



## Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 17 DECEMBER 2024**, at 6.00 pm, at which you are hereby summoned to attend.

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 15 October 2024.	5 - 18
2 Statement from the Leader of the Council	
3 Official Communications	
To receive the Lord Mayor's communications.	
4 Public Questions	
Details of questions should be notified to Democratic Services at least three working days prior to the meeting - by 10am on Thursday 12 December 2024.	

Details about speaking at Council to be found here: [Public Speaking at Meetings](#).

To receive minutes of the following Committees and to determine thereon:-

5 Planning Committee - 7 October 2024	19 - 24
6 Customer Focus Scrutiny Committee - 3 October 2024	25 - 36
7 Strategic Scrutiny Committee - 14 November 2024	37 - 50
8 Audit and Governance Committee - 27 November 2024	51 - 56
9 Executive Committee - 5 November 2024	57 - 62
10 Executive Committee - 3 December 2024	63 - 84

Notice of Motion

- 11 Notice of Motion from Councillor Rees under Standing Order No. 6  
**School Streets Motion - Exeter City Council Meeting, December 17th, 2024**

Proposed by: Councillor Rees

Seconded by: Councillor Banyard

School Streets are car-free areas outside schools. Roads are closed to vehicles

(or they have severely restricted access) for a short period at the start and end of the school day. School streets put children first. They provide space for children to talk, scoot, play or pause on the way to school. These schemes are overwhelmingly popular with parents, teachers and pupils.

The Labour Government has brought in stronger guidance for School Streets which will make them effective, as now they must be supported by enforcement and monitoring. The guidance gives the benefits of School Streets as follows:

“School Streets can improve the experiences and safety of schools’ pupils, staff, visitors, and neighbours at peak school arrival and departure times. Schemes can support the delivery of a range of benefits at the individual, school, neighbourhood and broader local authority level, including:

- removal of congestion and reduction in emissions outside schools;
- reduced instances of dangerous driving, parking and turning outside schools at times of day when many children and families are present;
- fewer road safety issues and improved perceptions of road safety;
- increased levels of walking, wheeling and cycling to school;
- enhanced opportunities for social interaction;
- improved physical and mental health amongst pupils;
- increased pupil independence; and
- developing early active travel habits which can be carried into later life.

**The Council notes that:**

1. Many schools in Exeter have significant problems with cars and road safety issues at school run time.
2. Creating more School Streets will help to deliver on City Council policies of Net Zero, reduced air pollution and increased active travel.
3. The City and County Councils are both committed to increasing active travel. The Live and Move Everyday Active Strategy 2022 has a practical focus on active travel to and from schools in Exeter and Cranbrook.
4. The Devon & Torbay Draft Transport Plans includes School Streets as a new measure.
5. The Child Health Initiative underlines the impacts of transportation and urban planning policies on the health and basic rights of children. It highlights the serious and costly health impacts of unsafe roads and air pollution on young people.

**The Council resolves to:**

1. Call on Devon County Council to work with schools and communities to increase the number of School Streets in Exeter, where schools are willing to explore this option.
2. To provide a progress report on this activity to the ECC Transport Member Working Group in six months’ time.

[Live-and-Move-Everyday-Active-Strategy-2022.pdf \(liveandmove.co.uk\)](https://www.devon.gov.uk/roads-and-transport/traffic-information/transport-planning/devon-local-transport-plan-4-2025-2040/)  
<https://www.devon.gov.uk/roads-and-transport/traffic-information/transport-planning/devon-local-transport-plan-4-2025-2040/>  
<https://www.childhealthinitiative.org/>

## **Climate and Nature Bill 2024**

Proposed by: Councillor Tess Read  
Seconded by: Councillor Diana Moore

The purpose of this motion is to ask Exeter's two MPs, Steve Race and David Reed, to support the Climate and Nature Bill currently progressing through Parliament. The Bill aims to:

- require the United Kingdom to achieve climate and nature targets;
- give the Secretary of State a duty to implement a strategy to achieve those targets;
- establish a Climate and Nature Assembly to advise the Secretary of State in creating that strategy; and
- give duties to the Committee on Climate Change and the Joint Nature Conservation Committee regarding strategy, targets, and connected purposes.

The second reading of the Bill will take place in the House of Commons on 24th January 2025.<sup>1</sup>

This Council notes that:

- Exeter City Council declared a Climate Emergency in 2019 and passed a further motion declaring a Climate and Ecological Emergency on 27th April 2021 resulting in the Council declaring an "Ecological Emergency to supplement and strengthen the Climate Change Emergency declaration of July 2019 by this Council".<sup>2</sup>
- Exeter City Council also resolved to "continue to work with partners, both locally and regionally, including DCC, to achieve net zero carbon objectives, and to conserve and support the recovery of the natural environment. To support community consultation with respect to identifying solutions to address both climate and ecological emergencies. To request that our two MPs support the Climate and Ecological Emergency Bill."
- On 21st March 2024 the Climate and Ecology Bill (CE Bill) was renamed the Climate and Nature Bill (CAN Bill).<sup>3</sup>

Therefore this Council resolves to

- Write to Exeter's two MPs, Steve Race and David Reed, to ask them to support the Climate and Nature Bill<sup>4</sup> as it progresses through Parliament, in particular at its second reading in the House of Commons on 24 January 2025.

Pages

13 Council Appointment to the Team Devon Joint Committee

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<sup>1</sup> <https://bills.parliament.uk/bills/3776/news>

<sup>2</sup> <http://committees.exeter.gov.uk/documents/s74534/Minutes%20of%20Previous%20Meeting.pdf>

<sup>3</sup> [https://www.zerohour.uk/climate-and-ecology-bill/#:~:text=As%20of%2021st%20March%202024,Nature%20Bill%20\(CAN%20Bill\).](https://www.zerohour.uk/climate-and-ecology-bill/#:~:text=As%20of%2021st%20March%202024,Nature%20Bill%20(CAN%20Bill).)

<sup>4</sup> [Climate and Nature Bill - Parliamentary Bills - UK Parliament](#)

To consider the report of the Chief Executive.

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

To receive questions from Members on any matter for which the Council has powers, duties or affects the City.

A plan of seating in the Guildhall is attached as an annex.

Date: Monday 9 December 2024

**Bindu Arjoon**  
**Chief Executive**

## COUNCIL

Tuesday 15 October 2024

### Present:-

Councillors Allcock, Asvachin, Atkinson, Banyard, Bennett, Bialyk, Ellis-Jones, Foale, Fullam, Haigh, Harding, Holland, Hussain, Jobson, Ketchin, Knott, Miller-Boam, Mitchell, M, Moore, Palmer, Parkhouse, Patrick, Pole, Read, Rees, Rolstone, Sheridan, Snow, Vizard, Wardle, Williams, M, Williams, R, Wood and Wright.

### Apologies:-

Councillors Begley, Darling, Hughes and Wetenhall.

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## MINUTES

The minutes of the Ordinary meeting of the Council held on 16 July 2024 were moved by the Lord Mayor, taken as read, approved and signed as correct.

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## OFFICIAL COMMUNICATIONS

The Lord Mayor advised that he had attended the following:

- Topsham Swimming Pool 45<sup>th</sup> Year Celebration
- Ukrainian Independence Day Celebration
- Topsham Charter Day
- the Blue Light Emergency Services Service;
- a staff Commendation Award Ceremony;
- the 30<sup>th</sup> Anniversary of Isca Bowling Club; and
- the High Sheriff's Legal Sunday Service.

The Lord Mayor thanked the Deputy Lord Mayor for attending in his place on a number of occasions during the period.

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## PUBLIC QUESTIONS

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

### 1. Question from Mr P

**Has the City Council considered releasing any part of the vacant bus station site to temporarily house people who currently are sleeping on the streets? It is noted that such schemes are being used by other Councils.**

The Leader gave the following response:

The Council is currently exploring options for meanwhile uses for the bus station site. Any potential options for the site will be presented to Council for consideration before being implemented.

### 2. Question from Mrs S

**As the answers to questions asked by the public are often technical, could it be possible to provide the answer in writing before the meeting so that a meaningful subsequent question can be asked?**

The Lord Mayor and Leader responded:

Council officers have a short period of time in which to prepare answers to questions. Members of the public do not receive answers to their questions in advance of council meetings because the purpose is to ensure that questions and answers are addressed in public, with a follow-up question in order to allow further exploration of the subject matter of the question and that all things will be considered.

### **3. Question from Mr H**

**I would like the reason why work on Flowerpot Fields new changing pavilion, together with the construction of an all-weather pitch, has been allowed to continue despite Exeter College's revised plans now include classrooms but no changing facilities open for the general public and have yet to been formally approved.**

The Leader gave the following response:

The works currently taking place at Flowerpot Fields are in connection with Exeter College's original planning consent, which remains extant. While the College has submitted revised plans that include classrooms instead of the previously proposed public changing facilities, they can still proceed under the terms of their original consent until a decision is made on the new application.

We are actively monitoring the situation and communicating with the College to ensure compliance with the planning conditions.

In a supplementary question Mr H stated that this would be a betrayal of the original plans and would the community receive the promised facilities? The Leader explained that new plans must come before Planning Committee.

The meeting was adjourned at 6.22pm and reconvened at 6.32pm.

### **4. Question from Ms F**

**Given that the Harbour Board's vision statement includes the intention to "maintain the biodiversity and ecological health" of Exeter's waterways, is the Council willing to consider additional measures to ensure biodiversity concerns are represented on the Board, such as are taken on by forward-thinking companies such as Faith in Nature?**

The Portfolio Holder for City Management gave the following response:

Exeter Harbour Board welcomes applications for external membership of the Board from suitably qualified and experienced persons; the vacancy advert explicitly includes mention of Environmental Management, ecology and conservation. Two vacancies arise annually usually in April, and these are advertised on the ECC website as well as circulation to local waterways stakeholder groups.

In a supplementary question Ms F asked if the Council would invite members from relevant businesses to inform work with a specific remit for biodiversity? The Portfolio Holder responded stating that details of external Members of the Harbour Board could be found on the Council website and that Members take responsibility for a range of matters relating to harbour and waterways.

## **5. Question from Mrs T**

**With validated objections to Exeter City Council 2021/2022 Accounts still under review and a Statement of Reasons from the External Auditor to the objectors still pending, could the Section 151 Officer confirm if these objections will be resolved before the December 2024 backstop please?**

The Leader gave the following response:

The External Auditors are still working to sign off the Accounts for each outstanding year in advance of the respective backstop dates. It is outside the control of the Council however as to whether this is successful.

In a supplementary question Mrs T asked if it was possible to explain the backstop and consequences should it not be met? The Leader responded stating that he would speak to the s151 officer and provide a response outside the meeting.

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### **PLANNING COMMITTEE - 29 JULY 2024**

The minutes of the Planning Committee held on 29 July 2024 were presented by the Chair, Councillor Knott, and taken as read.

**In respect of Minute No. 24 (Land of Pendragon Road)**, Councillor Moore asked if the Executive decision would hold. The Leader responded that the Executive would not sell the land at Pendragon Road and the Deputy Lord Mayor added that planning issues were separate to ownership of land.

**RESOLVED** that the minutes of the Planning Committee of 29 July 2024 be received.

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### **LICENSING COMMITTEE - 10 SEPTEMBER 2024**

The minutes of the Licensing Committee of 10 September 2024 were presented by the Chair, Councillor Snow, and taken as read.

**RESOLVED** that the minutes of the Licensing Committee of 10 September 2024 be received.

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### **EXETER HARBOUR BOARD - 5 SEPTEMBER 2024**

The minutes of the Exeter Harbour Board of 5 September 2024 were presented by the Chair, Councillor R Williams, and taken as read.

**In respect of Minute No. 98 (Statutory Harbour Authority Statement of Account and 2024-25 fees and charges)** Councillor Read asked if more would be done to pursue income generation. Councillor R Williams responded stating that actions would appear in the minutes and that she had written to Members for ideas and had received two responses. She also reminded Members that there would be a visioning day in February 2025 and an informal meeting in December 2024 to look at short and medium-term plans.

**RESOLVED** that the minutes of the Exeter Harbour Board of 5 September 2024 be received.

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**AUDIT AND GOVERNANCE COMMITTEE - 24 JULY 2024**

The minutes of the Audit and Governance Committee 24 July 2024 were presented by the Chair, Councillor Wardle, and taken as read.

**RESOLVED** that the minutes of the Audit and Governance Committee 24 July 2024 be received.

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**AUDIT AND GOVERNANCE COMMITTEE - 25 SEPTEMBER 2024**

The minutes of the Audit and Governance Committee 25 September 2024 were presented by the Chair, Councillor Wardle, and taken as read.

**RESOLVED** that the minutes of the Audit and Governance Committee 25 September 2024 be received.

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**STRATEGIC SCRUTINY COMMITTEE - 12 SEPTEMBER 2024**

The minutes of the Strategic Scrutiny Committee 12 September 2024 were presented by the Chair, Councillor Pole, and taken as read.

**In respect of Minute No. 36 (Forward Plan of Business and Scrutiny Work Plan)** Councillor Moore asked if the Portfolio Holder would share with Council, the answer given to her question. In response the Portfolio Holder for City Development stated that there was nothing more the Council could do at present as a timescale for work was in place and that she understood the frustration of the public regarding this matter.

**RESOLVED** that the minutes of the Strategic Scrutiny Committee 12 September 2024 be received.

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**STRATA - JOINT SCRUTINY COMMITTEE - 17 SEPTEMBER 2024**

The minutes of the Strata – Joint Scrutiny Committee of 17 September 2024 were presented by Councillor Knott and taken as read.

**RESOLVED** that the minutes of the Strata – Joint Scrutiny Committee 17 September 2024 be received.

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**STRATA - JOINT EXECUTIVE COMMITTEE - 3 SEPTEMBER 2024**

The minutes of the Strata – Joint Executive Committee of 3 September 2024 were presented by the Leader and taken as read.

**RESOLVED** that the minutes of the Strata – Joint Executive Committee 3 September 2024 be received.

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**EXECUTIVE - 13 AUGUST 2024**

The minutes of the Executive of 13 August 2024 were presented by the Leader, Councillor Bialyk, and taken as read.

**In respect of Minute No. 88 (Parking Tariffs 2024)** Councillor Knott asked if the former bus station would become a permanent car park. Councillor Holland asked if current users would be exempt from payment as they were at present. Councillor Banyard enquired if there was a time frame for the car park proposal and if there



would be consultation. Councillor Moore asked if there were better ideas than a temporary car park.

The Leader responded making the following points:

- currently there were no charges at the Arena or Riverside car parks;
- he would expect to see these issues commented upon within the consultation;
- that the Council would be mindful of existing users;
- that the forward plan showed Citypoint as an item on the next agenda;
- there was an intention to work with partners to redevelop this large site;
- that regeneration was needed not, a car park;
- that his vision was for residential, retail, amenity space, public realm;
- in the meantime it would be best to make use of the space;
- the space could be used for pop-up shops; and
- to consider obtaining a parking order.

**RESOLVED** that the minutes of the Executive 13 August 2024 be received.

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#### **EXECUTIVE - 3 SEPTEMBER 2024**

The minutes of the Executive of 3 September 2024 were presented by the Leader, Councillor Bialyk, and taken as read.

**In respect of Minute No. 92 (Relocation of Council Services based in the Civic Centre)** Councillor Mitchell enquired as to the timescale. Councillor Moore sought reassurance that HRA Community Rooms would not be turned into offices and Councillor Harding asked about cycle storage at the proposed new site.

The Leader responded making the following points:

- that the timescale would be as soon as possible, however officers' time must be considered;
- that he would be surprised if the Council intended to use community rooms as office space; and
- that a travel plan would be agreed in discussion with Members and unions.

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

#### **In respect of Minute No. 93 (Revised Local Development Scheme 2024)**

Councillor Palmer asked if any co-living would be considered overdevelopment by its nature. The Leader responded that he did not believe so.

**RESOLVED** that the minutes of the Executive 3 September 2024 be received.

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#### **EXECUTIVE - 1 OCTOBER 2024**

The minutes of the Executive of 1 October 2024 were presented by the Leader, Councillor Bialyk, and taken as read.

**In respect of Minute No.97 (Chairs Announcements)** Councillor Ketchin asked for an indication of whether there had been any interest in, or offer on the Clifton Hill site? He also enquired about the Mary Arches car park sale and closure of Exeter City Living and what debt remained.

In his response the Leader stated that there would be no shortfall, all debt had been paid and detail of this would be part two information. He also stated that nothing had come forward so far for Clifton Hill.

Councillor Mitchell asked of the Leader was in favour of 2-tier local government to which the Leader answered that his party were opposed to local government re-organisation but that there would be papers to share in due course.

