect of IT and that the final decision be delegated to the Director Finance, in consultation with the Leader and Chief Executive.
- (3) in agreeing the recommendations, consider the Section 151 Officer budget assessment in 8.17 of the report.
- (4) approve setting the General Fund minimum Balance at £3.020 million for 2024/25 and the HRA minimum Balance at £3.525 million for 2024/25.
- (5) approve the Council Tax for each Band recommended to the Council as set out in section 8.19.3 subject to Devon County Council, OPCC Devon and Cornwall and the Devon and Somerset Fire Authority confirming their Band D levels, respectively.
- (6) approve the revised Council Tax levels submitted to Council on 20 February 2024, when the actual Council Tax amounts for Devon County Council, Devon and Cornwall Police and Crime Commissioner and the Devon and Somerset Fire Authority are set.

The Executive received the report which sought approval of the Capital Strategy 2024/25 and to ensure that all elected Members understood the longer-term policy objectives and the resulting Capital Strategy requirements, governance procedures and risk.

Particular reference was made to the change in accounting standards for leases, which were now classed as capital assets and that there was no financial impact to the Council.

Councillor Moore, as an opposition group leader enquired on the criteria and assessment for the review of capital assets.

The Director Finance in responding to a question raised by a Member, advised that there were no planned changes in the capital programme and that officer's assessed the conditions of assets.

RECOMMENDED that Council approve the Capital Strategy as set out in Appendix 1 of the report presented at the meeting.

26 **THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES
(INCORPORATING THE ANNUAL STATEMENT OF MINIMUM REVENUE
PROVISION)**

The Executive received the report on the proposed 2024/25 Prudential Indicators for capital finance for adoption by the Council and to set the annual statement of Minimum Revenue Provision (MRP), which would be incorporated within the Budget Book for approval at the full Council meeting in-line with statutory requirements.

Particular reference was made to the £1.905 million proposed MRP charge for next year and the total amount of overpayments at the end of the financial year was £0.7 million, which would be used in next year's budget to offset the MRP.

RECOMMENDED that Council approve the adoption of:-

- (1) the Prudential Indicators set out in Appendices A-C of the report presented at the meeting; and
- (2) the Annual Statement of Minimum Revenue Provision for the Council.

27 **TREASURY MANAGEMENT STRATEGY REPORT 2024/25**

The Executive received the report which sought the adoption of the Treasury Management Strategy Report, which incorporated the Annual Investment Strategy 2024/25, as required under section 15(1)(a) of the Local Government Act 2003.

Particular reference was made to:-

- the £20 million placed with other local authorities and banks, of which, £5 million was placed in the CCLA property fund and £23 million with the money market fund;
- section 3.2 of the strategy highlighted the physical long-term borrowing undertaken through the Public Works Loan Board (PWLB); and
- the net interest the Council expected to pay on the General Fund and the HRA was around £1.4 million each.

Councillor M. Mitchell, as an opposition group leader enquired on the £93 million of general fund capital borrowing and whether it went to a specific service and the definition of a UK owned bank.

Councillor Moore, as an opposition group leader enquired on what advice was received for the recommendation on the climate impact council investment.

The Director Finance in responding to questions raised by Members advised:-

- debt was not assigned to a particular service, however debt for purchased commercial properties was monitored to ensure they were still performing;
- banks, including HSBC were classed as a UK banking service; and
- it was difficult to report on deposits and impacts relating to climate impacts, due to how the financial services had been setup.

RECOMMENDED that Council adopt the Treasury Management Strategy and delegations contained therein.

28

HOUSING BENEFIT MODIFIED SCHEME POLICY

The Executive received the report which sought Member's agreement to reaffirm support for the existing locally allowed disregard of certain war pension income within the Housing Benefit means test.

Executive Members commended the report and highlighted the importance of having clarification of the modified scheme policy.

RECOMMENDED that Council approve the proposed Housing Benefit Modified Scheme policy.

