

## STRATEGIC SCRUTINY COMMITTEE

14 March 2024

### Present:

Councillor Yvonne Atkinson (Chair)

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

### Apologies:

Councillors Branston and Knott

### Also present:

Director Corporate Services, Director of Culture, Leisure and Tourism, Assistant Service Lead – Local Plan, Service Lead Net Zero & Business, Net Zero Project Manager and Democratic Services Officer (SLS)

### In attendance:

Councillor Philip Bialyk	- Leader
Councillor Laura Wright	- Deputy Leader and Portfolio Holder for Culture and City Centre Strategy
Councillor Emma Morse	- Portfolio Holder for City Development
Councillor Josie Parkhouse	- Portfolio Holder Climate and Ecological Crisis
Councillor Duncan Wood	- Portfolio Holder Leisure Services and Physical Activity

## 8 **Minutes**

The minutes of the meeting held on 25 January 2024 were taken as read, approved and signed by the Chair as correct, subject to the amendment that in Minute 6, Section 2 that a reference to 'watch should read Watching Brief.

## 9 **Declarations of Interest**

No declarations of interest were made by Members.

## 10 **Questions from Members of the Public Under Standing Order No.19**

There were no questions submitted by the public.

## 11 **Questions from Members of the Council Under Standing Order No.20**

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

### **Question**

What action is being undertaken by the Council to ensure that the public toilets at the bus station remain open for use?

### **Response**

The Leader stated that the Bus Station conveniences were the responsibility of Stagecoach under the terms of their lease of the Bus Station. Sadly, the facilities

have been subjected to extensive misuse and vandalism since the Bus Station opened and have been closed for periods of repair. This continues to be the case and the City Council was working with Stagecoach to see how the position could be improved.

He was aware they had been open recently and had met with Peter Knight, the Managing Director of Stagecoach Southwest and the Council's City Surveyor and made a brief inspection of the facility. He had been made aware of the damage caused from ongoing levels of vandalism anti-social behaviour resulting in a significant repair bill. Stagecoach have been working to get the toilets open and he had impressed on them of the need to have them open, particularly with the Easter weekend. He assured the Member that the situation was being monitored.

### **Supplementary Question and Response**

Councillor Moore sought assurances that the toilets would be open soon and before the Easter weekend.

The Leader referred to his earlier reply and stated that he often walked through the Bus Station and had walked through the Bus Station with the Director City Development earlier that week and the toilets were open. He would ask the question of Stagecoach and impress on them the importance of the toilets being open and that subject to no vandalism they should be open.

## **12 Portfolio Holder report - Councillor Wright**

Councillor Wright reported on her Portfolio for Culture, and City Centre Strategy 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.

She responded to the following advance question from a Member and the response was set out in italics below:-

What reassurances can be provided that the boarded off sections of the wall will be unboarded before the end of this calendar year. If so, such reassurances can be given what solutions are currently being explored to replace the ineffective and ugly metal fencing which is on so many parts of the city wall. Additionally, when was the date of the last quinquennial inspection of the wall?

*The delivery of works to the City Wall would be completed when sufficient resources are identified to complete the works. As Members are aware we recently tendered for a scheme to deliver one element, but the cost of the tenders was significantly over budget. Delivery is also dependant on the successful implementation of relevant aspects of the Corporate Property Assets restructure and consultant and contractor availability. In the current climate this is particularly difficult, especially when dealing with such a specialist asset as the Wall.*

*Removal of the fencing will take place once works commence (if an alternative site hoarding is installed) or once the works are completed. The latest inspection of the City Wall was made in 2020.*

*The Council's Heritage Officer had been looking at other cities with Roman walls and heritage to see if there were any opportunities for external funding for maintenance, but there was no extra Government funding available. The Roman Wall in Exeter was*

*an integral part of the city's heritage and culture and the Director and City Surveyor were working with the Leader.*

The Member appreciated that finding funding sources was about exploring temporary solutions. She also raised an issue of graffiti on a section of the wall in Southernhay, which had been discussed with the Public Realm team and was the subject of a report from English Heritage.

The Portfolio Holder referred to a recent Heritage meeting with the Director when a different approach to maintenance was considered, looking at eight sections of the wall rather than the structure as a whole, to seek grant funding in a different way, concentrating on the sections that were the most prominent or least safe which had to be the primary concern.