**In respect of Minute No. 99 (Air Quality Annual Status Report)** Councillor Moore asked to what extent air quality improvement was as a result of actions taken.

Councillor Moore moved and Councillor Ketchin seconded, an additional recommendation that the Council refer the report to the Director of Public Health for a response.

Councillor Read spoke in support of the recommendation. Councillor R Williams explained that discussion would take place following the Air Quality report, management area and plan for 2024, data for which would not be available until the middle of 2025 and DEFRA had suggested that the current plan be continued for another year. Councillor Williams also clarified that she had alerted DCC officers of this today and supported this recommendation.

Councillor Pole congratulated the Council for going beyond the scope of DEFRA and believed that there was a shared aspiration for Devon to be a healthy ageing area.

In summing up Councillor Moore welcomed Councillor R Williams' support and wished the two councils to discuss together.

Following a vote the additional recommendation was CARRIED.

The Leader moved and Councillor Wright seconded the recommendations and following a vote was CARRIED unanimously as amended.

**In respect of Minute No. 101 (Overview Of General Fund Revenue Budget 2024/25 – Quarter 1)** Councillor Moore expressed concern at a trend in budget and impact on services. She asked what consideration the Portfolio Holder would give to supporting staff and building a resilient council as officers were under severe pressure.

The Leader responded saying that he was unable to answer immediately but would welcome discussion with Councillor Moore the next time they met.

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

**In respect of the Minute No. 102 (2024/25 General Fund Capital Monitoring Statement – Quarter 1)** Councillor Banyard and Councillor Read asked about RAMM roof and City Wall repairs including the possibility of re-opening the Rougemont archway.

The Leader advised that detail was needed about the City Wall and that he was confident that could be obtained. He requested that Councillor Read email him to ensure that a better report could be sought.

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

**In respect of Minute No. 103 (2024/25 HRA Budget Monitoring Report – Quarter 1)** the Leader moved and Councillor Wright seconded and following a vote were CARRIED.

**In respect of Minute No. 104 (Approved Projects Options Report)** Councillors Rees and Pole asked for an update on the progress of the Vaughn Road development.

The Leader advised that he had news of the Brownfield Release Fund of which the Council would be a beneficiary, allowing decontamination and other improvements. Exeter would receive over £860,000 to develop in the region of 37 homes. The Portfolio Holder for Housing, Homelessness Prevention and Customer Services, Councillor Asvachin thanked the Leader for this news and added that the Council continues to review the financial viability of Whipton Gardens.

**In respect of Minute No. 105 (Household Support Fund Scheme 6)** the Leader moved and Councillor Wright seconded the recommendation and following a vote was CARRIED.

**In respect of Minute No. 106 (Public Sector Decarbonisation Scheme 3b Project – Ramm & Riverside Leisure Centre)** Councillor Harding asked if the Leader was approached with a view as to whether the project could be completed on time and to budget. Councillor Mitchell asked what lessons had been learnt.

Councillor Vizard reflected that thanks were due to officers for their diligent hard work. Councillor Miller-Boam noted that costs associated had been absorbed. Councillor Moore asked as solutions were not viable, were there additional expense and also how much extra preparation was needed for the new bid.

The Leader responded making the following points:

- that discussion was needed as the Council was waiting for the next PSDS
- he had not been approached by officers;
- that the management-led approach had worked efficiently;
- he had confidence in officers and had been briefed on progress;
- it would have been a mistake if it had come to March 2025 and he had to ask Council for additional funds;
- that there had been learning from the process; and
- that the £871,000 allocated in the budget remained.

**In respect of Minute No. 108 (RAMM Business Plan for Arts Council England National Portfolio Organisation Extension Year 2026-27)** the Leader moved and Councillor Wood seconded the recommendations and following a vote were CARRIED unanimously.

**In respect of Minute No. 109 (Food Law and Health and Safety Enforcement Service Plan 2024- 2025)** the Leader moved and Councillor Wood seconded the recommendation and following a vote was CARRIED unanimously.

**In respect of Minute No. 110 (Tree and Woodland Maintenance and Inspections Contract)** the Leader moved and Councillor Wood seconded the recommendation and following a vote was CARRIED unanimously.

**In respect of Minute No. 111 (Honorary Aldermen – Mr Richard Branston)** the Leader moved and Councillor Wright seconded the recommendation and following a vote was CARRIED unanimously.

**RESOLVED** that the minutes of the Executive 1 October 2024 be received.

71      **NOTICE OF MOTION FROM M.MITCHELL UNDER STANDING ORDER NO. 6**

Councillor M Mitchell moved and was seconded by Councillor Palmer a Notice of Motion in the following terms:-

Exeter City Council notes the recent announcement by the Labour Government to end universal winter fuel payments and restrict eligibility to only those in receipt of Pension Credits and other benefits.

Though many suggest that universal Winter Fuel Payments are not necessary, this Council is deeply concerned that many pensioners on lower and middle incomes will now not receive the payments. Across England and Wales, the number of people eligible for winter fuel payments will fall by 10 million (from 11.4 million to only 1.5 million).

20,384 pensioners in Exeter received winter fuel payments in 2022/23. Under the new policy only 2,240 pensioners will receive the benefit this year. 18,144 Exeter pensioners will lose this benefit under the new rules.

Council believes that the Labour Government has set the threshold at which pensioners do not qualify for Winter Fuel Payments far too low. Those whose income is less than £218.15 a week (or £332.95 a week for couples) are eligible for pension credits. This is significantly lower than the living wage rate.

Council is also concerned by the low take up of pension credit with only 63% of those eligible nationwide receiving pension credit, currently over 880,000 eligible pensioners do not receive this benefit.

Council recognises the role we must play to increase awareness of benefits such as Pension Credit to ensure people are aware of the support they are entitled to. Council further notes that the Energy Price Cap is due to rise by 10% in October, which combined by the removal of Winter Fuel Payments will push many local pensioners into fuel poverty.

**Council resolves to:**

- Instruct the Leader of the Council and other Group Leaders to write to the Chancellor of the Exchequer calling for the policy of linking Winter Fuel Payments to Pension Credit receipt to be immediately paused and to introduce a new threshold to determine eligibility for Winter Fuel Payments.
- further requests the Leader of the Council and other Group Leaders to write to both MPs representing Exeter asking them to give their formal support to halting the proposed changes to the Winter Fuel Payment eligibility.
- Urgently commence a significant awareness campaign to maximise uptake of pension credits and other benefits. This will include use of council noticeboards, social media, promotion in the local press and working with organisations such as Citizens Advice, Age UK and others.

In presenting his motion Councillor Mitchell made the following points:-

- that over 18,000 pensioners in Exeter would lose out;
- that only 2,240 would receive the allowance; and

- that whilst some have asset wealth he is concerned about the impact on some of those most vulnerable in the community.

Councillor Asvachin proposed, seconded by Councillor Pole, an amendment in the following terms:-

“Exeter City Council notes that the last Conservative government wrecked our economy, leaving a £22bn black hole in the public finances. They made commitments they couldn’t pay for, as reported by the OBR.

The Labour government will protect the triple lock on pensions, which saw the new state Pension rise by £900 in April this year. A further increase in the region of £460 per annum will be announced at the Budget in October.

Exeter City Council notes the recent announcement by the Labour Government to revise universal winter fuel payments and restrict eligibility to only those in receipt of Pension Credits and other benefits.

Council is concerned that many pensioners on lower and middle incomes will now not receive the payments. Across England and Wales, the number of people eligible for winter fuel payments will fall by 10 million (from 11.4 million to only 1.5 million). 20,384 pensioners in Exeter received winter fuel payments in 2022/23. Under the revised policy only 2,240 pensioners will receive the benefit this year. During the last Labour government over 500,000 pensioners were lifted out of poverty, and since then a further 200,000 are now in poverty.

Council believes that the Labour Government has set the threshold at which pensioners do not qualify for Winter Fuel Payments far too low. Those whose income is less than £218.15 a week (or £332.95 a week for couples) are eligible for pension credits.

Council is also concerned by the low take up of pension credit with only 63% of those eligible nationwide receiving pension credit, currently over 880,000 eligible pensioners do not receive this benefit across England & Wales. This Council is and are absolutely determined to do everything possible to protect the poorest pensioners, and to increase the uptake of pension credit which the Conservative government failed to do for more than a decade. The Labour government is also supporting pensioners through their Warm Homes plan, supporting investment in insulation and low carbon heating upgrading homes over the course of this parliament.

Council recognises the role to increase awareness of benefits such as Pension Credit to ensure people are aware of the support they are entitled to. Council is absolutely committed to supporting the most vulnerable pensioners – Pension Credit tops up the income of our lower income pensioners and getting Pension Credit could mean automatically getting a Winter Fuel Payment. This would be £200 for eligible households or £300 for eligible households with someone aged over 80s. The new HSF6 fund has now opened and will bring £5,064.876.12 for use across Devon, with £440,000.00 allocated to Energy Relief across the county and £2,816,454.60 to District Councils. The allocation to Exeter will remain similar to the previous allocation.

**Council resolves to:**

- Instruct the Leader of the Council and Chief Executive write to the Chancellor of the Exchequer to request a review into the threshold for Pension Credit, which would assess whether it is set at the right level and if not to support a rise in the

threshold to encompass more pensioners who are receipt of lower incomes; and to encourage government to develop an action to tackle pensioner poverty.

- The Leader and Chief Executive to write to both MPs representing Exeter asking them to give their formal support to this approach.
- The Council will continue their awareness campaign to maximise uptake of pension credits and other benefits and promote applications to the HSF6 fund.”

Councillor Mitchell raised a point of order under Standing Order 10(6)e to which the Monitoring Officer clarified that the amendment did not negate the motion.

In presenting the amendment Councillor Asvachin made the following points:

- that a safety net was needed for those who would just miss out;
- that some did not need the allowance; and
- that it was important to pause and review.

During debate Members' made the following points:-

- that universal provision was not a good system;
- that thresholds must be revisited;
- that long forms were not good; and
- that the triple lock would protect.

Councillor Palmer as seconder of the original motion, made the following points:-

- that pension credit take up was only 63%
- that letters to encourage did not work for all;
- that two of every five excess deaths were caused by heart attack which was exacerbated by cold; and
- that many took to bed by 4pm due to cold.

A Member during debate felt that those eligible for Pension Credit may not be the poorest, rather those a few pounds above the threshold and that there had been no adjustment time or impact assessment. The intention to improve take up had been tried with little improvement.

Councillor Pole as seconder spoke in support of the amendment stating that Government had to protect the country's finances but had seen the biggest increase in Pension Credit take-up.

In summing up Councillor Asvachin stated that this was an emotive subject and thanked everyone for speaking and that all clearly wanted to help those most vulnerable residents.

Councillor Mitchell, as the mover of the original motion, thanked everyone for their contribution, stated that the motion was about an injustice which needed to change and in summing up made the following points:-

- that the two-tier pension system was complex;
- that pensions were due to increase by 4% next April yet energy prices by 10% now;

- that he offered thanks to the government for increasing HSF6 funding which last year helped 2100 households yet only 14% were low income pensioners; and
- that the motion called for immediate pausing of the new Winter Fuel Payment scheme and introduction of new thresholds.

Councillor M Mitchell called for a roll call vote on the amendment, which was supported by Councillors Bialyk, Wood, Vizard, Palmer, Fullam, Rees and Read.

In accordance with Standing Order 30, a named vote on the amendment, was recorded, as follows:-

Voting for:-

Councillors Allcock, Asvachin, Atkinson, Bialyk, Ellis-Jones, Foale, Harding, Hussain, Knott, Miller-Boam, Parkhouse, Patrick, Pole, Rolstone, Snow, Vizard, Wardle, Williams, M, Williams, R, Wood and Wright

(21 Members)

Voting against:-

Councillors Banyard, Bennett, Fullam, Haigh, Holland, Jobson, Ketchin, Mitchell, M, Moore, Palmer, Read, Rees and Sheridan

(13 Members)

Abstain:-

The Lord Mayor

.

(1 Members)

Absent:-

Councillors Begley, Darling, Hughes and Wetenhall.

(4 Members)

Following a vote the amendment was CARRIED and became the substantive motion.

Councillor Moore, seconded by Councillor Read proposed an amendment to the motion in the following terms:

“Request the process to apply for Pension Credit is simplified” and the addition of “that winter fuel payments to all pensioners continue until” within the first bullet point of the resolution contained in the motion.

Councillor Moore in presenting the amendment referring to an earlier debate and aimed to build consensus at a time when finances were challenging.

During the debate, a Member noted that unpaid carers must be considered.

Following a vote, the amendment was NOT CARRIED.

Councillor Knott, seconded by Councillor Patrick proposed an amendment to the motion in the following terms:

“to request that the process to apply for Pension Credit be simplified”

Following a vote the amendment was CARRIED and added to the motion to become the substantive motion.

Councillor Palmer, seconded by Councillor Moore, proposed an amendment in the following terms:

To “ensure that older carers are considered specifically in the review” be added at the end of the first paragraph to read:

“Instruct the Leader of the Council and Chief Executive write to the Chancellor of the Exchequer to request a review into the threshold for Pension Credit, which would assess whether it is set at the right level and if not to support a rise in the threshold to encompass more pensioners who are receipt of lower incomes; and to encourage government to develop an action to tackle pensioner poverty and ensure that older carers are considered specifically in the review”.

Following a vote, the amendment was carried, incorporated within the substantive motion.

Following a vote on the substantive motion as amended, the motion was CARRIED as amended.

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#### **NOTICE OF MOTION FROM BIALYK UNDER STANDING ORDER NO. 6**

The Leader, Councillor Bialyk, seconded by Councillor Vizard moved a Notice of Motion in the following terms:-

That Exeter City Council calls upon Devon County Council as the Transport authority for Devon, to take advantage of the package of measures to empower local leaders to take control of their bus services unveiled by the Transport Secretary on 9th September 2024. The expectation is that these measures will be the first stop on the journey to better buses. Exeter City council requests that Devon as the transport authority, gives serious consideration to these powers and how they may be used in Exeter, and elsewhere in Devon, to improve bus services.

Exeter City further requests that the County Council consider creating a report into the feasibility of these proposals for Exeter and Devon. We would also urge that the County Council consider bringing strategic partners such as Exeter City Council into the discussion, as the provision of effective bus services is something that affects us all and does not recognise boundaries.

Councillor Moore moved an amendment to include the words “and decarbonise” which was accepted the Leader..

Councillor Jobson moved a motion to defer the matter and following a vote the motion was NOT CARRIED.

During debate, Members’ made the following points in support of the motion:

- that following Member intervention, the P bus had been reinstated;
- that meaningful consultation would be welcomed;
- with a fast-growing population it would be important to have a simpler, cheaper and more reliable bus service;
- that Cornwall had a joined-up service;
- that the aspiration was for a bus service rather than business;
- that bravery was needed in creating efficient public transport; and



- that it must be acknowledged that not all areas would be covered.

Councillor Vizard having reserved his right to speak stated that a result of this motion could support Devon County Council to address the climate emergency and would take into account passenger safety and driver welfare.

The Leader in concluding stated that the Equalities Act would be important and that other areas had tap-in/tap-out systems which could benefit the city.

Following a vote, the substantive motion as amended was CARRIED.

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

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

**“What is the position now regarding its land at Pendragon Road in Beacon Heath?”**

The Leader in responding advised that the Executive had decided to not sell the land at Pendragon Road.

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

**“Regarding the part sale of the Council owned Grace Road Playing Fields, if this is a purely commercial decision, a matter of making money, which is what I have been led to believe it is by the council, how does the council justify selling off this part of our precious River Valley Park?”**

The Leader gave the following response:-

The proposal made is to provide an energy centre to support the delivery of a district heat network in the City, which has clear links to our corporate objectives. This clearly is a part of the decision-making process. The point in the report about best consideration determines whether we can make the decision or need to seek Secretary of State approval.

In a supplementary question, Councillor Ketchin asked the Leader if he would share documentation of a robust case from the developer for the site.

The Leader suggested that the Member meet with the appropriate Director and that he would enable this to happen.

(The meeting commenced at 6.00 pm and closed at 9.59 pm)

Chair

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## **PLANNING COMMITTEE**

Monday 7 October 2024

### Present:-

Councillor Paul Knott (Chair)

Councillors Asvachin, Atkinson, Banyard, Bennett, Hussain, Jobson, Ketchin, Miller-Boam, Mitchell, M, Pole and Rolstone

### Apologies

Councillors Hughes and Patrick

### In attendance

Councillors Bialyk and Wood

### Also Present

Strategic Director for Place, Head of Service - City Development, Planning Solicitor and Democratic Services Officer (PMD)

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### **MINUTES**

The minutes of the meeting held on 29 July 2024 were taken as read, approved and signed by the Chair as a true and accurate record.