29

LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2024-25

The Executive received the annual report which sought Member's agreement on the Local Council Tax Support (CTS) scheme for working age residents for 2024-25. Reference was made to the in-principle agreement council tax exemption for care leavers in October 2023 and to conduct a consultation on a proposed change to the local Council Tax Support Scheme.

Particular reference was made to the 44 responses to the consultation, of which 39 were in favour, which included the preceptor bodies.

Executive Members commended the report and welcomed having a formal position with the scheme.

RECOMMENDED that Council approve for the scheme in place for the current year be continued for 2024-25 with the addition of a class of support within the scheme to award 100% council tax support to care leavers looked after by Devon County Council, up to age 25.

30

COUNCIL TAX EMPTY HOMES AND SECOND HOMES PREMIUMS FROM 2024-25

The Executive received the report to re-affirm the agreed recommendations made to Council in February 2023 regarding council tax empty homes and second homes premiums, following Royal Assent being granted to the Levelling-up and Regeneration Act 2023.

Members welcomed the report.

RECOMMENDED that Council:-

(1) implement a 100% premium after one year instead of two years on all dwellings that are unoccupied and substantially unfurnished (empty dwellings) in accordance with section 11B(8) of the Local Government Finance Act 1992 with effect from 1 April 2024 subject to any guidance and regulations issued by the Secretary of State;

(2) disapply the provisions of section 11(2)(a) of the Local Government Finance Act 1992 and to apply the provisions of section 11C of the Local Government Finance Act 1992 in order to impose a 100% premium in addition to the 100% Council Tax payable on all dwellings where there is no resident of the dwelling, and the dwelling is substantially furnished (second homes) with effect from 1 April 2025 subject to any guidance and regulations issued by the Secretary of State

(3) approve and adopt the Empty Homes and Second Homes Premium Policy 2024-25 attached to the report presented at the meeting.

4) grant delegated authority to the Council's Section 151 Officer in consultation with the Portfolio Holder for Council Housing Development and Support Services, to amend the policy in accordance with the Council's requirements or legislative requirements including regulations or guidance issued by the Secretary of State.

31

GENDER PAY GAP REPORT

The Executive received the report on the Gender Pay Gap, which was a statutory requirement of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, for local authorities who employed over 250 or more employees to produce gender pay gap information relating to employees. The Act required the Council to report on the criteria outlined in the report and to publish the gender pay report by end of March 2024.

Particular reference was made to:-

- the average rate of pay for females working for Exeter City Council was still higher than of males and that average rate had also decreased since last year;
- there were three times more males in the lower level pay than females; and
- the Office of National Statistics (ONS), showed that the medium hourly pay for full time employees, was 6.7% less for women than for men and could take nearly 28 years to close the national gap between men and women's pay.

Councillor M. Mitchell, as an opposition group leader enquired if information was available in regard to male and female pay for similar levels of work?

An Executive Member enquired on whether the quartile of earnings was similar to the previous year's report.

The Director Corporate Services in responding to questions raised by a Members advised that the JCNC ensured roles were evaluated and compared correctly. The quartile of earnings from the previous year would be looked at for inclusion in future reports.

RECOMMENDED that Council:-

(1) note the findings and observations report as follows:-

- the average rate of pay for females is higher than males across the Council;
- the mean average difference has decreased since last year from 3.91% to 2.91%;

- the median average difference has decreased since last year from 10.42% to 9.71%; and
- that there are nearly three times more males in the lower quartile of earnings than females.

(2) approves the publication of the Gender Pay Gap Report on the Exeter City Council website, and to the centrally held database on gov.uk;

(3) approves the annual review of the report to track the relationship between female and male earnings.

32

ANNUAL PAY POLICY STATEMENT 2024/25

The Executive received the report which set out the Council's annual Pay Policy Statement 2024/25 which was a statutory requirement for approval by Full Council each financial year.

Particular reference was made to the report appendix, which would be amended before the next year's review.