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

- the cost of running the recent Safer Streets project in the city with appropriately trained staff which included paramedics and security was significant. InExeter had partnered with the Police, the University of Exeter as well as the Exeter Community Safety Partnership and obtained a one-off pot of Government funding. She had met with the Chair of InExeter to see if there were any other opportunities for future funding as members of the public and of the night time economy had found the service invaluable. A funding bid for a business case through the Community Safety Partnership would explore a different model using more volunteers, alongside professional staff.
- an update and Member Briefing on the Digital Transformation project would be held after the City Council Elections in May. The roll out of Office 365 was already underway along with information on how that will affect Council users including outward facing customers.
- a leak to the roof of the Barnfield Theatre had been fixed. The Council had a lease agreement for the Barnfield, with the Northcott Theatre who had taken over the management and revitalised the space.
- Work through the Exeter Community Safety's Partnership, Anti Social Sub Group did not include a public health approach but work was ongoing through Devon County Council, Colab, and the NHS.
- she would make an enquiry about an issue of coaches idling and parking in South Street.
- the City Wall in Bartholomew cemetery was part of the cityscape and discussions were taking place on making the wall safe. She anticipated that a triennial inspection would take place in 2025, and as stated earlier in her report, a different approach to view the maintenance of sections of the wall and that survey work will commence shortly.
- a report on the Police and Crime Commissioner and Devon and Cornwall Police was made at the latest Panel meeting. Further training had been identified to redress the issues raised in relation to the issues raised. The Acting Chief Constable, Jim Cowell had been present and offered reassurance of the changes that were going to be made.
- the Culture Sub group on the Exeter Place Board were due to meet in the next six weeks and will discuss the terms of reference. The membership would include representatives of the Place Board.

The Portfolio Holder report was noted.

13 **Portfolio Holder report - Councillor Morse**

Councillor Morse reported on her Portfolio for City Development 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.

Councillor Morse responded to advance questions from a Member as follows:-.

The Liveable Exeter Placemaking Charter and given that this will prioritise "sustainable development principles" aligning with Exeter's vision 2040 for a sustainable urban future, can the Portfolio Holder set out what requirements are proposed to be placed on developers for green energy production for all developments.

*There are a series of draft policies in the emerging Exeter Plan covering new zero Exeter, renewable and low carbon energy generation, district heating, solar, and future energy efficiency standards. It should also be noted that energy performance of buildings is predominantly managed by Building Regulations.*

In the update on any major ongoing programme of work and in the context of the preparation of the local cycling and walking infrastructure plan can the Portfolio Holder provide an update on plans for the replacement of Mallison Bridge as a major link in cycling routes for the city.

*The replacement of Mallison Bridge is included within two route proposals in the Local Cycling and Walking Infrastructure Plan. It has also been noted in the draft infrastructure plan accompanying the Exeter Plan. Delivery would be determined by future funding being available.*

*The City Council's Engineering team were working with their counterparts at Devon County Council to access Active Travel funding streams from the Department for Transport. A well-developed bid was submitted and we are currently waiting to hear the result. An official announcement was expected imminently.*

In a further response, the Portfolio Holder was unable to provide any more details on the timetable.

The Portfolio Holder responded to the following questions :-

- the recent High Court challenge did not overturn the Planning Committee decision, but provided the opportunity for the planning application to be reconsidered by the Planning Committee.
- she was unaware of the length of vacant posts in the Planning team, but one issue is that the wage may not be competitive with the private sector. She would obtain a written response.
- she would also obtain a response on the pattern of planning enforcement.
- she thanked the Member for the positive comments on the Article 4 Direction which will need to be monitored when it comes into being next year. Further reviews will be made alongside the Local Plan.
- Exeter had a strong affordable housing provision policy of 35% included in the Local Plan. Officers would continue to work with developers and despite being bound within viability regulations would aim to achieve the best affordable housing provision.

The Service Lead (Planning) responded to a Member's comment on the requirement by the Health and Safety Executive for Building Control officers to be assessed for professional competency by 6 April, and the date for registration had been extended until 6 July to allow those officers to take the necessary exams.