30

### **DECLARATIONS OF INTEREST**

Councillors Hussain and Miller-Boam chose to recuse themselves for agenda item no. 5, having previously attended residents' meetings on the application in question. Consequently, they left the meeting for the duration of the item.

31

### **PLANNING APPLICATION NO. 24/0655/FUL - 21 HUNTSHAM ROAD, EXETER EX1 3GH**

Once Councillors Hussain and Miller-Boam had left the meeting, the Head of City Development presented the application for Change of use from residential dwelling (Use Class C3) to a residential children's home (Use Class C2).

Members received a presentation which included:-

- site location plan;
- aerial views;
- photographs of 21 Huntsham Road (outside and inside);
- floor plans;
- proposal overview;
- key planning issues; and
- officer recommendation.

The Head of City Development clarified that:-

- the fire service was erroneously referred to in the report as the "Devon and Cornwall Fire and Rescue Service" instead of its correct name "Devon and Somerset Fire and Rescue Service";

- despite correspondence received by officers which questioned the validity of the application, the Planning Solicitor was satisfied that the application was valid; and
- it was not felt that there would be any serious health and safety concerns arising from traffic movements, which would be similar to those of a five-bedroom family home.

The Head of City Development responded to questions from Members as follows:-

- the covenant on the residential area was not a relevant material matter for the Planning Committee;
- previous occupation would not be a determining factor;
- the driveway was shared between two properties, with right of way;
- the Certificate B notice had been correctly served;
- there was no access to the back of the property; and
- there was no statutory requirement for Devon County Council Social Services to be consulted.

Speaking under Standing Order 44, Councillor Wood made reference to:-

- his duty to speak on behalf of a large number of residents;
- the 56 objections received and the 153 petition signatures;
- residents' 'fear of the unknown';
- the obligation for a local authority to take residents' view into consideration;
- the narrowness of the load and lack of pavement;
- the potential of additional cars parked in the direct neighbourhood;
- the constrained streets;
- concern about emergency vehicles;
- the absence of concerns raised by Devon and Cornwall Police;
- the walk-through at the back of the property; and
- overall concern that children were being put in a setting where they were not wanted.

In responses to questions from Members, Councillor Wood made the following further comments:-

- the children's home should have a community liaison person / single point of contact;
- while parking issues would not necessarily be more significant than for a five-bedroom family home, shift-work would be an issue;
- parking was under pressure in Pinhoe;
- the process for introducing residents' parking was arduous and not guaranteed;
- the house was suited to the scheme presented but only in isolation;
- the established community in Huntsham Road had raised concerns about covenants as well as parking; and
- ultimately, the scheme being presented was a business.

Members responded to Councillor Wood's statement and subsequent answers as follows:-

- the fact that there was no access to the property from the garden and that the property was in a cul-de-sac made it an ideal location;
- Devon County Council had not raised any issue;
- children's homes were regulated by OFSTED;
- residents who were concerned about parking should contact Devon County Council;
- there was nothing radical about this particular proposal;

- there was an assumption on Councillor Wood's part that the shift-workers would be using a car; and
- if a couple moved into the property and decided to foster three children, no permission would be needed, and in actual fact the proposal at hand had more safety measures in place.

In further comments:-

- the Head of City Development confirmed to Councillor Wood that the Green Travel Plan was conditioned;
- Councillor Wood had no additional information to give about the petition.

Mr Omar Salam, speaking against the application, made the following points:-

- he was addressing the Planning Committee on behalf of the 158 signatories of the petition;
- some of the information in the officer report was materially misleading;
- the Planning Officer had failed to liaise with the land owner;
- it was inaccurate to refer to the proposal as a "haven for children";
- Devon & Cornwall Police had requested additional information, which the Planning Officer had not provided;
- there had been examples of children escaping from another home run by the applicant;
- there were seven residential gardens neighbouring the property, through which children could potentially escape;
- staff changeover would be considerable and would cause disruption;
- the shared driveway was narrow and the lack of sufficient space would cause congestion; and
- the proposal contravened policies H14 and H11 of the Exeter Plan.

Mr Salam responded to questions from Members as follows:-

- concerns had been raised by a member of Exeter City Council's Health & Safety team (whose name eluded him);
- the neighbourhood had been designed as a purely residential area, and covenants had been put in place for pertinent reasons;
- he was not opposed to children's homes per se but found the proposal was not suited to the neighbourhood;
- the nature of the profile of the children who would be staying in the home ought to be recognised;
- the Planning Officer had removed from their report a paragraph from Devon & Cornwall Police expressing concern about children running away and requesting additional information;
- the location for a proposal of this type should be a detached property;
- this was an opportunistic endeavour in which the applicant had wilfully chosen to target children with mental health and substance abuse issues;
- he was one of the originators of the petition, and had not come across anyone who supported the proposal;
- at another home run by the applicant (in Burrator), a resident had escaped 22 times in nine weeks;
- the prospect of a 17-year-old high on cocaine escaping through neighbours' gardens was terrifying; and
- any Councillor with experience of working with children in care would be predetermined in the decision-making on the proposal.

On the last point, the Chair provided clarification to Mr Salam on the independence of the Planning Committee.

Members made the following further comments addressing the points raised by Mr Salam:-

- any obstruction to the driveway would be a matter for the police;
- Devon County Council Highways had no objection to the proposal;
- any person or business can apply to the Lands Tribunal to have a restrictive covenant removed;
- it was likely that some children in the established neighbourhood would also have mental health and/or substance abuse issues;
- it was felt that assumptions were being made by the objectors; and
- the Committee's decision must be made solely on planning issues.

Speaking in favour of the application, Mr Daniel Robinson made the following points:-

- the application was not merely about a building but about addressing a need;
- the home would provide a safe and nurturing environment for children who sometimes find themselves hundreds of miles away from home;
- his team had worked hard to make the house perfect;
- his intention was for the house at 21 Huntsham Road to act as a model;
- his company was indeed a business but a responsible children care one as opposed to a trading one; and
- he saw the home as working with the community.

Mr Robinson responded to questions from Members as follows:-

- he was a founding director of the company;
- his company had an existing relationship with Devon County Council;
- rigorous risk profiling would be undertaken for each child;
- some children had emotional behavioural difficulties while some had learning disabilities and others had been the victims of abuse or neglect;
- suitability of staff was considered as well as suitability of the children;
- there were no gender restrictions;
- there were no specific or typical duration of stay;
- the terms "escaping" and "running away" used by the previous public speaker were misleading as the home would not be different from a typical family home, except that it would be licensed;
- the project was built on trust first and foremost;
- for some children, running away was part of the coping strategy, and the example referred to by the previous public speaker was that of a resident still getting to learn the place;
- the incident in question had a positive impact in that it helped establish a relationship with the neighbours;
- if the application was successful, he would reach out to all neighbours and invite them in for a visit of the facilities;
- he was currently working with Devon County Council as a primary school placement authority;
- there could be instances where children could be taken in from another authority;
- there were some very good special educational needs (SEN) schools in the area; and
- there would be two cars available for school transport and it would not be any different from a normal family home.

Mr Robinson also provided clarification to a Member on the discrepancy in classification between this property and the children's home in Burrator.

The meeting went into recess at 7:10pm and reconvened at 7:15pm.

The Strategic Director for Place made the following concluding points:-

- in a technical planning context, the proposal was deemed to be generally acceptable;
- any concern raised had been considered;
- no objection had been received from Devon County Council regarding transport or parking;
- the home would be strictly governed by safety regimes;
- the largest part of the conversation was around vulnerable young children;
- a management plan had been submitted, and any approval would be subject to conditions; and
- while there was clear emotion from all sides, only land use could be considered in the decision-making.

The Head of City Development clarified that:-

- the applicant had responded to queries from Devon & Cornwall Police;
- any covenant in place had nothing to do with planning, and could not be enforced by the Council;
- a management plan had been submitted as part of the application;
- while the grass verges either side of the walkway outside the curtilage of the residences was not meant to be parked on, this did not constitute a material consideration for this application; and
- there was no Green Travel Plan in existence, which explains why this was added as a condition.

During debate, Members expressed the following views:-

- it was difficult to find any reasons to refuse the proposal on planning grounds;
- the advice of the Planning Officer was very clear;
- it was felt that the highways issues had been minimised, as had the concerns around movement from children around Exeter; and
- the Planning Committee could consider insisting on an explicit condition around a named liaison person / single point of contact.

The Strategic Director for Place talked the Planning Committee through how conditions could be added and/or amended.

The Chair moved, and Councillor Jobson seconded, that the wording “and submitted management plan as has been received” be added at the end of Condition no. 2. On a vote, this was CARRIED.

A Member requested that a condition be added to support the provision of a named community contact. Another Member clarified that the person in question should be available 24/7. The Head of City Development suggested that the exact wording of this additional condition be delegated to Planning Officers.

It was moved by Councillor Rolstone, and seconded by Councillor Asvachin, that a condition be added to support the provision of a named community contact available 24/7 and that the wording of said condition be delegated to Planning Officers. On a vote, this was CARRIED.

Before the final vote, a Member reminded the Committee of the importance of seeing Community as a wider concept, remarking that a serving Exeter City Councillor had grown up in the care of a Local Authority.

The recommendation was for approval subject to the conditions as amended during the meeting.

The Chair moved and Councillor Atkinson seconded the recommendation, which was voted upon and CARRIED unanimously.

**RESOLVED** that planning permission for change of use from residential dwelling (Use Class C3) to a residential children's home (Use Class C2) be approved subject to the conditions as amended during the meeting.

32                    **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

Councillors Hussain and Miller-Boam rejoined the meeting.

The report of the Strategic Director for Place was noted.

33                    **APPEALS REPORT**

A Member enquired how Exeter City Council fared in the national Appeals statistics. The Head of City Development replied that he had not yet produced the latest statistics but felt confident that there was no cause for concern.

The report of the Strategic Director for Place was noted.

(The meeting commenced at 5.32 pm and closed at 7.50 pm)

Chair



## CUSTOMER FOCUS SCRUTINY COMMITTEE

3 October 2024

### Present:

Councillor Catherine Rees (Chair)

Councillors Begley, Darling, Fullam, Harding, Holland, Hussain, Miller-Boam, Moore, Patrick, Pole and Read

### Apologies:

Councillors Parkhouse and Wardle

### In attendance:

Councillors Vizard, R Williams and Wright

### Also present:

Strategic Director for Corporate Resources, Head of Service - Legal and Democratic Services & Monitoring Officer, Service Lead - Active & Healthy People, Head of Service - Finance, Senior Rates Officer and Democratic Services Officer (PMD)

## 24 **Apologies and Appointment of Deputy Chair**

Apologies were received from Councillors Parkhouse and Wardle. Councillor Rees assumed the Chair and Councillor Darling was appointed Deputy Chair for the meeting.

The Chair also announced that the agenda would be reordered due to unavoidable logistical constraints.

## 25 **Minutes**

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 27 June 2024 were taken as read, approved and signed by the Chair as a true and accurate record.

## 26 **Declarations of Interest**

No declarations of interest were made by Members.

## 27 **Questions from the Public under Standing Order No. 19**

The Chair reported the receipt of four questions from members of the public under Standing Order No. 19:-

Question from Ms Freya Searle

**“In undertaking the Scrutiny of funding for Citizens Advice Exeter, proposed by Councillor Mitchell, will the Committee establish what steps Exeter City Council is taking to mitigate the impact of this funding cut on the most vulnerable in our City?”**

The Chair asked Councillor Vizard, Portfolio Holder for Climate, Ecological Change

and Communities, to answer Ms Searle's question. Cllr Vizard gave the following response:

"The Council already provides its own services and promotes a wide range of other services like those provided by ECAB and will continue to do so. The Council already promotes and signposts to a wide range of local and national in-person and on-line services which offer similar support to that offered by ECAB to vulnerable citizens. Locally these in-person services include Inclusive Exeter and Ukrainian Connections who provide advice and information to individuals from culturally diverse communities. Other organisations such as Age UK provide advice and information specifically to older people. Partners within Colab Exeter provide a wide range of support to people at risk of homelessness, with drug and alcohol dependency and street attachment. Colab Exeter also provides information and advice to vulnerable women. Wellbeing Exeter Community Builders and Connectors also sign post to a wide range of information, advice and support services.

The Council employs teams of officers who provide information and advice to vulnerable people and those on low incomes in several ways: through signposting in our Customer Connect Centre; online and in-person access to, and processing of welfare payments through our Revenue and Benefits Team; in-person access to information, advice and support for those who are at risk of, or are homeless through our Homeless Prevention Team and for our social housing tenants through our Tenancy Support Services. We also contract for targeted advice services for people facing homelessness with an independent third party to ensure people have choice and this year's contract has been awarded, by competitive tendering, to ECAB.

Since the Covid 19 pandemic there has been a paradigm shift to the use of on-line services which provide trusted sources of information and advice. Amongst those we promote are the National Debt help line and Gov.UK Get free debt advice. We recognise there is always more we can do through our social media and other networks to promote trusted local, national, on-line and in-person sources of information and advice and will continue to expand our signposting activity."

In a supplementary question, Ms Searle asked if the Council had done any assessment of other agencies. Councillor Vizard replied that further consultations and assessments would be made.

Question from Ms Fiona Jane Willmott

**"In undertaking the Scrutiny of funding for Citizens Advice Exeter, proposed by Councillor Mitchell, will the Committee establish whether it conducted an equality impact assessment of the impact of the funding reduction on Citizens Advice Exeter and the most vulnerable in our City?"**

The Chair asked Councillor Vizard, Portfolio Holder for Climate, Ecological Change and Communities, to answer Ms Willmott's question. Cllr Vizard gave the following response:

"An EQIA was appended to the report to Executive of 22nd January 2024 on the Community Grants Programme Proposal 2024/25."

Ms Willmott remarked that she had been unable to find the EQIA. Councillor Vizard replied that it was attached to the report but offered to have a copy of it sent to her.

Question from Mr James Willmott

**“What analysis has the City Council conducted on the impact of the withdrawal of funding to Citizens Advice in terms of additional costs to Exeter City Council from households being unable to meet their rent and council tax payments; and the likely increase in homelessness applications to the City Council?”**

The Chair asked Councillor Vizard, Portfolio Holder for Climate, Ecological Change and Communities, to answer Ms Willmott’s question. Cllr Vizard gave the following response:

“Officer discussion took place and advice was sought from managers of critical frontline services, on the potential impacts in the termination of this contract which had exceeded its term. There was insufficient data to enable any objective assessment of potential impact on Council or other services. However there had been no discernible impact on Council services since the 59% reduction in funding for the final year extension to the original contract (March 2023/4).”

In a follow-up question, Mr Wilmott asked how this conclusion could be drawn without consultation with Citizens Advice, remarking that Citizens Advice were meeting the funding shortfall. Councillor Vizard replied that Exeter could only assess what it was able to from available information, adding that further wider consultations would take place.

Question from Mr Robin Campbell

**“Prior to arriving at a decision that Exeter City Council withdraw funding from Citizens Advice Exeter, were ‘service users and the wider community’ able to ‘put forward options’ as required in the ‘Best Value Statutory Guidance’?”**

The Chair asked Councillor Vizard, Portfolio Holder for Climate, Ecological Change and Communities, to answer Ms Willmott’s question. Cllr Vizard gave the following response:

“The current funding for ECAB is a one-off grant of £75,000 for non-specific activities to ‘allow officers to work with CAB on transitional arrangements’. Therefore, there were no specific services attached to this grant.”

Mr Campbell felt that this did not sound right and commented on the statutory guidance on the matter. The Monitoring Officer advised him that the Portfolio Holder had answered his question and that subsequent comments did not constitute a supplementary question.

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

In accordance with Standing Order No. 20, the following questions were submitted by Members:-

Question from Councillor Moore to Councillor Asvachin, Portfolio Holder for Housing, Homelessness Prevention and Customer Services:-

**“In response to my enquiry over the summer, the Strategic Director People told me that between April 2019 - March 2024 there have been 35 homes investigated as potentially empty homes of which 17 were found to be not empty. There have been no compulsory purchases, issuing of an empty**

**dwelling management order or an enforced sale. The Council's Council Tax team are constantly investigating the status of properties proactively. Reports received from members of the public often involve other public health or nuisance matters which are responded to on a reactive basis by the appropriate team. Various staff involved across the council regularly liaise and share information.**

**What will you do as Portfolio holder to proactively ensure empty homes are sought out and brought back into use?"**

Councillor Asvachin was not in attendance; Councillor Moore was advised by the Chair that a written answer would be provided.