RECOMMENDED that Council:-

(1) approve the Pay Policy Report and Appendices for publication in accordance with the legislation.

(2) agree that the £100,000 threshold previously requiring full Council be removed until the legislation referred to in paragraph 3.2 of the report is brought into force in relation to public sector exit payments, and in the meantime, that any payments should demonstrate value for money and be conducive to the effective and efficient operation of the Authority.

(3) agree that the Leader of the Council be informed of any such termination payment made, as soon as possible.

(4) grant delegated authority to the Chief Executive to make necessary amendments to the pay policy statement following any changes in legislation or subsequent increases in pay.

33

REVIEW OF THE ARTICLE 4 DIRECTION

The Executive received the report on the Article 4 Direction, which provided a summary of the comments and outcomes from the notification process undertaken to 'make' a new Direction, as agreed at the Council meeting on 12 December 2023. The report sought approval to 'confirm' the new Direction and to 'make' a further direction to cancel the 2014 Direction with non-immediate effect.

Particular reference was made to there being no changes to the provisions to the amended article four direction and that this was the next stage of the legal process, called the confirmation stage. Once agreed by Council, the next stage would be in notifying interested parties, for implementation in December 2024.

Councillor Moore, as an opposition group leader enquired on what the annual monitoring arrangements were for assessing the impact of the policy.

Councillor M. Mitchell, as an opposition group leader enquired on what monitoring would be undertaken on Wards that were not included in the Article 4 Direction?

Executive Members welcomed the detailed report and thanked officers for the work that had been undertaken.

The Portfolio Holder for City Development commended the report and advised that the consultation data had been used to inform from members of the public on the next stages of the Article 4 Direction and would continue to be monitored.

The Assistant Service Lead – Local Plan in responding to points raised by Members, advised that monitoring of student accommodation would continue and be reported to Members through the working group process and the authority monitoring report.

RECOMMENDED that Council approve:-

(1) the confirmation of the revised Article 4 Direction (including the Article 4 area plan) attached at Appendix A with non-immediate effect, meaning it will come into effect on 23 December 2024;

(2) the making of a Direction (“the Cancellation Direction”) cancelling the existing Article 4 Direction confirmed in 2014 as this area would be covered by the new Article 4 Direction; and

(3) for the Director for City Development to confirm the Cancellation Direction as of 23 December 2024 subject to the consideration of any representations received on the same.

34 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

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 following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 2 of Part 1, Schedule 12A of the Act.

35 **APPLICATION TO JOIN SOUTH WEST AUDIT PARTNERSHIP**

The Executive received the report which sought approval for the Council to apply to join the South West Audit Partnership (SWAP). Moving to join an established Audit Partnership would provide the Council and the small team with immediate access to a range of specialist skills, more up to date audit software and increased resilience to support for delivering the audit plan.

Particular reference was made to the resilience issues in the current team and the limited resources available to them, notably for counter fraud, for which the established company would provide additional support. Staff would be offered the opportunity to transfer, which would include same terms and conditions of employment. Staff would also benefit from additional training to support them in enhancing their skills.

Councillor M. Mitchell, as an opposition group leader enquired on the whether the Council would maintain control of its internal audit, the impact to Members, and the cost for joining the partnership.

An Executive Member enquired on the term broadly cost neutral, despite there being no additional financial implications.

The Director Finance in responding to questions raised by Members advised:-

- that there would be no change to the internal audit which would continue to be reported to the Audit and Governance Committee and may be of a higher quality, using the SWAP audit reporting;
- SWAP would support the development of the team and if required, bring in their own experienced staff; and
- there was no cost to join the partnership.

RECOMMENDED that Council agree to apply to join the South West Audit Partnership from 1 April 2024.

(The meeting commenced at 5.30 pm and closed at 6.53 pm)

Chair

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 20 February 2024.