- the CIL and Section 106 position had improved with a valued and dedicated officer in place. She would ensure a written reply was given to the Member on the breakdown for Section 106 specific to the St David's ward. The CIL contributions were put into a centralised fund.
- officers would continue their dialogue with Devon County Council and their support in relation to the recent High Court challenge.
- the police had decided not to take any action with regard to the fictitious representations for a specific application and officers will work together to ensure a basic check of the application and addresses.
- it was anticipated that a report proposing a format for pre-application charging would be presented to the next Executive and Council.

The Assistant Service Lead (Local Plan) advised that they were duty bound to consider any sites that come forward but the areas around Matford and County Hall are were not consulted on in the autumn.

- she was unaware of the numbers of developers taking up the services of the Design Quality Partnership, but many more applications have met with them. She welcomed the input of the Council's Urban Designer which had resulted in a much better quality of application.
- the current planning system allows for the submission of outline planning applications but efforts can be made to discourage this practice. It can be frustrating when some work has been done on a site the application had to be heard.
- the approval of the Exeter, East Devon, Mid Devon and Teignbridge Joint Strategy whilst not legally binding offered good intentions and should benefit Exeter City Council when making approaches to Government for funding.

The Portfolio Holder report was noted.

#### 14 **Progress Report Shared Prosperity Fund - Update 4**

The Service Lead Net Zero & Business presented a six-monthly update for Members on Exeter's Shared Prosperity Fund (UKSPF) allocation, which supports Building Pride in Place and Increasing Life Chances in Exeter. The report included an update of the original allocation of £1.4 million awarded from Department for Levelling Up, Housing and Communities (DHLUC). A Project Manager had been appointed, and were working with project leads to keep projects to agreed timeframes and spend, collecting outputs and outcomes, as well as supporting projects in direct delivery and commissioning projects for the year. A presentation was provided on the Business Support Programme which included:-

- a theme around 'Greening your Business' with support for businesses based in the city in how they can reduce their carbon emissions and be more energy efficient;

- startups and supporting businesses, individuals and entrepreneurs within the city;
- job creation and safeguarding jobs within the city.

The business support included workshops, advice, events, Enterprise Clubs as well as an online learning platform.. Events are held in Exeter, East and Mid Devon with no limit on how much support a business or individual could obtain. There had been a very good take up, with data collected monthly for reporting back to DLUHC.

The following responses were given to Members' comments:-

- Shared Prosperity Fund is a three year project which started April 2022. The Programme Manager was employed on a time limited contract, which finishes two months after the Programme, to allow for evaluation and monitoring of all funded projects. There have been discussions around the Combined Authority taking on the role of accountable body for Shared Prosperity going forward, further details have yet to materialise.
- the City Council's allocation of £1.4m has been fully committed, with a long list of projects in reserve if any project underspend.
- an evaluation of the outputs and outcomes will be made at the end of Year 3.
- there has been much interest in the Parklet project which has been designed, delivered and managed by InExeter, not the City Council.

Strategic Scrutiny Committee noted:-

- (1) the progress made in delivering Exeter's Shared Prosperity Fund in Exeter;
- (2) the change made to the Community Energy project in year 3, as indicated in 6.5, and
- (3) that a further report to be presented in six months' time on the delivery and management of UKSPF, the next being September 2024.

## 15 **Working Towards Net Zero - Exeter City Council's Corporate Carbon Reduction Plan**

The Net Zero Project Manager presented the six monthly update on the work of the Net Zero Team to reduce the City Council's carbon emissions and delivery of the City Council's Carbon Reduction Plan, working towards the 2030 target. The updated Carbon Reduction Action Plan (February 2022 v4.0) was included following a six monthly review of all measures (Achieving Net Zero Report 2022) across each sector of the Council's Carbon Footprint. The report also included an update of the Council's Annual Carbon Footprint Report and Greenhouse Gas Inventory results for 2022/23.

The Net Zero Project Manager responded (in italics) to the following questions from a Member which had been submitted in advance:-

### Question

P 42 Last bullet point of Measures taken - states that three sites are being surveyed and findings will be reported to SMB for further consideration should the heat network be developed. Should this read that three sites are being surveyed and findings will be reported to SMB regarding whether the heat network should be developed?