Question from Councillor Read to Councillor Asvachin, Portfolio Holder for Housing, Homelessness Prevention and Customer Services:-

**"Thank you for your answer to my question recently regarding the kitchens in the Great Western Hotel stating that they have been fitted out with microwaves but no ovens or hobs due to fire risk. Does the Council think it is acceptable for the two families living there to have no access to proper cooking equipment? How can people create nutritional low cost meals with only use of a microwave? What can be done about this please?"**

Councillor Asvachin was not in attendance; Councillor Read was advised by the Chair that a written answer would be provided.

Question from Councillor Read to Councillor Vizard, Portfolio Holder for Climate, Economical Change and Communities:-

**"In response to a question from the Marilyn Spurr, a member of the public, Cllr Vizard replied that he would reply in writing to Ms Spurr's follow up question in writing. Can he share his written response please?"**

**Also, can Cllr Vizard share his written response to another member of the public's question put by Chris Hill asking if Cllr Vizard agreed that the carbon footprint of a bank regarding fossil fuel exploitation should be taken in to account when choosing a bank.**

**Given the council invests with CCLA Property Fund that is underpinned by ESG principles, does he agree that it would be reasonable to extend such ethical investment across all of the council's investment approaches and have a policy on ESG such as other Councils such as Oxford have, in order to be progressing towards the Council's target of net zero by 2030?"**

Councillor Vizard remarked that the questions had been sent particularly late – namely, 11.30pm the night before the meeting –, which did not allow for in-depth replies. He confirmed to Councillor Read that he had emailed Ms Spurr and Mr Hill on 22 July with identical answers to their supplementary questions. Following a request from Councillor Read, the Portfolio Holder read out the answer in question:-

**"Thank you for raising your concerns in respect of the Council's investment in the Barclays 'Green' 65-day notice account. Investments with Barclays comply with the Council's approved Treasury Management Strategy and counterparty list, as provided by our appointed external treasury advisors.**

As presented to Customer Focus Scrutiny Committee, the Council seeks external treasury management advice from the Link Group. Link provide regular counterparty lists and suggested investment durations and notify us of any creditworthiness changes. These counterparty lists are based on credit ratings from the three rating agencies (Fitch, Moodys and Standard & Poors), and the rating agencies take Environmental, Social & Governance (ESG) risk into account when they make their assessments.

With regards to Barclays, please find attached their latest Climate Change Statement, which sets out their position and approach to sensitive sectors and includes new restrictions on financing upstream oil and gas, as well as enhanced due diligence requirements for biomass.

Following discussion between myself, the Council Leader and Director of Finance, ECC will review options for its investments to identify what alternative products are available in the market, the ratings attached, liquidity and yield. We will consider non fossil fuel investing alternative providers while balancing our obligation to maintain treasury management practices in accordance with the Secretary of State Investment Guidance and CIPFA's Treasury Management in the Public Services Code of Practice.

I have asked that a report be brought back to an appropriate councillor committee."

Replying to a supplementary question from Councillor Read, the Strategic Director for Corporate Resources advised that he had sent a notice to Barclays 68 days ago to withdraw the ECC funds but that the money hadn't been received yet. He also asked Councillor Read for a copy of Oxford City Council's Environmental, Social and Governance (ESG) policy.

Question from Councillor Read to Councillor Wright, Deputy Leader and Portfolio Holder for Corporate Services and City Centre:-

**"Given the announcement by the new Home Secretary about a set of measures to combat VAWG what can we expect in Exeter to flow from this? And can we expect improvement in the ASB around South Street and Cathedral Green? What measures do you expect to be put in place to achieve this?"**

Councillor Wright responded as follows:-

On the Home Secretary's announcement

"The announcement that the Home Secretary will be spearheading a cross-government approach to tackling violence against women and girls is welcomed by survivors of domestic abuse, numerous charities and support networks and also by many of us working in local government and related fields.

To quote Farah Nazeer, Chief Executive of Women's Aid;

'Domestic abuse and male violence is a problem that requires collaboration across government and society. The involvement of the Treasury and the Chancellor of the Exchequer will be particularly important due to the urgent need for sustainable funding to the specialist services that support survivors. The funding gaps that have been left from decades of chronic underfunding means that we need to see the Government committing at least £516 million every year to domestic abuse services, so that these lifesaving services can continue empowering survivors to heal from the trauma of abuse and rebuild their lives in safety.'

'Raneem's Law', is in memory of Raneem Oudeh and her mother Khaola Saleem, who were murdered by Raneem's ex-husband in 2018. There were 13 reports made to the police about concerns for Raneem's safety, with no arrests made. On the night she was killed, she rang 999 four times.

Under Raneem's Law, domestic abuse specialists will be embedded into 999 control rooms, where they will advise on risk assessments and work with frontline officers to ensure a fast and appropriate response. Almost 100 domestic abuse related offences were recorded by the police every hour on average last year. This new initiative will ensure calls for help are treated with the urgency needed and victims get the specialist support they need straight away. The government will fund this pilot in targeted police forces\* from early 2025. These specialists will be backed up by dedicated teams to improve how the police respond to these kinds of calls, including using new technology to respond more quickly such as rapid video response. 'Raneem's Law' will be put on a statutory footing by issuing national guidance that police will be required to follow. Please note that we don't know yet whether Exeter will be one of the 'targeted police forces' but I will be raising this question with the Police and Crime Commissioner at tomorrow's Panel meeting.

Home secretary Yvette Cooper says;

'Through an expert-led, practical police response, we need to ensure that when victims and survivors of abuse have the courage to come forward it will be treated with the seriousness and urgency it deserves. Our mission is for the whole of government, agencies, organisations and communities to work together to halve violence against women and girls in a decade, and today is just one step of many towards tangible and long-lasting change.'

The new Domestic Abuse Protection Orders (DAPOs) aim to go further than existing protective orders with the introduction of new features including electronic tagging. This compliments the introduction of the Domestic Abuse Act (passed nearly 4 years ago). Effective protective orders demand close collaboration with specialist services who are able to help survivors access justice.

The orders will cover all forms of domestic abuse, including violence, stalking and controlling behaviour, and more agencies will be able to apply for them – not just the police and criminal courts but also family and civil courts, and third parties such as local authorities, charities and social services, with victims also able to apply directly for the order themselves. Breaching one of these new orders will be a criminal offence, punishable by up to 5 years in prison.

I would expect that there will be a directive to our local police force around this and also for ECC around joint tenancy law regarding our own housing. Our own housing team have always worked incredibly well within this area anyway and have just produced a new Domestic Abuse Policy which will be coming to Exec in November. My hope would be that alongside new legislation, new funding will also come forward to enable us to do more from within ECC and also for relevant partners such as Co-Lab women who are currently seeking to provide a Women's Centre in Exeter which would incorporate emergency shelter for victims of DV.

#### On ASB around South Street and Cathedral Green

The measures described around the Home Secretary's announcement about violence against women and girls is not directly applicable to the issue of anti-social behaviour around South Street and the Cathedral Green. However, I will address this question as a separate issue;

ECC in partnership with InExeter Business Improvement District and Devon and Cornwall Police have recently launched a new Community Safety Team. This is in collaboration with the policing Hot Spot initiative to target ASB across Devon & Cornwall. Exeter has been placed in Tier 1 for Hot Spot policing following crime data around ASB and the excellent partnership work between ECC and InExeter responding to businesses and members of the public. This team of four come from our own enforcement team and have enhanced responsibilities, training and scope. The team work closely with the police, local businesses, InExeter, partner organisations and the public to deal with ASB and to create a reassuring presence in the city centre. This is a pilot project which started in July so hard data around the impact will be presented to the Police and Crime Commissioner's panel in November. I will share this with all councillors.

This team also links closely with the homelessness prevention outreach team. The team are currently completing police training to enable them to action the Exeter Public Spaces Protection Order (PSPO) where needed. Soft data narrative from local businesses about the positive impact already seen by having the team in place is very good. This is being collated by InExeter and will be part of the reporting process to follow."

The Portfolio Holder placed on record her thanks to the Interim Director Community Services for his help in drafting this response and made further reference to:-

- the reopening of the Exeter Safe Space, with the help of a £10,000 grant from the Office of the Police and Crime Commissioner;
- the two shifts she had done at the Exeter Safe Space as a volunteer; and
- how the Exeter Safe Space was now a registered charity.

## 29 **Relocation of Council Services Based in the Civic Centre**

The Strategic Director for Corporate Resources gave a succinct summary of the salient points of the report submitted. He then answered Members' questions as follows:-

- all the affected tenants of the Guildhall Shopping Centre had breakable leases;
- the Children's Centre had a long lease but the Exeter City Council would be working with Devon County Council about this;
- it would take a minimum of two years for any move to take place;
- there hadn't been as many financially viable options as hoped;
- the possibility of renting office accommodation around Southernhay had been explored;
- Exeter City Council needed to make better use of its assets;
- the cheapest option was always to move into something you already own;
- the Guildhall Shopping Centre had good quality lifts and addressed accessibility issues for committees;
- it was recognised that the Guildhall itself was not comfortable for Full Council;
- different scenarios and options – such as the cost of moving vs the cost of staying in the Civic Centre) would be produced and included in a report; and
- while there was a range of options across the various parts of the city, the preference was for the city centre.

He made further reference to:-

- the benefits of increased footfall at the Guildhall Shopping Centre;

- how hot desking and a desk space booking system would be implemented in any new premises;
- consultations with the staff sounding board and the 'project group'; and
- the need for the RAMM to be part of the conversation.

Members agreed with the steps to be taken in accordance with the recommendations set out in the report to Executive and Council.

### 30 **Scrutiny Forward Plan - Budget Monitoring**

The Chair presented hers and Councillor Parkhouse's proposal for scrutiny around Budget Monitoring, namely "to scrutinise the reports for Quarter 2 and for Quarter 4 (or 'Outturn Report')". She called for cross-party consensus on this scrutiny proposal, advising that she and Councillor Parkhouse had already discussed it with the Strategic Director for Corporate Resources.

The Strategic Director for Corporate Resources explained the rationale behind Q2 and Q4, adding that:-

- the three reports that go to the Executive would be provided (General Fund, Housing Revenue Account and Capital Monitoring);
- the report would provide Members with an opportunity to understand variances; and
- for scrutiny to be impactful, getting the sequencing and timing right was essential.

Responding to a query from a Member, he clarified that one of the tangible results of this piece of scrutiny would be to identify trends.

It was moved by Councillor Read, and seconded by Councillor Patrick, that Scrutiny of the Budget at Quarter 2 and Quarter 4 be added to the Scrutiny Work Plan as a standing item. On a vote, the motion was CARRIED unanimously.

### 31 **Portfolio Holder Update - Climate, Ecological Change & Communities**

The Chair announced that the Portfolio Holder update would be taken as read and opted to go straight to questions.

Councillor Darling remarked that the company in charge of running the Exeter Community Lottery was based in Australia and felt that a company based in Devon or at least in the UK might be better suited. The Place Partnership Manager advised that an options appraisal had taken place and that the operator in question, Gatherwell, worked with over 100 local authorities. The Portfolio Holder added that the contract would be reviewed after two years from the start date of the Exeter Community Lottery.

The Portfolio Holder also made reference to the successful tender for homelessness outreach work.

Councillor Read commented on the underspend, remarking that more requests came at the end of the year. She suggested adopting a different approach, as under the current process, unspent money did not roll forward. She also felt that Members could be informed in advance of how much money would be left. Councillor Vizard replied that he was open to thoughts from Members on the matter; the Place



Partnership Manager added that proposals for the Grants Panel would be welcomed too.

Councillor Harding noted a reference to “more stringent targeting of the grants” in the report and called for consideration to be given to how grants would be promoted to wards that did not have Community Builders. This was also something on which the Portfolio Holder welcomed suggestions from Members. The Place Partnership Manager encouraged Councillors to flag community organisations they felt ECC ought to talk to.

During further discussion, reference was made to:-

- Strategic Needs Assessments for community buildings;
- progress on the Wellbeing Exeter contract being taken over by Exeter Community Initiatives;
- the merits of outsourcing vs insourcing for community buildings; and
- the work evaluation partner for the community building audit.

The Portfolio Holder also confirmed to Councillor Moore that ECC would be consulting with communities on neighbourhood CIL money after 2026.

Members noted the Portfolio Holder update.

### **32 Update on the Consultation Charter and Development of an Engagement and Consultation Policy**

Members noted that no officer was in attendance to present this item. With the approval of the Chair, Councillor Wright explained that:-

- the report that had been submitted was only an interim update; and
- the November 28 meeting of the Customer Focus Scrutiny Committee would be a better forum to receive a fuller report.

The Committee formally requested that the item ‘Consultation Charter and Development of an Engagement and Consultation Policy’ be brought back to the next meeting (November 28), to be presented by the Strategic Director for People and Communities.

### **33 Box Shifting Practice, Business Rates and Empty Property Relief**

The Head of Finance and the Business Rates Manager gave Members a summary of the report submitted and responded to questions as follows:-

- in terms of quantification, around 60 businesses currently benefit from Empty Property Relief (EPR);
- the Council could only work within the regulations;
- there was a lot that the (previous) Government could have done, but didn’t; and
- ‘box-shifting’ was indeed a loophole.

During debate, Members made the following comments:-

- maybe the EPR was sometimes used for positive purposes, as some properties were empty for valid reasons (rather than to exploit a loophole);
- clarity was needed about what the EPR was there for, as well as about who was being penalised ultimately; and
- sometimes it was a better option for a company to sell an empty property.

It was moved by the Chair, and seconded by Councillor Darling:-

1. that officers report to the Customer Focus Scrutiny Committee in six months' time on the impact of the change in the law;
2. that senior Council officers consider writing to the Secretary of State and the Local Government Association to raise the issues concerning the practice of 'box-shifting'.

On a vote, the motion was CARRIED unanimously.

## 34 Scrutiny Work Plan and Proposals Received

Members discussed the Work Plan and Scrutiny Proposals submitted.

There was consensus that having fewer items on the agenda would allow for more efficient scrutiny and, consequently, it was agreed that the items 'Update on Exeter Community Lottery - First Year of Operation' and 'Tenants Energy Review of our Passivhaus Council Homes' were not time-critical and could be deferred. Also, in Councillor Parkhouse's absence, the discussion around Stagecoach South West was pushed back to the November meeting.

### Citizens Advice in Exeter

Clarity was given to Members that Standing Order 18, under which Councillor M Mitchell had submitted this proposal, could trigger an item not only to be discussed for inclusion on the work programme but, if the matter was deemed urgent, to feature on the agenda for the next meeting.

Councillor M Mitchell, speaking under Standing Order 44, made particular reference to:-

- the context of Wellbeing Exeter;
- the financial position of Citizens Advice;
- how, to many people in the community, Citizens Advice was seen as an emergency service;
- conversations he had had with Citizens Advice.

He suggested the piece of scrutiny could take the shape of:-

- an officer report which considered the relationship between ECC and Citizens Advice;
- a presentation from Citizens Advice; and
- a Q&A session.

There was consensus for the item 'Citizens Advice in Exeter' to be put on the agenda of the November meeting but the Monitoring Officer reminded that clarity was essential for the scoping out of the report, remarking that Councillor M Mitchell had not yet submitted a detailed proforma.

Consequently, it was moved by Councillor Moore, and seconded by Councillor Fullam:-

1. that the item 'Citizens Advice in Exeter' be added to the agenda of the 28 November 2024 meeting of the Customer Focus scrutiny Committee; and
2. that the scoping of the item in question be delegated to the Scrutiny Programme Board at their 16 October 2024 meeting.

On a vote, the motion was CARRIED unanimously.

Members then discussed the budget scrutiny suggestions submitted to Councillors Parkhouse and Rees in the summer, as requested at the previous meeting. The suggestions had been collated and included in the agenda for the present meeting.

The Monitoring Officer reminded Members that submitting a proforma facilitated the scrutiny process and made the following further comments:-

- the Strategic Director for Corporate Resources wanted to enable scrutiny;
- it was sensible for the Section 151 Officer to present budget scrutiny items; and
- for the 2025-26 exercise, it would be possible to bring forward the January meeting of the Customer Focus Scrutiny Committee.

#### Proposal from Councillor Read (as submitted)

After discussion, it was moved by Councillor Read, and seconded by Councillor Miller-Boam, that the Customer Focus Scrutiny Committee receive an Update on the Budget Setting Process, to include the Capital Budget and the consideration of options at the 28 November 2024 meeting.

On a vote, the motion was CARRIED unanimously.

#### Proposal from Councillor Moore (as submitted)

After discussion, it was moved by Councillor Moore, and seconded by Councillor Patrick, that Councillor Moore's budget scrutiny proposal be approved in principle subject to a detailed proforma being submitted.