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REPORT TO COUNCIL

Date of Meeting: 20 February 2024

Report of: Leader of the Council and Chief Executive

Title: Senior Leadership Review

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 As part of the One Exeter programme designed to deliver on the corporate priority of leading a well-run council, a review and restructure of the senior management of the council is being proposed. The restructure relates initially to second and third tier posts, that is, Directors and Service Leads/Corporate Managers. The Council has commissioned the Local Government Association (LGA) to support the review and the development of the proposals contained within the report.

1.2 In order to aid transparency, two reports have been prepared in relation to the restructure. This report has been prepared as a Part One report and a more detailed report has been prepared under Part Two.

1.3 The purpose of this report is to provide an overview of the rationale for the restructure, the process that was followed and an indicative timescale for implementation should Members be minded to support the proposal.

1.4 This report also explains what information has been included in the Part Two report and why it cannot be placed in the public domain (see paragraph 4.3)

2. Recommendations:

That Council agrees:

2.1 To note the content of this report, the rationale for the restructure, the process to be followed and an indicative timescale for implementation.

2.2 To note that a detailed report containing details of the existing and proposed structure and the indicative costs will be shared as a Part 2 item. This will include a number of detailed recommendations.

3. Reasons for the recommendation:

3.1 The reason for these recommendations is to aid openness and transparency.

4. What are the resource implications including non financial resources

4.1 Members are asked to note that the revised Leadership structure will cost less than the current structure. The intention is to retain any saving for use in funding the planned management development and other organisational change work. Any available funds may also be used to fund additional posts identified as necessary at below-OMB level.

4.2 Information relating to the current and proposed new structure and related costs has been excluded from this report. This information is exempt from disclosure because it relates to the financial or business affairs of the council and could also be linked to individuals.

5. Section 151 Officer comments:

5.1 As the section 151 Officer is affected by the proposals, these comments reflect issues that need to be considered by Members in respect of the financial aspects of the proposal. Whilst the Council has an obvious need to reduce its costs, it is being proposed that the cost reductions identified through the restructure are used to strengthen some critical core functions and to better support the new management team through a management development programme.

5.2 There are a number of areas, which ensure the Council meets its legal obligations (such as Health & Safety) and require strengthening. In order to deliver the Council's priorities, further improve service provision and deliver the transformation programme, which is critical to our future success, it is vital that investment is made in creating a robust structure that is supported by Managers that are properly equipped to lead the future organisation.

6. What are the legal aspects?

6.1 The process and timeline proposed at section 8.18 complies with the council's Organisational Change Policy and all relevant employment legislation.

7. Monitoring Officer's comments:

7.1 The Monitoring Officer is aware that these restructure proposals impact on her and therefore has been careful to limit her comments to the legal implications.

7.2 Section 4(1)(b) of the Local Government and Housing Act 1989 provides that it is the Council's duty to provide the Head of Paid Service ("HoPS") with such staff, accommodation and other resources as the HoPS considers sufficient to allow them to discharge their duties.

7.3 In accordance with section 4(2) of the Act, it is the duty of the HoPS to prepare a report for members' attention in relation to:

- a) the manner in which the discharge by the authority of their different functions is co-ordinated;
- b) the number and grades of staff required by the authority for the discharge of their functions;
- c) the organisation of the authority's staff; and
- d) the appointment and proper management of the authority's staff.

7.4 Section 4(5) states that where any such report is presented, Council must consider the report. In deciding whether or not to approve the recommendations of the HoPS, members will have regard to the duties imposed on them as set out in section 4(1)(b) referred to above to provide the HoPS with such staff as the HoPS considers necessary to allow them to perform their duties.

8. Report details:

Background details

8.1 The former Chief Executive & Growth Director, in his development of a number of work streams to address the challenges of the council's need to reduce our operating costs as identified in our Medium Term Financial Plan (MTFP), identified the intention to bring forward a proposal to Members for the restructure of senior management.

8.2 Subsequent reports to Council in December 2022 and February and March of 2023 reiterated the council's intent to review its senior management structure at Strategic Management Board (SMB) and Operational Management Board (OMB) level. This commenced with the deletion of one Director post in 2023.