*"The heat network project being taken forward by 1Energy is not dependent on the council's buildings connecting. Both in terms of heat load and also in terms of the*

*economic viability of the project the connection (or not) of the three ECC buildings would not be a reason for the network going ahead or not. A decision whether or not to connect these buildings to the network is only pertinent if 1Energy proceed to develop the network.”*

#### Question

P43 Last bullet point of measures taken regarding Council owned housing: how is the high priority of installing PV on all remaining suitable homes by 2030 reconciled with the statement that the current development programme has been suspended?

*Currently, the cost of development and in particular interest rates, means that we are unable to take forward the Council housing development programme in a way which is financially viable. We continue to seek government funding to support our delivery aspirations and will endeavour to successfully deliver the programme of new council properties when budgets allow. However, the Council has developed a capital investment programme for the existing housing revenue account properties which is fully budgeted for as part of the Medium Term Financial Plan. As such, the ongoing retrofit works to improve the energy efficiency of properties does include the installation of PV panels and this is making a significant contribution to delivering affordable warmth for our tenants.*

The Net Zero Project Manager highlighted the following:-

- the Net Zero team produce an update of the Carbon Reduction Plan, which is reviewed on a six monthly basis, through face to face meetings with various Heads of Service across the Council. She provided an overview of the ongoing work to deliver the commitment of a Net Zero Council, which included the decarbonisation of the Council's assets. Every effort was made to seek Government funding to decarbonise our property estate.
- the Green Accord Scheme sets the standard for suppliers and encourages them to reduce and report their carbon emissions.
- the LEVI fundings is allocated to Tier 1 authorities, the team works with Devon County Council to secure the best arrangement for the City Council. She hoped to update Members very soon on progress.
- the Water Lane Smart Grid and Storage Project supports three electric refuse vehicles and energy for Exton Road..
- the team have submitted a fund bid to the South West Net Zero Hub, to support solar PV roll out for a number of Council properties, which do not have a renewable energy supply.
- the Net Zero team have been supporting the Service Lead for Active & Healthy People in reviewing the Council's Green Travel Plan.
- the team have trained 196 staff and Members in carbon literacy. The team are also responsible for the Council's Net Zero Ambassadors, to ensure staff were aware of the commitment to Net Zero.
- the Service Lead for Net Zero & Business continues to support 1Energy on a new city centre District Heating Network.
- The team are working with Planning to better manage and report the city's biodiversity net gain.
- Strata now have their own Carbon Reduction Plan and have been carrying out sustainable procurement, introduced a Green Travel Plan and were monitoring their database more accurately to ensure ways of reusing their equipment.

The Net Zero Project Manager responded to the following Members' comments:-

- the subscriptions related to staff for their professional development and membership of Exeter Chamber.
- the energy produced by the solar farm is enough to support the MRF operation, office accommodation and to charge vehicles. Any excess generation is sold back to the grid and that helps to pay the loan for the project. She would like to arrange a visit to the solar farm and presentation for Members.

Strategic Scrutiny Committee noted:-

1. the progress made and challenges to achieving measures set out in the Corporate Carbon Reduction Plan; and
2. the results of the most recent carbon footprint report (2022/23), which shows a small overall decline of 4% on the previous year.

## 16 **Exeter Plan: Full Draft Consultation: Initial Reporting**

The Assistant Service Lead (Local Plan) presented the report and referred to the Council's consultation on a Full Draft of the emerging Exeter Plan, the new Local Plan for the city. This was held between September 2023 and January 2024. Since the consultation closed, the Local Plans Team has been undertaking early evaluation of the consultation responses received. This report provided an initial summary of this work with a fuller analysis of the consultation to be reported to the Executive in April.

The report referred to the nature of the consultation and the activities undertaken. This included 15 exhibitions/events along with an online engagement platform, as well as new engagement activity to engender further interest such as coffee mornings, quick questions, Instagram reels and an audio version of the consultation available online for the first time. Nearly 2,900 individual responses were received from over 1,100 respondents and around 500 people attended the exhibitions and more than 100 at the coffee mornings. There were also 11,900 hits on the web site.