On a vote, the motion was CARRIED.

#### Proposal from Councillor Miller-Boam

It was noted that Councillor Miller-Boam had submitted a second part to her proposal, which had been left off the agenda pack. This second part was tabled at the meeting; it suggested the following be covered:-

- the process for the budget public consultation (after the completion of the consultation);
- how many responses were received;
- availability and accessibility of the consultation; and
- demographics of the respondents.

After discussion, it was moved by Councillor Miller-Boam, and seconded by Councillor Read, that Councillor Miller-Boam's budget scrutiny proposal be approved in principle subject to a detailed proforma being submitted.

On a vote, the motion was CARRIED unanimously.

#### Key People Activity Across the Council

Councillor Miller-Boam suggested and moved that, in light of supportive comments from SMB about Councillor Palmer's proforma, discussion on this proposal should take place at the January 2025 meeting, with a potential date of March 2025 for the report to be presented to committee if approved. This was seconded by Councillor Rees and CARRIED.

It was moved by Councillor Rees and seconded by Councillor Darling that the Customer Focus Scrutiny Committee approve the Work Plan as amended during the meeting. Following a vote, the recommendation was CARRIED unanimously.

The meeting commenced at 5.30 pm and closed at 9.05 pm

Chair

## STRATEGIC SCRUTINY COMMITTEE

14 November 2024

### Present:

Councillor Councillor Liz Pole (Chair)

Councillors Mitchell, M, Atkinson, Haigh, Hughes, Jobson, Knott, Moore, Palmer, Rees, Rolstone and Snow

### Apologies:

Councillors Ellis-Jones and Williams, M

### Also present:

Strategic Director for Place, Assistant Service Lead – Local Plan, Head of Legal and Democratic Services & Monitoring Officer, Planning Solicitor, Democratic Services Manager and Democratic Services Officer(LS)

### In attendance:

#### 37 **Minutes**

The minutes of the meeting held on 12 September 2024 were taken as read, approved and signed by the Chair as correct.

#### 38 **Declarations of Interest**

No declarations of interest were made by Members.

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

There were no questions submitted by the public.

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

In accordance with Standing Order No. 20, the following questions were submitted by Councillors Jobson, Mitchell, Moore and Palmer in relation to the Portfolios of Councillors Allcock, Bialyk and Wood who attended the meeting. The questions were circulated at the meeting to Members of the Committee.

The Chair clarified that due to the number of questions received and supplementary questions would be answered in writing only and appended to the minutes.

Questions and responses are set out below:

##### **Questions from Councillor Jobson**

**Question:** Is there a break down of the finances of Wellbeing Exeter on an annual basis and is there an independent audit that can be produced to members to show the value for money to the Council Taxpayer of Exeter?

**Response from Councillor Wood:** Annual financial information is available. This has not been subject to specific independent audit. Evaluation and impact reports identify social value through a variety of approaches.

**Question:** I note from the reports available that between 2016 and 15th March 2024 (New Report highlights massive impact of Wellbeing Exeter on communities) 5,503

have accessed their services. Can this be broken down to an annual or bi-annual count for each year from 2016?

**Response:** Quarterly dashboards of impact and outcomes are produced and uploaded to the Wellbeing Exeter website [Impact | Wellbeing Exeter | Exeter](#)

**Question:** Does Sport England require quarterly returns to show how money is spent and is that against contractual targets? If there are no contractual targets are any targets set and if so is it possible to know the basis on which those targets are set?

**Response:** The Sport England Grant Agreement requires the production of performance reports on all aspects of the Live and Move Programme including Wellbeing Exeter. Six monthly evaluation reports are sent to Sport England: these are available on the Live and Move website. [www.liveandmove.co.uk](http://www.liveandmove.co.uk) Outcomes are monitored at a number of levels, strategically we focus on information on physical activity levels gathered through our Local Active Lives Survey. More information is available here: : [PowerBI Dashboard](#)

**Question:** From that 5,503 is any analysis undertaken at periods of say 6mths and a year after the project that involved them or the activity they were prescribed has concluded to enable an analysis of the long term benefits to be undertaken?

**Response:** In 2023/24 we commissioned an academic evaluation of Wellbeing Exeter the details are in the impact report available here: [www.exeter.gov.uk/wellbeing](http://www.exeter.gov.uk/wellbeing)

This is worth a read as it sets out a range of impressive outcomes using a variety of evaluation methodologies, for example the research concludes that *“Robust data analysis shows that community connecting is effective in improving wellbeing, reducing loneliness, and connecting people with their community. Scores on recognised scales for levels of loneliness and wellbeing both saw a marked improvement.”*

Wellbeing Exeter is more that Community Connecting and the Impact report is rich in evidence of the positive impacts all aspects of its work are having across the City.

**Question:** Is any income received from, for instance, the GP surgeries who are making use of Wellbeing Exeter? If so, are any accounts available?

**Response:** There is no funding from the NHS into Wellbeing Exeter.

**Question:** Should not a report come to Strategic Scrutiny and potentially Audit and Governance that sets out such a detailed analysis?

**Response:** Any of the Wellbeing Exeter reports can be scrutinised.

Given the renewed interest in Wellbeing Exeter being shown by members I have asked officers to provide the opportunity for members to attend information and briefing sessions about Wellbeing Exeter where they can find out more about this excellent pioneering work in the City of which we should all be very proud of.

**Question from Councillor Palmer:** Young people in the care system struggle to access many things, do we offer anything specifically to help?

**Response from Councillor Wood:** This could be considered alongside increasing uptake.

**Questions from Councillor Moore:** **Re Bids have been submitted and due diligence has been undertaken at Clifton Hill.** ECC received £425,000 for demolition and enabling works from Government - what has happened to those funds?

**Responses from the Leader:** £200k of the funding was used to demolish the former leisure centre. £120k for Surface Water Attenuation, £85k for a Substation and £20k

for off-site enhancements for the local community are held on ECC's accounts and can be drawn down when the works are undertaken.

**Councillor Moore asked a supplementary question:** Will the community be involved in this?

**Question: Exeter Development Fund** As the Exeter Development Fund has now been removed as a mitigation on the risk register I assume the project is no longer supported. A task and finish group was set up but didn't do anything. Will the leader commit to councillor involvement in the "identification, timing and modelling for a smaller site. or flagship sites" for the Liveable Exeter project?

**Response:** I have asked that the Portfolio Holder for City Development, to be kept informed of progress with the Exeter Development Fund. Once the technical work is completed next year, I will update Councillors accordingly.

**Councillor Moore asked a supplementary question:** Are the Council committed to Exeter Development Fund?

**Question:** As of June 2023 ECC held £805,000 of funds from DLUHC for work on the Exeter Development Fund, how have these monies been spent over the past year and what are the deliverables that have been achieved?

**Response:** Government funding is enabling ECC to explore delivery models, so the learning can be shared more widely (by MHCLG) and potentially replicated in other places. When the technical work is completed next year, the outputs will be handed over to MHCLG.

**Councillor Moore asked a supplementary question:** Has any money been spent on this?

**Question:** In 2021 ECC received £5,966,470 One Public Estate monies for the following sites to create homes on the following sites:

- Cathedral and Quay Car Park
- Mary Arches Car Park
- Bonhay Meadows
- Belle Isle
- Exeter Canal Basin

What deliverables have been achieved for each site, how much money has been spent on each site and how much money returned to Government?

**Response:** £1,009,870 for Bonhay Meadows and the £2,373,183 for Cathedral and Quay were returned to Central Government last year. The remainder is held on ECC's accounts and can be drawn down if/when the works are undertaken.

**Councillor Moore asked a supplementary question:** Canal basin money, what has been, or is expected to be spent?

**Question: Open Space depot** As land values have changed since the decision by the Council to dispose of Belle Isle is it still financially viable for the Council to dispose of Belle Isle, buy another depot, cover the costs of the move and establish a new depot?

**Response:** Our appointed acquisition and disposal agents are confident an alternative site can be acquired within budget and that the disposal values haven't changed materially since the decision.

**Councillor Moore asked a supplementary question:** Is the agent looking for sites outside Exeter given prices?

**Question from Councillor Palmer:** could we have an update on the King Billy site at the corner of Longbrook st - the site has been abandoned following unauthorised demolition of a medieval wall - what action is being taken against the developer for this and when will further work commence on the site?

**Response from Councillor Allcock: King Billy Site Update:** The King Billy site encountered issues with the medieval wall during the adjacent demolition of the King Bill Pub, compromising its stability. As a result, Exeter City Council had to perform an emergency demolition of the wall's upper section. Subsequently:

- The applicant, under application 23/1215/VOC, assessed the wall as unstable and received approval from the case officer at that time to partially demolish it. Unfortunately, this led to a more extensive demolition than initially intended.
- The Council considered actions to require the wall's reconstruction. However, because the historical significance lay primarily in the wall's original authenticity, it was deemed more effective to preserve and protect the remaining wall, along with ensuring the remnants continue to reflect the site's historical character.

**Councillor Palmer asked a supplementary question:** When would further work commence?

**Question:** In relation to other approved PBSA sites at Cowley Bridge and West Park why are these developments delayed?

**Response: Cowley Bridge Road:** Delays at this site relate to complex ground contamination issues, for which the Council has been working with the Environment Agency and the developer to protect groundwater quality. The current target for occupation is September 2026.

**West Park:** No specific delays have been identified at the West Park site. The most recent application (24/0184/VOC), approved in May 2024, introduced a phased plan and various design adjustments, which are proceeding as scheduled.

#### 41 **Portfolio Holder Report - Leader, Councillor Bialyk**

The Leader presented his report drawing attention to the following topics:

- One Exeter;
- Digital Customer Strategy;
- Residents Survey;
- Corporate Plan;
- MTFP update;
- Senior Leadership Review – new appointment to the remaining Strategic Director post;
- Office relocation; and
- Key cities.



Councillor M Mitchell asked a Question: When does the Leader envisage the Council will be carrying out a public consultation regarding the 2025/26 proposed budget and what does he consider are the key questions that it should pose?

**Response:** Public consultation on proposal for the 2025/26 budget would commence in mid-November. We would ask residents to rank, in order of their priority a range of ideas under consideration.

These included things we may consider investing in; some areas where we may consider introducing or increasing charges and some areas where we may consider reducing service provision.

A briefing note will be circulated to all councillors ahead of the consultation launch.

The Leader responded to Members' questions making the following points:

- there is a wider programme of work for Key Cities;
- Strata Scrutiny could consider facilities for those who can't or won't access digitally;
- the Corporate plan was aligned with the ruling party and similar to 2040 vision;
- that there would be a Member Briefing on the Corporate Plan;
- that there was no outstanding debt from Exeter City Living;
- a professional organisation carried out the residents Survey on behalf of the Council following LGA guidelines;
- that due to technical reasons scrutiny could not be broadcast at present;
- there was no reason for Residents Survey responses not to be on the website;
- that the survey wasn't only online, a methodology was followed;
- would endeavour to retain Exeter's position in CCA; and
- that collaborative working regarding housing would be needed.

## 42 Portfolio Holders Report - City Development, Councillor Allcock

Councillor Allcock presented her report and thanked the team of officers for the huge amount of work they have undertaken, and drew attention to the following points:

- Placemaking Charter;
- Water Lane;
- Exeter Plan had three extensive consultations and Member engagement;
- it was excellent that the timeline for transitional arrangements looked likely to be met; and
- challenges in brownfield development.

Two questions had been received from Councillor M Mitchell.

1. **Question:** Does the Portfolio Holder consider now is appropriate time to review the authority's 35% affordable housing target in the light of our failure over many years to achieve anywhere near this figure? In 2022/23 the figure was 16.88%

**Response:** The Council's 35% affordable housing (AH) target remains a central goal under Policy CP7, which applies to developments of 10 or more homes. However, achieving this target has been challenging due to factors impacting viability. To clarify, the 16.88% figure mentioned by Cllr Mitchell represents affordable housing delivered as a percentage of total housing completions in 2022/23. This percentage reflects the overall delivery rate, which is naturally lower than the 35% target that applies specifically to eligible developments.

Affordable housing delivery over the past five years, as a percentage of total housing completed, is as follows:

- **2022/23:** 16.88%
- **2021/22:** 18.97%
- **2020/21:** 11.49%
- **2019/20:** 14.65%
- **2018/19:** 25.76%

In addition, recent data shows the average affordable housing percentages secured on specific S106 developments:

- **2021:** 30% on average, plus financial contributions totalling £27,387.65
- **2022:** 36% on average
- **2023:** 43% on average, plus contributions of £467,011.12
- **2024 to date:** 36% on average, plus contributions of £241,916.44

These figures reflect higher percentages on individual developments, often greenfield sites, with fewer viability issues. The Council has also secured 100% affordable housing on select schemes supported by Homes England funding.

Our approach to addressing viability includes acknowledging the impact of factors such as the Vacant Building Credit and the reduced national requirement (20%) for build-to-rent developments. Both factors can reduce the percentage of affordable housing achievable on certain sites.

Looking ahead, the emerging Exeter Plan considers the latest viability data, highlighting the need for a more nuanced approach. The Plan may shift away from a single percentage target towards differentiated requirements that reflect each site's characteristics and development constraints, potentially improving feasibility while sustaining our commitment to affordable housing.

Our experiences have shown the importance of phased reviews and clear viability documentation to ensure realistic, sustainable, affordable housing contributions. National planning policy also requires that affordable housing requirements do not compromise overall project viability, which can sometimes limit our capacity to enforce higher targets.

Beyond planning policy, the Council actively pursues affordable housing delivery through initiatives outside of development management. These include Council-led developments and partnerships with Homes England and neighbouring authorities. Such collaborations provide additional funding, expertise, and strategic support, helping us bridge any shortfalls in delivery.

2. **Question:** Can the Portfolio Holder explain why no planning enforcement action has been registered on the council website since the 28<sup>th</sup> June 2023?

**Response:** The Council's approach to enforcement prioritises resolution through voluntary compliance wherever feasible, which can reduce the necessity for formal enforcement notices. However, I can confirm that when a formal Enforcement Notice is issued, a redacted version is promptly made available on our website in accordance with standard procedures and confidentiality protocols.

The limited number of formal notices over the past year reflects our success in achieving compliance without resorting to formal measures rather than a lack of

enforcement activity. We continue to engage with site owners and operators to address breaches swiftly, aiming to prevent further escalations. Our team routinely monitors the website to ensure it accurately reflects any formal actions taken and updates as necessary.

The Portfolio Holder and the Assistant Service Lead – Local Plan, answered questions from Members’ making the following points:

- that she had a strong personal interest in the northern hills, which is a designated landscape setting, protected in the plan;
- the best that could be done would be to get the plan submitted with the new policies; and
- evidence of landscape setting would be updated to ensure protection.

Remaining questions would be answered in writing and appended to the minutes.

#### 43 **Exeter Plan Publication Process**

The Assistant Service Lead – Local Plan presented the report drawing attention to the following points:

- there had been changes to procedural matters since the last consultation;
- there had been previous consultation and additional partnership work;
- Planning Member Working Group had discussed the emerging plan;
- the Plan period had moved on by one year;
- transitional arrangements for plan-making were proposed by Government in the national planning reforms consulted on in summer 2024. These proposals would amend the NPPF and increase housing requirements from 602 to 815 per annum for Exeter;
- it was important that the plan continue in a timely manner; and
- that the publication process was formal and statutory.

Councillor Moore expressed disappointment that the Local Plan was not available for scrutiny and in the governance of the process.

The Strategic Director for Place and Assistant Service Lead – Local Plan answered Members’ questions making the following points:

- that the council worked jointly with neighbouring authorities with Gypsy, Roma and travelling communities;
- work continued with the university rather than students themselves, using demographic projections;
- that the recommendation to Executive will be seeking approval to publish the plan, waiting would fall outside the transition arrangements;
- Valley Park Master Plan would run until 2026, would be valuable evidence but the Plan had higher status;
- There had been three rounds of extensive consultation, online, in-person, public exhibitions and a number of methodologies used;
- all responses to consultations were collated and brought to committee and the response rate had been higher than any seen in his considerable experience; and
- that the Plan is only one mechanism to meeting the 2030 net zero ambition.

Councillor M Mitchell moved a motion, seconded by Councillor Palmer, that a special meeting of Strategic Scrutiny be held after the publication of the Executive agenda on 25 November 2024 and before the meeting of the Executive on 3 December 2024 in

order to consider the content of the draft local plan which following a vote was **NOT CARRIED**.

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

Councillor Knott moved a motion, seconded by Councillor Snow that this item be deferred and following a vote was **CARRIED**.