The Context of the Proposed Restructure

8.3 The instigation of the One Exeter Programme 2021 signalled the start of the Council's journey to modernise its internal operations and service delivery. This included:

- a review of the council's culture and values;
- a revised performance and development framework for staff;
- a review of cross-cutting services across the council to identify opportunities for these to be delivered in a more cohesive and cost-efficient way, for example, health and safety, enforcement and debt recovery;
- review of the council's approach to risk management;
- the development of a customer strategy and a revised Public Consultation strategy; and
- the design and implementation of a digitised, single-front-door approach for those seeking information and support from the council.

8.4 Members may wish to note that the findings from the implementation of the One Exeter Programme as well as other organisational improvements to promote more informed and transparent decision-making and a corporate approach to leading the council has begun to address the silo-working reflected in the findings of the DMA work described below.

8.5 It is clear however, that if the Council is to deliver on its ambitions to modernise and improve the way we work by focussing on the needs of our customers in a digitised world, then organisational structure change is required.

The Development of the Proposed Restructure

8.6 To inform this review the Council invited the LGA to conduct a Decision Making and Accountability (DMA) exercise in February and March of 2023 so that the new Chief Executive, once appointed, would have a 'temperature check' on the organisation.

8.7 Decision Making Accountability (DMA) is a robust, proven methodology that has been used by the LGA across different types of Councils. The DMA exercise:

- identifies where decisions are best made in an organisation;
- decreases the amount of overlap in the decision-making process;
- ensures each level of management adds value to the front line;
- diagnoses and informs the development of healthy management hierarchies;
- design cost-effective and fit-for-future organisational structures.

8.8 The LGA's findings were reported to Executive Committee on 6th February as part of the One Exeter Annual Review.

8.9 In terms of organisational structure, the DMA recommends:

"ECC should consider reducing the number of SMB & OMB roles to create a more cohesive group of appropriately empowered roles that better balance portfolios, co-create strategy and drive transformation together"

Culture Change led by the New SMB and OMB

8.10 Members are asked to note that a change in the senior management structure will not in itself effect the change that the council needs. It is, however, a significant part of the process of resetting the organisation's culture and way of working. Those appointed to the revised structure will be supported to lead the change in culture, model the council's agreed values and behaviours and adopt a corporate approach to the leadership of the council.

8.11 Directors will be focused on the needs of the whole business alongside their individual service areas second. When making decisions or developing proposals for Member's decisions where appropriate, officers will use data and customer insight and have an understanding of the financial and other resource implications. They will also work collaboratively to understand cross-organisational impact.

8.12 There will necessarily be a renewed approach to how support services work to support the delivery of front-line services, but equally front-line services will ensure that support services are engaged at the earliest possible opportunity in plans that require their input.

8.13 Officers at SMB and OMB level will work as an Extended Leadership Team (ELT) so that cross service issues are identified and addressed, and best practice identified and shared. Work will also be done at ELT level to ensure clarity of decision-making and work with elected members to ensure that members are appropriately supported and have the ability to access relevant information about the council's services. Joint work will also be proposed between senior officers and Members to continue to ensure clarity in decision-making and accountability.

8.14 A management development programme will be developed and rolled out across SMB and OMB to support colleagues in the work needed to facilitate the cultural change.

8.15 The council has commissioned support from the outplacement team to support SMB and OMB in both the recruitment process but also to support those colleagues who do not secure a position in the revised structure.

The Proposed Structure

8.16 To implement a more effective and efficient organisation, the LGA has proposed a revised SMB and OMB structure that benchmarks against other councils of similar size and function as the Council.

8.17 Members are asked to note that the proposed structure will be amended after consultation and the titles of each directorate may change. This will be partly informed by the review of cross-cutting functions currently being undertaken across the council.

8.18 Members are also asked to note that the intention is to appoint the Strategic Management Board and those appointed Strategic Directors will recruit to OMB posts.