The analysis showed that 41 out of the 61 policies were generally well received. The policies receiving most comments related to the overall strategy, sustainable transport, the Liveable Exeter principles, housing requirements and net zero. The policies with the fewest comments were on employment and culture. Comments were made on sites identified in the Plan with the development site at Exe Bridges retail park having by the far the largest number of comments followed by the Liveable Exeter sites of Water Lane, East Gate, North Gate, Marsh Barton and South Gate. There were four sites (all brownfield) which received at least 50% positive responses. There were five sites to which over 70% of respondents provided negative responses. Four of these sites are greenfield, with the other being at Exe Bridges retail park.

The report also included a brief comparison of the engagement levels from last year's outline draft Plan. The consultation on the Full Draft Plan received fewer responses from a smaller number of respondents.

The following responses were given to Members' enquiries:-

- a summary of changes made to the Plan following consultation will accompany the next version but this won't respond to each comment individually because of the volume of work that would entail.
- compared to many local authorities the Council has carried out a comprehensive consultation with 15 exhibitions across a compact geographical area.



- there was an interesting dynamic between the two consultations – consultation context is likely to have an impact on how people respond.
- there were general comments received relating to concerns over development as a whole while some respondents assumed that high density development means student accommodation. There were also assumptions made that taller buildings proposed would be a lot higher than would be acceptable in reality.
- the consultation had reached out widely across the city and accessed different communities through the variety of activity. The greatest number of respondents were from the 45 and 54 years age group. Responses to similar consultations by neighbouring authorities often see larger numbers of responses from older age groups. Accessing younger age groups on planning issues is difficult but using social media aims to encourage greater interest. There is also a set of Liveable Exeter lesson plans online which has been put together by the planning team and Building Greater Exeter to attract greater interest in development and planning more generally.

The next steps will include the Local Plan team analysing the responses in more detail to inform the next version of the Plan which will be the final draft before submission. The next draft will be reported to the Strategic Scrutiny Committee in September and the Executive in the autumn.

Strategic Scrutiny Committee noted the summary of the Full Draft Exeter Plan consultation, as included in this report.

## 17 **Ethical Advertising and Low Carbon Framework**

The Director presented the report requested by Members on the topic of enhancing the council's current ethical advertising policy. At a previous Scrutiny Committee meeting Members were asked to submit their thoughts around changes to the policy. These are attached at Appendix 1 and 2.

The Chair reminded Members that there had been a full discussion at the Committee meeting in June, when the matter was adjourned for specific information on carbon emissions on our screen, as well as the views of Members.

The Director provided the following response to Members on the timeline and stated the next opportunity for review of the Policy will be by April 2025. He thanked Members for their comments and the debate at the Scrutiny Committee which had been invaluable. He confirmed that when the Policy is updated, it will be reported to the Executive and Council, as part of a formal process and where Members can contribute.

Strategic Scrutiny Committee noted the contents of the report.

## 18 **Forward Plan of Business and Scrutiny Work Plan**

Members commented on the work plan.

Councillor Mitchell proposed that Dr Dan Lash from the University of Exeter be formally invited to attend the discussion on city wide Net Zero at the Strategic Scrutiny Committee meeting in September to provide technical expertise. Members voted on the proposal, which was agreed.

A Member voiced some concern on the level of proposed business for the September meeting. There were a number of important matters to discuss including the Local Plan and the effectiveness of individual components of the Air Quality Action Plan. She would like to invite a guest to speak and suggested asking

representatives from community groups to speak about the effects of air pollution. The Chair suggested that in inviting expert witnesses, they should be relevant to the topic and independent of any affiliation, lobbying and campaign groups.

The Chair said that a meeting of the Scrutiny Programme Board would be held in May to be able to discuss the agendas for the forthcoming meetings. It was noted that a joint budget meeting would be held on 28 June 2024. The date will be communicated to Members and included in the work plan.

A Member indicated that she would like to invite Glen Woodcock to contribute to the discussion on City wide net zero in September. She suggested he would be able to explain the output from Exeter City Futures. The Chair suggested that the City Council was no longer involved in the Exeter City Futures programme, but suggested the Member consider the proposal at the June meeting.

Members noted the Council's Forward Plan and draft Scrutiny Work Plan.

The meeting commenced at 5.30 pm and closed at 8.00 pm

Chair