The meeting commenced at 5.30 pm and closed at 8.26 pm

Chair

Original Question	Response given at meeting	Supplementary Question	Response given outside the meeting
<p><b><u>Questions from Councillor Moore to the Leader</u></b></p> <p><b>1.Bids have been submitted and due diligence has been undertaken at Clifton Hill.</b> ECC received £425,000 for demolition and enabling works from Government - what has happened to those funds?</p>	<p>£200k of the funding was used to demolish the former leisure centre. £120k for Surface Water Attenuation, £85k for a Substation and £20k for off-site enhancements for the local community are held on ECC's accounts and can be drawn down when the works are undertaken.</p>	<p>Will the community be involved in this?</p>	<p>We are in negotiations with the two top bidders for the site (both retirement living led). Both offers are subject to planning and will need to go through the public planning consultation process prior to land completion.</p>
<p><b>2.As the Exeter Development Fund has now been removed as a mitigation on the risk register I assume the project is no longer supported. A task and finish group was set up but didn't do anything. Will the Leader commit to councillor involvement in the identification, timing and modelling for.. smaller site or flagship sites" for the Liveable Exeter project?</b></p>	<p>I have asked that the Portfolio Holder for City Development, to be kept informed of progress with the Exeter Development Fund. Once the technical work is completed next year, I will update Councillors accordingly.</p>	<p>Are the Council committed to Exeter Development Fund?</p>	<p>The City Council is committed to using government funding to explore delivery models, including an Exeter Development Fund.</p>
<p><b>3.As of June 2023 ECC held £805,000 of funds from DLUHC for work on the Exeter Development Fund, how have these monies been spent over the past year and what are the deliverables that have been achieved?</b></p>	<p>Government funding is enabling ECC to explore delivery models, so the learning can be shared more widely (by MHCLG) and potentially replicated in other places. When the technical work is completed next year, the outputs will be handed over to MHCLG.</p>	<p>Has any money been spent on this?</p>	<p>Yes. The government grant is being used to fund this work.</p>
<p><b>4.In 2021 ECC received £5,966,470 One Public Estate monies for the following sites to create homes on the following sites:</b></p>	<p>£1,009,870 for Bonhay Meadows and the £2,373,183 for Cathedral and Quay were returned to Central Government last year. The remainder is held on ECC's accounts and can be drawn down if/when the works are undertaken.</p>	<p>Canal basin money, what has been, or is expected to be spent?</p>	<p>The Exeter Water Sports Association ("EWSA") site included £150k towards demolition and £450k towards decontamination and abnormal substructures. A viable route to vacant possession and disposal is still being sought before any monies can be spent.</p>

<ul style="list-style-type: none"> <li>• Cathedral and Quay Car Park</li> <li>• Mary Arches Car Park</li> <li>• Bonhay Meadows</li> <li>• Belle Isle</li> <li>• Exeter Canal Basin</li> </ul> <p>What deliverables have been achieved for each site, how much money has been spent on each site and how much money returned to Government?</p>			
<p><b>5.Open Space depot</b> As land values have changed since the decision by the Council to dispose of Belle Isle is it still financially viable for the Council to dispose of Belle Isle, buy another depot, cover the costs of the move and establish a new depot?</p>	<p>Our appointed acquisition and disposal agents are confident an alternative site can be acquired within budget and that the disposal values haven't changed materially since the decision.</p>	<p>Is the agent looking for sites outside Exeter given prices?</p>	<p>Unfortunately not, the acting Head of Operations has made it clear that due to the number of vehicle movements and "tip off" points associated with the depot it has to remain central. The focus is currently the area west of Exe Bridges around Marsh Barton and Matford.</p>
<p><b>Question from Councillor Palmer to Councillor Allcock as Portfolio Holder for City Development</b> Could we have an update on the King Billy site at the corner of Longbrook St - the site has been abandoned following unauthorised demolition of a medieval wall - what action is being taken against the developer for this and when will further work commence on the site?</p>	<p>The King Billy site encountered issues with the medieval wall during the adjacent demolition of the King Bill Pub, compromising its stability. As a result, Exeter City Council had to perform an emergency demolition of the wall's upper section. Subsequently:</p> <ul style="list-style-type: none"> <li>• The applicant, under application 23/1215/VOC, assessed the wall as unstable and received approval from the case officer at that time to partially demolish it. Unfortunately, this led to a more extensive demolition than initially intended.</li> <li>• The Council considered actions to require the wall's reconstruction. However, because the historical significance lay primarily in the wall's original authenticity, it was deemed</li> </ul>	<p>When would further work commence?</p>	<p>In early 2020, Exeter City Council's Engineering and Health &amp; Safety teams identified significant concerns about the structural condition of a boundary wall between Longbrook Street properties and the John Lewis Service Yard. The risks of material loss or collapse due to cracks, poor-quality brickwork, and lack of structural support were deemed critical.</p> <ul style="list-style-type: none"> <li>• <b>February 2020:</b> The wall was reported to Building Control as a dangerous structure, and structural inspection (R200233) recommended reducing the height of the upper brick section for safety while repairing the lower stone section.</li> <li>• Subsequently, ECC lowered the wall's height, adding coping bricks and sand/cement capping for water resistance. Notifications were issued to relevant stakeholders (John Lewis and the former garage site owner), with no objections</li> </ul>

	<p>more effective to preserve and protect the remaining wall, along with ensuring the remnants continue to reflect the site's historical character.</p>		<p>raised. The work was completed in June 2020 before the demolition of the King Billy Pub commenced.</p> <p>During the pub's demolition, additional issues arose involving a medieval wall.</p> <ul style="list-style-type: none"> <li>• Under application 23/1215/VOC, the applicant determined the medieval wall as unstable and obtained approval for partial demolition. However, this extended further than initially intended.</li> <li>• While the Council considered mandating reconstruction, the historical value linked to the original materials led to a focus on preserving remaining sections and ensuring the site's historical character.</li> </ul> <p><b>Regarding commencement of further work:</b> The site has an active development permission following the King Billy Pub's demolition. A pre-application process for a variation to the development plan is underway, but these discussions are not yet public. It remains within the applicant or any subsequent owner's discretion to proceed with development as permitted.</p>
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## Flooding [SFRA](#)

1. RE SRFA second report: What increased risk of flooding in surrounding areas from the development of brownfield sites along the Rivers, canal and other Flood zone 3 area has been identified and what Local plan policies will be put in place to protect these areas?

**Response:** The NPPF states that development in flood risk areas will need to satisfy the exception test which means it needs to be safe for its lifetime 'without increasing flood risk elsewhere'. Policy in the emerging Exeter Plan will also require residential development in flood zone 3 to contribute to reducing flood risk overall.

2. Will the Council or EA offer insurance for those residential or commercial properties in a flood zone 3 of adjacent area at a higher risk of flooding?

**Response:** This is not a planning matter. However, insurance companies and the Government have introduced a 'flood re-insurance' scheme - known as Flood Re. This aims to help support households at highest flood risk.

## Transport

1. What confidence is there that the Local Transport Plan 2020 remains a suitable document as part of local plan evidence?

**Response:** The DCC Exeter Transport Strategy dovetails with the spatial strategy proposed in the Exeter Plan. It is effectively being updated as part of the current work which DCC is doing on the Local Transport Plan 4 which is currently out for consultation (until 30 November).

2. What policies are there for the requirements for managing the logistics of building the majority of the new plan in the city centre?

**Response:** Policies which consider the impact of development in terms of transportation would cover the construction and operational phases of development. The development management process also includes mechanisms to manage construction impact through, for example, construction environmental management plans which can be required through conditions.

## Climate

The Local Plan evidence for climate change and reaching net zero is based on work in 2019 and published in February 2020 on the GESP, looking at national net zero policies and carbon in use, but not embedded carbon in the build out of the local plan.

*The document states: "Emissions have generally fallen in absolute terms over time in a broadly similar manner to how they have fallen nationally. However this decline is due to the reduction in the power sector elsewhere in the UK and, if power is excluded, emissions in the GESP area have not noticeably changed. Estimates of projected GHG emissions have shown that in the absence of any carbon reduction policy emissions would rise to approximately 4.2 MtCO<sub>2</sub>e in 2050 including an allowance for population growth."*

1. The Local Plan evidence makes reference to net zero 2030 but in light of the above statement from document there is a conflict already between the supporting evidence in the local plan and cannot rely on decarbonisation of the grid alone. **So how will you evidence that the local plan will meet that target of Net Zero 2030 greenhouse gas emissions for the build out of the new local plan and in use?**

**Response:** The climate change evidence supporting the Exeter Plan is being updated. There will be a series of policies in the Exeter Plan which will play a role in achieving carbon ambitions, however planning itself cannot alone achieve such ambitions; it is part of a much wider picture.

2. The Climate Change Committee recommends that the UK's Nationally Determined Contribution commits to reduce territorial greenhouse gas emissions by 81% from 1990 to 2035. **Given that this milestone (81% by 2035) is towards the latter stage of the new local plan is this an more realistic achievable target for the new local plan to be modelled on and achieved?**

**Response:** The Council has a net zero 2030 ambition and therefore it is appropriate for the Exeter Plan to refer to it.

## **AUDIT AND GOVERNANCE COMMITTEE**

Wednesday 27 November 2024

### **Present:-**

Councillor Wardle (Chair)

Councillors Jobson, Atkinson, Ketchin, Knott, Miller-Boam, Mitchell, M, Moore, Palmer and Williams, M

### **Apologies**

Councillors Begley and Patrick

### **Also Present**

Chief Executive, Strategic Director for Corporate Resources, Head of Legal and Democratic Services & Monitoring Officer, Head of Service - Finance, SWAP Internal Audit Services, Senior Manager, Democratic Services Manager and Democratic Services Officer

30

### **MINUTES**

The minutes of the meeting held 25 September 2024 were taken as read, approved and signed by the Chair as correct subject to the agreed update to the attendance to include Councillor Miller-Boam who had been present.

31

### **DECLARATION OF INTERESTS**

No declarations of disclosable pecuniary interests were made.

32

### **INTERNAL AUDIT PROGRESS REPORT**

The Assistant Director, SWAP Internal Audit Services presented the Internal Audit Progress Report making the following points:

- the summary of the plan showed 50% of planned audits in progress;
- the plan was reflective of risks and the changes made to SMB;
- there were actions agreed against the risks;
- 2 of 3 high risk areas were being worked on this year but not net zero as late in 2023 reasonable assurance had been given;
- that net zero would likely be a key consideration next year;
- two different styles reflected the move from internal to SWAP;
- that actions had been agreed in relation to all findings;
- there had been 13 recommendations made by SWAP and all had been implemented in full; and
- a full listing of Audit work could be found at Appendix D.

In response to Members' questions, the Assistant Director and Chief Executive made the following points:

- an action plan for Corporate Governance was the next item on this agenda;
- workforce planning was on the priority list for HR following the restructure;
- that staff training was the responsibility of services, there was no standard procedure therefore differences in quality of record keeping;
- Health & Safety for staff now separated from external;

- that risk management had been considered and would appear next year;
- that action plans were agreed as standard;
- that a system of monitoring would be introduced giving SMB access to internal audit system with training in December;
- actions were not closed until evidenced;
- that SMB had asked for a focus on corporate maintenance as it had been a difficult area;
- that capital and maintenance were now split and the new Strategic Director would look at outstanding work and identify the scope of work to be done, engaging external partners for resource support where appropriate; and
- that a bespoke system for compliance would be the preference.

The Audit and Governance Committee noted the Internal Audit Report.

33

### **CORPORATE GOVERNANCE AUDIT REPORT**

The Chief Executive presented the report of the Corporate Governance Audit, making the following points:

- that all limited assurance would come to committee in this report;
- that this audit had been conducted in March 2024 when the restructure had only just begun;
- significant progress had already been made;
- that actions were included with timescales; and
- SMB met bi-monthly to review the actions.

In response to Members' questions the Chief Executive and Monitoring Officer made the following points:

- that consultation for a consultation manager was ongoing;
- best practice would be to show consultation outcomes;
- existing committees would hear about implementation;
- SMB would work on Advisory areas;
- that officers could not make significant changes to the Constitution;
- updates would be made to delegations due to restructure; and
- that the Monitoring Officer would be looking at Member Consultation in due course.

The Audit and Governance Committee noted the report and agreed that a six-monthly progress update against the Corporate Governance Audit Recommendations be reported to the committee, to include an update against the recommendations made by the External Auditors.

34

### **EXTERNAL AUDIT PROGRESS REPORT AND SECTOR UPDATE**

The Senior Manager, Audit of Grant Thornton presented the progress report making the following points:

- 2021/22 opinion would be given imminently
- 2022/23 would be finalised and opinion given after this committee; and
- 2023/24 was in progress with a completion plan in place, aiming to meet the backstop date of February 2025.

In response to Members' questions the Senior Manager, Audit made the following points:

- sufficient work had been carried out on the objections with no impact identified on the financial statement;

- the certificate would remain open until objections were finalised; and
- that process had been agreed at previous committee meetings, signatures were awaited and will be published on the website.

The Audit and Governance Committee received and considered the External Audit Progress Report.

35

### **EXTERNAL AUDITORS - FINAL AUDIT FINDINGS REPORT 2022/23**

The Senior Manager, Audit of Grant Thornton presented the Final Audit Findings Report 2022/23 making the following points:

- work was complete and would be brought back to committee as stated in March this year;
- there had been no material change but work on the classification of the Guildhall Shopping Centre had been carried out;
- Grant Thornton had concluded that management judgement was acceptable but a critical judgement note was now included; and
- an unqualified opinion would be issued.

The Senior Manager, Audit and Strategic Director for Corporate Resources answered Members' questions making the following points:

- there had been no change to the report which had been agreed in March other than the addition of the critical judgement note;
- the cost of appeals was small as final year of business rate valuation and no ongoing appeal;
- 2023/24 new valuation was in place therefore higher increase offset by appeals settled (for example, RAMM appeal, rates were paid therefore once appeal heard and rates reduced the difference was repaid);
- the table in page 42 was a snapshot from a report which came to committee with all the detail (Annual Auditor's Report);
- revision of Performance Monitoring Report was being looked at; and
- a significant report was being drafted pertaining to associated bodies which would go to Executive and Council but could come to Audit and Governance Committee.

The Audit & Governance Committee received and noted the External Auditors Final Audit Findings Report 2022/23

36

### **STATEMENT OF ACCOUNTS 2022/23**

The Strategic Director for Corporate Resources presented the Statement of Accounts 2022/23 making the following points:

- that the only change was to add the critical judgement note;
- reassurance was offered that the issue of classification of the Guildhall Shopping Centre did not affect the use of surplus funds in line with government guidance; and
- whether investment or operational the impact on the tax payer was zero.

The Strategic Director for Corporate Resources and Head of Service – Finance answered Members' questions making the following points:

- the amount shown under salaries under Member Allowances was NI contributions;
- Grant Thornton had full access to Exeter City Living accounts and the associated audit;
- Clifton Hill had been purchased back;
- there had been no impact on single entity accounts but ECL was reflected

- in group accounts;
- capital was separate therefore does not show in revenue account;
- property assets did not have usual market value but value of reinstatement therefore appeared lower than expectation;
- that Red book valuations had been used which is standard RICS methodology; and
- HRA valued stock every year which explained variation but no impact on rent.

The Audit and Governance Committee approved the Statement of Accounts 2022/23.

37

### **MANAGEMENT LETTER OF REPRESENTATION 2022/23**

The Strategic Director for Corporate Resources presented the Management Letter of Representation 2022/23 making the following points:

- the purpose was to ensure management understand and perform their duty; and
- the 2022/23 letter required approval in order to be signed.

In response to Members' questions the Strategic Director for Corporate Resources made the following points:

- Guildhall Shopping Centre maybe reclassified to operational but not yet;
- it would be premature to say that reclassification would be likely; and
- market value was known so would remain the same materially.

The Audit and Governance Committee agreed to approve and sign the Management Letter of Representation 2022/23.

38

### **REVIEW OF CORPORATE GOVERNANCE RISK REGISTER**

The Strategic Director for Corporate Resources presented the report which advised the Audit and Governance Committee of the Council's risk management process and presented the updated Corporate Risk Register, which the Audit and Governance Committee was responsible for the monitoring and reviewing of the Council's risks.

In presenting the report the Strategic Director for Corporate Resources made the following points:

- that SMB and Portfolio Holders had reviewed the Register;
- there were no significant changes; and
- that the Corporate plan was being reviewed.

In response to questions from Members, the Chief Executive and Strategic Director for Corporate Resources made the following points:

- that dates could be added to tracking comments;
- the Council's aspiration was to reach net zero by 2030;
- workforce plans were in place which mitigated the risk thus reduced the score;
- in addressing city infrastructure work needed was acknowledged but a new team was in place who would look to address this; and
- cyber security was flagged for SMB to look at, after which more detail would likely be added.