Indicative Timeline (for SMB restructure)

- February 2024 Council considers initial business case;
- March SMB Consultation;
- April Consideration of Consultation feedback;
- May Executive & Council consider final proposals;
- June Recruitment & Appointments; and
- July Any necessary interim appointments and external recruitment

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

9.1 The LGA's advice is that the revised structure will take the Council forward in terms of the delivery of the Strategic Objective of delivering a "well run council" as follows:

- will compare more favourably against other Councils' structures;
- will deliver efficiency improvements via a reduction in silo working;
- will facilitate delivery of a "one front door" approach; and
- will bring to life a customer-centric, digitised and fit for the future organisation.

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

10.1 The Council's Organisational Change Policy will be applied. This has been formally negotiated with the Union and complies with the relevant employment legislation and is in line with the Advisory Conciliation and Arbitration (ACAS) best practice. This will mitigate the risk of any future legal challenge and ensure that the process is conducted through a fair, transparent and consistent process.

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 The Recommendations herein present no potential impact on people with protected characteristics as determined by the Act.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon / environmental impacts arising from the recommendations.

13. Are there any other options?

13.1 Retain the existing structure. The LGA's work identifies that we do not have as efficient a structure as we could have to deliver effective, value for money services to our residents.

Leader of the Council, Cllr Phil Bialyk

Bindu Arjoon, Chief Executive

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

Background papers used in compiling this report:-

None

- 1) The Director, Corporate Services' Report to Council in December of 2022 regarding the exit of the current Chief Executive & Growth Director / Head of Paid Service, the appointment of an interim Deputy Chief Executive and the subsequent appointment of a new Chief Executive / Head of Paid Service refers.
- 2) The Leader's Report to Council in February of 2023 regarding the process into the recruitment of the new, permanent, Chief Executive / Head of Paid Service also refers.
- 3) Our Organisational Change Policy.
- 4) The LGA's Decision Making and Accountability Report and Benchmarking Data.

Contact for enquires:
Democratic Services (Committees)
Room 4.36

01392 265275

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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of the Local Government Act 1972.

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SEATING IN THE GUILDHALL Agenda Annex

		Deputy Lord Mayor Councillor Read (G)	Chief Executive	Lord Mayor Councillor K.J. Mitchell (LD)	Democratic Services Manager	Service Lead Legal Services	
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Democratic Services Officers				Director Corporate Services	Director Finance	Director
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Councillors	Councillors	Councillors	TABLE	Councillors	Councillors
Warwick (L)	Miller (L)	Bialyk (L)		Moore, (G)*	Jobson (C)
Atkinson (L)	Snow (L)	Wright (L)		Mitchell, M.N. (LD)*	Leadbetter(C)
Patrick (L)	Begley (L)	Morse (L)		Fullam (LD)*	Holland (C)
Ellis-Jones (L)	Vizard (L)	Denning (L)		Sparling (G)*	Sheridan (C)
Lights (L)		Williams, R.T. (L)		Ketchin (G)*	
Allcock (L)	Knott (L)	Parkhouse (L)		Bennett (G)*	
Branston (L)		Foale (L)		Rees (G)*	

Cllr Asvachin (L)	Cllr Williams M.J. (L)	Cllr Wardle (L)	Cllr Wood (L)	Cllr Pearce (L)			Cllr Hannaford (I)	Cllr Harvey (I)
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L: Labour: 24
G: Green: 6*
LD: Liberal Democrat 3*
C: Conservative: 4
I: Independent 2

* Known as the
Progressive Group

Portfolio Holders

Bialyk:	Leader
Wright	Deputy Leader and Culture and City Centre Strategy
Parkhouse:	Climate and Ecological Crisis
Williams, R.T.:	Place and City Management
Denning:	Council Housing Development and Support Services
Wood:	Leisure Services and Physical Activity
Foale:	Corporate and Democratic Services and Environmental Health
Morse:	City Development
Pearce:	Communities and Homelessness Prevention

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