Councillor Moore proposed and Councillor Palmer seconded that Executive be requested to review mitigation and control of risk to heritage assets within the

Council's control.

During debate on the motion Members made the following points:

- heritage assets were protected but a developer had damaged and not repaired part of the city wall;
- supported a way to acknowledge the need to protect the city wall but not sure that all damage could be prevented;
- being public about consequences for damage may dissuade some;
- it would be good to have reassurance that steps are being taken; and
- the heritage assets record was out of date.

The Chief Executive commented that services would monitor and report on all assets and not only those which were heritage assets.

Following a vote the motion was **NOT CARRIED**.

Members commented on the risk surrounding brownfield sites, the need for government funding and that some risks were not able to be mitigated due to being out with the Council's control.

The Audit and Governance Committee considered the Corporate Risk Register and following a vote recommended it to Executive.

(The meeting commenced at 5.33 pm and closed at 7.22 pm)

Chair

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## **EXECUTIVE**

Tuesday 5 November 2024

### **Present:**

Councillor Bialyk (Chair)

Councillors Wright, Allcock, Asvachin, Foale, Vizard, 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).

### **Also present:**

Chief Executive, Strategic Director for Place, Strategic Director for People and Communities, Head of Legal and Democratic Services & Monitoring Officer, Head of Service - Housing, Interim Head of Service - Customer & Communities and Democratic Services Officer (PMD)

112

## **ANNOUNCEMENT FROM THE LEADER**

The Leader informed Members of the passing of Gerald Foggin, husband of Alderman Olwen Foggin. On behalf of the Executive, he expressed his condolences to Alderman Foggin and her family.

113

## **MINUTES**

The minutes of the meeting held on 1 October 2024, were taken as read, approved and signed by the Chair as a correct record.

114

## **DECLARATIONS OF INTEREST**

No declarations of disclosable pecuniary interests were made.

115

## **QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19**

No questions from members of the public were received.

116

## **HOUSING RESIDENTS' VULNERABILITIES POLICY**

The Executive received the report on the revised Housing Residents' Vulnerabilities Policy 2024-2027 for adoption by Council. The Council, as a responsible landlord, was required to have a policy ensuring that social landlords 'treated tenants with fairness and respect' and that reasonable adjustments were made to services to ensure vulnerabilities were taken into account. The policy would ensure that the Council was compliant with the requirement of the Regulator of Social Housing

Cllrs Jobson, Mitchell and Moore spoke as opposition group leaders on the item and raised points and questions, which were responded to by the Head of Service – Housing as follows:-

- in instances of conflicts between policies, each case would taken on its own merit and a desktop review would take place; and
- people had a right not to share information but, by understanding what people's vulnerabilities were, Exeter City Council was able to tailor its services to meet their needs and make reasonable adjustments.

Councillor Jobson also suggested that the Domestic Abuse Act be added to the references, as it was referred to in the report.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council approve the adoption of the new Housing Residents' Vulnerability Policy.

117

### **HOUSING DOMESTIC ABUSE POLICY**

The Executive received the report on the revised Housing Domestic Abuse Policy 2024-2027 for adoption by Council. The policy contained details of how the Council would manage reports of domestic abuse relating to Exeter City Council tenants and was a requirement of the Regulator of Social Housing.

During the discussion, Councillor Wright felt that it should be noted that, for once, the EQIA had a positive effect rather than a negative one as was often the case.

In response to questions and points raised by Councillor Wood, the Head of Service – Housing advised that the issue of legal permissions and information was a complex area but clarified that ECC would always do what the person wanted.

The Leader moved the recommendation, which was seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council approve the adoption of the new Housing Domestic Abuse Policy for the period.

118

### **EXETER CITY COUNCIL HOUSING SERVICES ANTI-SOCIAL BEHAVIOUR (ASB) STRATEGY AND POLICY**

The Executive received the report to adopt the revised Exeter City Council Housing Services Anti-Social Behaviour (ASB) Strategy and Policy following a review and consultation. The Council was required by the Regulator of Social Housing to provide an Anti-Social Behaviour Strategy and Policy, detailing how reported anti-social behaviour, relating to Council tenants would be handled.

Councillor Moore, speaking as an opposition group leader, suggested that, as well as a first point of contact, people be provided with a summary of procedure as well as an idea of what they could expect.

Executive Members raised the following points and questions:-

- Councillor Asvachin thanked the Head of Service – Housing for the three reports he had produced and presented; and
- referring to the Government's new action plan, Councillor Allcock asked how much Exeter would benefit from Government support.

In response to questions and points raised by Members, the Head of Service – Housing advised that:-

- a paragraph would be added on the website detailing the Council's action plan as well as what actions would be expected from tenants; and
- he was not yet aware of how much funding would be coming to Exeter from the Government's new action plan.

The Leader moved the recommendation, which was seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council approve the adoption of the new Housing Services Anti-Social Behaviour Strategy and Tenancy Policy.

119

### **COMMUNITY GRANTS PROGRAMME 2025/26**

The Executive received the report setting out the proposals for the Community Grants Programme 2025/26 and funding of Wellbeing Exeter beyond March 2025 using the Neighbourhood portion of the Community Infrastructure Levy (NHCL).

The report also provided an update on the progress of the transition of Wellbeing Exeter and the Community Grants Programme and made recommendations for priorities and spending in 2025/26 and 2027/28.

Responding to a query from the Leader, the Strategic Director - People and Communities clarified that the "External Funding" amounts in the Wellbeing Exeter Funding Strategy table [page 101 in the Executive agenda] were minimum contributions that Exeter City Council would expect, with Wellbeing Exeter now stabilised.

Councillors Jobson, Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- it was concerning that the business plan for the investment in Wellbeing Exeter, the evaluation strategy and the fundraising plan would not be coming forward until next year;
- a few issues raised in the report ought to be looked at in a strategic way, involving the Grants Panel;
- community builders were doing excellent work;
- clarity was needed about where responsibility lay within the Council for the funding of Wellbeing Exeter;
- CIL regulations were clear about the need to report back and consult with communities;
- precision was needed about the outcome model and value-for-money of Wellbeing Exeter; and
- on the subject of evaluation, it would be useful to know how many people were being signposted and how successful the signposting was.

Executive Members made the following comments:-

- a summary of Wellbeing Exeter success stories would be welcome;
- both CoLab and Wellbeing Exeter needed security;
- it should be noted that Exeter's city grants supported development in the city; and

- the report of the Strategic Director - People and Communities was rich and extensive.

In response to questions and points raised by Members, the Strategic Director for People and Communities advised that:-

- the terms of reference for the Grants Panel were very clear and there was no role for the Grants Panel in strategic decision making in relation to the Neighbourhood CIL;
- there was already a Wellbeing Exeter business case, called 'A Case for Support', which was published by the Council in 2023 and was still available on the public website;
- Wellbeing Exeter was one of the most evaluated projects given there has been a continuous requirement from external funders since its inception to allocate a percentage of grant funds on evaluation. The most recent was the Wellbeing [Exeter Impact Report](#) published in March 2024 and more information could be found on the [Council](#) and the [Devon Community Foundation](#) websites; and
- Wellbeing Exeter was not a single organisation but an alliance of several VCSE organisations under the leadership of CoLab.

The Leader invited Members to submit all further questions to the Strategic Director - People and Communities in writing.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council:-

- (1) note the progress update of the transition of Wellbeing Exeter and the Community Programme as requested by the Executive in September 2023;
- (2) note the match for Wellbeing Exeter agreed with Sport England;
- (3) allocate £340,000 and £371,000 from the NHCIL reserve to contribute to the funding of Wellbeing Exeter for financial years 2025/26 and 2026/27;
- (4) allocate £72,000 of the ring-fenced Wellbeing Exeter reserve to contribute to funding Wellbeing Exeter for the financial year 2026/27;
- (5) grant delegated authority to the Portfolio Holder and Strategic Director to adjust the funding downwards should anticipated receipts in the NHCIL reserve fail to materialise; and
- (6) grant delegated authority to the Portfolio Holder and the Strategic Director to consult with residents on the continued use of the Neighbourhood Portion of the CIL for funding Wellbeing Exeter and the Community Grants Programme beyond 2026/27.

120

### **THE FINAL REPORT OF THE DEVON HOUSING COMMISSION**

The Executive received the Report of the Devon Housing Commission, which set out key recommendations for addressing the housing challenges in Devon and how the Council could take some of the recommendations forward to address housing issues in the city.

The Leader praised the report and made reference to the size of Exeter's housing stock and the unique differences of all district councils within Devon before making the following points:-

- the report of the Devon Housing Commission had been commissioned by all Devon districts; and
- ECC was not handing over the running of its stock to another authority; instead, it was collaborating with the Combined County Authority (CCA).

Councillors Jobson, Mitchell and Moore spoke as follows on the item as opposition group leaders:-

- clarity should be given about what would happen to the report and specifically how the points raised in the report would be addressed, both by ECC and by the CCA;
- the recognition of community land trust was important; and
- the Council needed to do more than “to note the report” as per the recommendation.

During the discussion, Executive Members raised the following points and questions:-

- while the report was good, it was surprising that Exeter as a city only warranted one page in it, whereas the section on Exeter University students was four pages long;
- clarity should be provided on the whether the decrease in the number of houses in multiple occupation (HMOs), as noticed nationally, had resulted in an increase in the number of houses paying council tax, especially in Exeter where the impression was that HMOs were on the rise;
- Exeter was unique in Devon in terms of housing provision and housing challenges;
- Members needed to be clear about how many of the recommendations would be addressed;
- housing was still the remit of district councils;
- it was essential for ECC to work collaboratively with partners;
- the Leader would discuss the points raised in the report with the Chief Executive and the Strategic Director for Place.

In response to questions and points raised by Members, the Strategic Director for Place advised that:-

- while the imbalance in length of reporting between ‘Exeter’ and ‘Student Accommodation in Exeter’ was noticeable, it should be noted that this was an external report;
- extensive detailed evidence had been provided by Exeter City Council to the Devon Housing Commission;
- the recommendations in the report covered district councils as well as the CCA and Central Government;
- a Shadow Advisory Group had been proposed, details of which would be presented to at the Executive meeting in December;
- a huge volume of work was taking place in Exeter to address housing challenges; and
- he would welcome the opportunity to inform Members on how ECC would respond to the Commission.

On the last point, the Leader suggested that, at the very least, a Members Briefing should be held. The Chief Executive advised that she would have a conversation on the subject with the Devon County Council Chief Executive on 19 November.

The Leader moved the recommendation, which was seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council note the content of the Devon Housing Commission report including its recommendations in the context of addressing housing challenges in Exeter.

(The meeting commenced at 5.32 pm and closed at 6.30 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**

## **EXECUTIVE**

Tuesday 3 December 2024

Present:

Councillor Bialyk (Chair)

Councillors Wright, Allcock, Asvachin, Foale, Vizard, Williams, R and Wood

Also present:

Councillor Jobson (as an opposition group Leader);

Councillor Moore (as an opposition group Leader); and

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

Also present:

Chief Executive, Strategic Director for Place, Strategic Director for Corporate Resources, Interim Director – Environment, Waste and Operations (CC), Interim Director – Environment, Waste and Operations (SL), Assistant Service Lead – Local Plan, Electoral Services Manager and Democratic Services Manager

Also present:

Derek Phillips – Chair of the Independent Remuneration Panel.

121

### **MINUTES**

The minutes of the meeting held on 5 November 2024, were taken as read, approved and signed by the Chair as a correct record.

122

### **DECLARATIONS OF INTEREST**

No declarations of disclosable pecuniary interests were made.

123

### **QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19**

No questions from members of the public were received.

124

### **MEMBERS' ALLOWANCES 2025/26**

The Executive received the report of the Council's Independent Remuneration relating to the level of Members' Allowances for the period 2024/25, as required by the Local Authorities (Members' Allowances) (England) Regulations 2003 and made recommendations on the allowance to be paid to Members. The Panel had met in October 2024, to discuss the level of Members' Allowances for the period 2025/26 and had considered a number of matters as outlined in the report.

The Chair of Independent Remuneration Panel, was in attendance and made particular reference to:-

- the basic allowance increase each year was the same figure as the local government pay award, and Exeter City Council's allowances were in-line with other local authorities in the area;
- the panel recommended that Exeter continue to remain tied to the local government pay award;

- Exeter City Council's finance team had worked out the average figure of 4% which was contained in the report;
- on the employers National Insurance, the Chancellor's reduction to the threshold to 5000 brought all Councillors into the employer requirement for National Insurance, which had been budgeted for in Exeter;
- the carers allowances in Exeter was very good, but had received very little take-up and consideration of advertising it more would be beneficial; and
- it was suggested that a full review of allowances be undertaken next year, and all Members would be invited to speak to the panel, including any who were not intending stand for election in 2026.

During the discussion, an Executive Member thanked the Chair of Independent Remuneration Panel and Officers for the work undertaken and ensuring fairness with the allowances.

Councillor Mitchell spoke on the item as opposition group leader and commented that it would be beneficial to also include former Councillors as part of the full review, to comment on why they left the authority given the recent high turnover of Members.

The Leader advised that it would only be appropriate to enquire if there were any financial reasons for why formers Members did not stand again for election.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** to Council that:-

- (1) the basic structure and principles of the current Members' Allowances scheme be retained for 2025/26;
- (2) the principle that any Member qualifying for more than one Special Responsibility Allowance (SRA) is paid the higher allowance only, be retained;
- (3) the Councillors' Basic and Special Responsibility Allowances including the Lord Mayor and Deputy Lord Mayor's Expenses Allowances, continue to be linked and updated in line with the national pay awards applied to staff (under the Green Book arrangements) for the previous year, (a lump sum payment of £1,290 was agreed for the period 2024/25 effective from April 2024). As this was a lump sum rather than a percentage increase across the board the Panel considered that it was appropriate to use the median percentage pay increase for Exeter City Council staff of 4% as a benchmark for the Basic Councillor Allowance;
- (4) the principle that Special Responsibility Allowances be paid to no more than 50% of the overall number of Councillors continue to be kept under review and adhered to where possible;
- (5) the current Dependants' Carers' Allowance scheme be maintained, with the continuation of the level of allowance matching the hourly Living Wage as applicable from April of each year. In the case of Members who need specialist care for a child or adult dependant, a higher rate, of up to £25 per hour or part thereof, can be agreed by negotiation in advance with the Democratic Services Manager;
- (6) the sum of £50 be paid to the Independent Persons affiliated to the Audit and Governance Committee for up to four hours work, and £100 for four hours and over, payable to each of the two Independent Persons (up to a maximum of £500 per person in any one year) be retained; and
- (7) travel and subsistence allowances available for staff continue to apply to Exeter City Councillors, where appropriate.



## **REVIEW OF POLLING DISTRICTS AND POLLING PLACES WITHIN THE EXETER CITY COUNCIL AREA**

The Executive received the report which set out proposals for a new Parliamentary polling district and polling places arrangements, which had been recommended as a result of a statutory review as set out in Representation of the People Act 1983.

During the discussion, Executive Members raised the following points and questions:-

- the Alphington Ward previously had four polling stations, which had been reduced to three resulting in a low number of votes. Had any discussions been held on reintroducing the fourth polling station?
- had there been a decline in the number of people engaging with the democratic process in Pinhoe following the move of the Polling Station to the Exeter Harriers Athletic Club?
- what engagement had been undertaken with Members in regard to polling stations? and
- political parties were able to access election information through appropriate channels.

Councillor Moore spoke on the item as opposition group leader and raised the following points and questions:-

- a number of people had difficulty finding the entrance at the back of the St David's Community Centre. Could the front entrance be made available? and
- the EQIA didn't reference disability access to polling stations

In response to questions raised, the Electoral Services Manager advised that:-

- there was a lot of dependency on the availability of polling stations and polling districts were built around that. If a polling station was lost and another could not be obtained within the polling district, an amendment had to be made, such as that in Alphington;
- there had been no noticeable decline in the numbers using of the Exeter Harriers Athletic Club as a polling station;
- in terms of consultation, it was standard practice to contact current Councillors and obtain their views and obtain their support in finding other locations, using their local knowledge; and
- changing access arrangements St David's Community Centre could be looked at with equalities issues.

The Deputy Leader & Portfolio Holder for Corporate Services and City Centre advised Members that they were always contacted about a polling station specific to their Ward. Members were also reminded that the report was specifically about changing boundaries to include a new polling station that was used last year.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council:

- (1) adopt the proposals as set out at paragraph 8.5 of the report for implementation from a revised register of electors for publication by 1 February 2025;

- (2) formally publish its final report on the Review of Parliamentary Polling Districts and Places within the Exeter Constituency by 10 January 2025, as required by the Representation of the People Act 1983 (RPA 1983); and
- (3) agree to complete a further review by 31 January 2030, as required by the Representation of the People Act 1983.

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### **REVIEW OF CORPORATE RISK REGISTER**

The Executive received the report on the Council's risk management progress and the revised Corporate Risk Register which was linked to the Council's Strategic Priorities. The Audit and Governance Committee had considered and reviewed the register at its meeting held on 27 November 2024 where a suggestion had been made for Strategic Directors to include the date of when an update was made so Members would be aware of which was the most up to-date statement in the register, would be incorporated into future reports.

The Leader advised that he had met with the new Strategic Director of Operations who had provided a paper in relation to assets and in following up on the request for the city wall, a separate asset risk register would be produced for future inclusion.

During the discussion, Executive Members raised the following points:-

- the risk owner for 'Maintaining a thriving Culture and Heritage sector' needed to be amended to the Portfolio Holder for Arts, Culture & Tourism;
- the inclusion of cyber security as a risk and appropriate mitigations was welcomed;
- the risk for 'Making progress towards a Healthy and Active City' had since received commitment from Sport England for funding until 2027 through the new place partnership;
- a submission had been made for the Public Sector Decarbonisation Scheme for the Riverside and the outcome will be confirmed in January 2025; and
- a lot of activity had taken place for Citywide Net Zero with a dedicated member of Staff appointed to undertake engagement.

Councillors Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- there was a process issue to address in spacing out the time period between Audit and Governance Committee meetings and the Executive;
- the second part of the recommendation needed clarification in proposing actions to risks and whether a written report would be provided on actions;
- would the RAMM be remaining on the risk register in reference to not being included in the bid for the Public Sector Decarbonisation Scheme; and
- could the Portfolio Holder provide intermediate targets for Net Zero 2030?

The Leader advised that processes would be looked at and key matters including Net Zero were considered at Scrutiny Committee. Detailed questions could also be sent to the relevant officers and the wording of the recommendations would also be reviewed.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously

**RESOLVED** that the Council's Corporate Risk Register be approved and any necessary actions to help mitigate the risks be proposed to Council.

The Executive received the report on the overall financial position of the General Fund Revenue Budgets for the 2024/25 financial year after six months and to approve additional expenditure required during the financial year.

Particular reference was made to:-

- section 8.2 of the report outlined the financial outcome of the senior leadership restructure. The original proposal had projected a reduction in costs of £388,110 during this financial year and following some interim arrangements, it was now projected as £389,000;
- there were some areas of concern on the commercial property income, which related to bad debt policy and would be addressed as part of the new arrangements;
- another area of concern was on temporary accommodation which was a continued national issue and planning income also remained a challenge; and
- the report was seeking Council approval for supplementary budgets, for staffing the household support fund, money would be transferred to an earmarked reserve.

During the discussion, Executive Members raised the following points and questions:-

- the income from the CCTV monitoring service was welcomed;
- Members had recently received an invitation to visit the CCTV Centre, which was always a welcome visit;
- whilst there was a reported £200,000 underspend for asset maintenance budget for leisure and support, they were older buildings and there was still work that needed to be undertaken;
- were the RAMM service savings from the energy consultant review part of the PSDS project? and
- the reference to the historic vacancy within the waterways engineering area had now been filled and the post holder would commence in January 2025

Councillors Jobson, Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- clarification was sought on the car parking price increase having a detrimental effect on business rates and at what point would lowering charges to make a saving be considered?
- could more information be provided on the overspend pension strain payments;
- planning Services showed a net overspend of £200,000, had there been any impact from charging for pre-application of advice or any impact anticipated during the year?
- how will the Council address the unachievable future target of £280,000, considering it wouldn't be eligible for the portion of the Devon County Council share scheme for food waste?
- was there still a heavy reliance on using agency staff? and
- was there any more detail available about the use of the secondary reclamation facilities?

The Leader advised that a Members Briefing for an update on food waste would be arranged.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council note and approve (where applicable):

- (1) the General Fund forecast financial position for the 2024 financial year;
- (2) the supplementary budgets and budget transfers as detailed in paragraph 8.9 and Appendix 3 of the report;
- (3) the outstanding Sundry Debt position as at September 2024;
- (4) the creditors payments performance; and
- (5) the One Exeter programme update.

128      **2024/25 GENERAL FUND CAPITAL MONITORING STATEMENT – QUARTER 2**

The Executive received the report on the current position of the Council's revised Annual Capital Programme, which advises Members of the anticipated level of deferred expenditure into future years. The report also sought approval to amend the Annual Capital Programme in order to reflect the reported variations.

Particular reference was made to:-

- the council had spent Council £2.89 million, of the revised Capital Programme in the preceding year, which equated to 12%;
- there were further funding requests for a disabled facilities grant of £141,140, to be funded from external grants, a request for an additional £100,000 for Topsham Museum to address unforeseen additional structural issues funded from borrowing and a request for a Harbour Workboat, which was expected to be funded from Capital receipts when they were available.

During the discussion, Executive Members raised the following points and questions:-

- a report would be coming to Executive in 2025 about the Harbour Workboat; and
- the funding support to the Topsham museum was welcomed.

Councillors Jobson, Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- clarity was sought on borrowing to cover the Topsham museum funding, given the Council was no longer borrowing and would that delay the work?
- the landfill gas extraction system was currently postponed, but would a report on methane emissions from the landfill extraction system be made available to Members? and
- was the £4.9 million deferral for the Guildhall shopping centre related to the potential office move?

In response to questions raised, the Strategic Director for Corporate Resources advised that:-

- the work at Topsham museum would not be held up. The Council was not currently using long term borrowing, but was able to use short-term borrowing or use its own cash reserves;
- questions relating to landfill extraction would need to be sent to the relevant officer to respond to;

- the Guildhall shopping centre budget enabled the Council to fulfil its duties as a landlord for new tenants. The budget to support any potential office move would be presented as a separate report for funding if the process were approved by Members.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council approve:

- (1) the overall financial position for the 2024/25 Annual Capital Programme; and
- (2) the further funding requests to the Council's Annual Capital Programme for 2024/25, as detailed in paragraph 8.6 of the report.

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## **2024/25 HRA BUDGET MONITORING REPORT – QUARTER 2**

The Executive received the report on the financial position of the HRA Revenue and Capital Budgets for the 2024/25 financial year after six months and highlighted budgetary over/under-spends. The report also outlined areas of risk, to ensure Members were aware that certain budgets had been identified as being vulnerable to factors beyond the control of the Council and were being closely monitored by officers.

Particular reference was made to:-

- the Council was continuing to take a more proactive approach to repairs and maintenance in the Housing Revenue Account (HRA), focussing on identifying repairs at an earlier stage and this had caused the overspend; and
- there would be likely revisions to the budget and a fuller budget would be provided in future years;

During the discussion, Executive Members raised the following points and questions:-

- it was important to note that changes in the report reflected the proactive work being undertaken;
- Rennes House had been closed and residents who had been moved were very positive about the process and welcomed the new accommodation; and
- what has been the impact on the budget in not keeping Rennes's House?

Councillor Moore spoke on the item as opposition group leader and welcomed the proactive approach and noted, the importance of the repairs and sought assurance that there would be no delays until the new Financial year for the repairs to be completed due to budgetary pressures.

In response to questions raised, the Strategic Director for Corporate Resources advised that:-

- over the medium term, there would be a significant reduction from not maintaining Rennes House, but in the short term, there were associated costs. However, funding for demolition had been made and work with Telecom operators was underway, in regard to the masts; and
- the repairs and maintenance projection was a forecast of where the Council would be at the end of the financial year.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

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

- (1) the HRA forecast financial position for 2024/25 financial year; and
- (2) the revised HRA Capital Programme to reflect the reported variations detailed in Appendix 4 of the report.

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### **TREASURY MANAGEMENT 2024/25 HALF YEAR UPDATE**

The Executive received the statutory report on the current Treasury Management performance for the 2024/25 financial year and the position regarding investments and borrowings at 30 September 2024. The report further sought the adoption by Council of a Treasury Management Environmental, Social and Governance policy.

Particular reference was made to:-

- this year the Treasury Management also included Environmental Social and Governance Policy as requested by Scrutiny Committee for Council approval;
- the council had now dis-invested from using Barclays and the Council was proposing to run down its cash balances to avoid undertaking longer-term borrowing over the next six months; and
- it was anticipated that some short-term borrowing may be required to maintain the cash position, which was built into projections and future budgets;

During the discussion, Executive Members raised the following points and questions:-

- the Environmental Social and Governance Policy and dis-investment from using Barclays was welcomed;
- could further detail be provided on the legal aspects of balancing investments;
- was there a means to measure security liquid and yield core principles when considering environmental social and governance?

Councillor Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- would the Council be closing its account with Barclays and transferring to another bank?
- it was important that those principles were framed within the legal commitments;
- the environmental principle didn't specifically reference climate change; and
- were the social elements for human rights taken into consideration for use of banks who invest with other companies that Council would unlikely deal with?

A Member advised that section 6 of the report outlined that climate change could not displace the Security Liquidity and Yield (SLY) principles.

In response to questions raised, the Strategic Director for Corporate Resources advised that:-

- Members had a legal responsibility to consider SLY as part of Treasury Management, but a frame work could be introduced to support decision making;

- the Council required having £15 million on standby at any time to ensure cash flow was effectively managed; and
- the ESG policy would help identify the best products that meet the ESG policy, but the Council would still be able to use organisations that meet the counterparty requirements in exceptional circumstances;

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council:

- (1) note the Treasury Management report in respect of the first six months of the 2024/25 financial year; and
- (2) adopt the Treasury Management Environmental, Social and Governance policy.

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### **CITY POINT UPDATE**

The Executive received the report which provided a review of recent developments at the City Point site and proposed the next steps for bringing the development forward, including temporary and meanwhile uses for the former Exeter Bus Station site, until a longer-term budget had been identified.

Particular reference was made to:-

- the Council's long-term ambition was to enable a comprehensive regeneration of the strategically important site, which could take several years, and it was therefore important to look at bringing forward some temporary and meanwhile uses;
- the Council owned the land and had full control, and it was important to bring some temporary and meanwhile uses forward;
- since 2019, the original plans for a new Civic Hub in partnership with the Crown Estate had been deemed unviable with a greater focus on accommodation requirements;
- the Fraser group had recently taken over the long-term lease of the Paris Street side of the site and discussions for long term use were being considered; and
- City Point remained a key development opportunity and had been identified in the Exeter Plan for a range of uses, including homes, employment and a gateway to the city centre;
- officers would be looking to explore the potential of the site, undertaking market research and engagement with interested parties to address delivery options, to bring back a proposals report to the Executive in early 2025; and
- officers would also evaluate the condition of the former bus station site and potential meanwhile uses and the potential to use the upper deck as a temporary car park.

During the discussion, Executive Members raised the following points and questions:-

- clarification was sought on recommendations 2.3 and 2.4 and whether one excluded the other?
- Further clarification was sought on recommendation 2.3 and whether the proposals coming in early 2025, were for meanwhile use or longer-term use?
- the report highlighted the site would not be used as a carpark which was welcomed, and that the report advised that longer term use was being

addressed and meanwhile use options were being looked at around available finances; and

- the Exeter Phoenix Arts Board had expressed an interest in the site for potential pop-up theatres and markets.

Councillors Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- in reference to paragraph 13.2 of the report, was the Council willing to release land to a private sector developer and risk losing control of the use of land?
- recommendation 2.2 advised officers would be making the decision, but it should be open for ideas from the community and Members.

The Leader advised that the Council would be talking to communities and options would be presented back to the Executive. The Chief Executive confirmed that officers would bring proposals forward to Members

In response to questions raised, the Strategic Director for Corporate Resources and Strategic Director for Place advised that:-

- the process for recommendations 2.3 and 2.4 would function together;
- the Council had complete control of the site and would be undertaking market research and bringing forward a complete comprehensive development of the whole site required close cooperation and collaboration with the Fraser Group; and
- the Council was looking at the long-term proposals for a comprehensive development, which required the involvement of the Fraser Group.

Following the discussion, the Leader advised that recommendation 2.2 needed to be clearer, to clarify that officers would bring forward medium term meanwhile proposals back to the Executive for consideration.

The Leader moved and Councillor Wright seconded an amendment to the recommendation 2.2 to read as follows:-

(2) that meanwhile uses for the Former Bus Station site would be considered and that officers would develop medium term uses for the site, plans for consultation, and to bring forward ideas, having given consideration to there being no financial resources at the current stage.

The Leader moved the amended recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RESOLVED** that the Executive note:

- 1) the progress to date following the withdrawal of The Crown Estate's interest as lead developer;
- 2) that meanwhile uses for the Former Bus Station site would be considered and that officers would develop medium term uses for the site, plans for consultation, and to bring forward ideas to the Executive, having given consideration to there being no financial resources at the current stage;
- 3) that officers and potential development partners (including new adjoining landowners), would work on a potential comprehensive delivery solution and present proposals to the Executive in early 2025; and
- 4) that a market insight report be commissioned by officers to look at delivery options for the land within the City Council's control.



## **THE EXETER PLAN: PUBLICATION**

**The meeting was briefly paused during this item between 7pm and resumed at 7.08pm.**

The Executive received the report which explained the progress made on the Exeter Plan (Local Plan) and sought approval to publish the Regulation 19 Publication version of the Plan in advance of its submission to the Planning Inspectorate. Exeter City Council had a statutory duty to prepare planning policy for the city as the Local Planning Authority and the Exeter Plan would replace the two existing principal development plan documents for the city if adopted.

During the presentation, particular reference was made to:-

- the Exeter Plan had been in production for four years, and had included three full public consultations;
- the plan presented was the regulation 19 version, which was effectively the final draft before submission to the planning inspectorate;
- in July 2024, the new government had announced a series of planning reforms, which would require the Council to plan for an additional 3,500 homes, requiring additional sites to be identified, which could result in starting the local plan work over and by publishing the Exeter Plan sooner, the Council would avoid this risk, whilst addressing the additional homes at a later date;
- since January 2024, the team had been assessing the consultation responses, gathering evidence and consulting Members, through Planning Member Working Groups and Scrutiny meetings;
- the plan was now at its final stage, and going forward could only receive formal representations related to the four tests of soundness criteria as set out in 8.26 of the report, and that the Council would need to submit the plan in the form it was published for consultation, together with consultation representations;
- the Exeter Plan would be submitted in June 2025 to the planning inspectorate, with examination expected to commence in November 2025 and adoption in 2026 (subject to Planning Inspectorate timeframes);
- some of the key policies that had changed included the affordable housing at policy H4 and on mixed and balanced communities. The plan retained the commitment to addressing viability challenges and delivering sustainable and affordable housing across the city;
- the affordable housing policy reflected both the received viability evidence and the updated housing needs assessment, given the differing costs between Brownfield and Green Field developments;
- evidence showed there was a need for a 50:50 split of the affordable housing between social rent and affordable home ownership. The existing policy required 35% affordable housing across all sites with a split of 70:30 (70% for social rent including affordable rent and 30% affordable rent/shared ownership). The new policy retained the 35% on Greenfield sites, but proposed 15% on Brownfield sites;
- there was a proposal to introduce additional explanatory text as a minor amendment to the current version of the plan to highlight the intention to increase affordable housing delivery across the city;
- the Council-owned housing program was also seeking to deliver 500 Council homes by 2030 and would be working with partnerships including Homes England and housing associations to support additional affordable housing;

- the policy relating to balanced communities addressed the challenge of student housing, balancing the benefits of the university against potential impacts of developments;
- the plan was consistent with the key strategy policy (S1) which outlined the spatial strategy for the plan, focussing the majority of developments on Brownfield sites, protecting green spaces, reducing travel, and promoting active lifestyles;
- the policy had been strengthened to include additional details for citywide biodiversity, heritage and employment provisions;
- revisions to the plan had been developed from consultation responses, partnership discussions and Member discussions; and
- site allocations that had been removed for delivering housing included Marsh Barton, the Northgate area and Middlemore, whilst adding 18 mixed use or residential sites across the city. Some revisions to site allocations have also been made.

During the discussion, Executive Members raised the following points and questions:-

- thanks were made to the officers for the excellent work undertaken over a long period of time to bring the final version of the plan to Members;
- it was important that the Council had clear, reasonable and evidenced policies to direct development in the city toward Brownfield sites to address net zero and healthy lifestyle ambitions;
- the plan reflected the feelings of communities across the city but it was important to acknowledge that there were viability constraints;
- the plan could be reviewed over time to address market value changes;
- the Council could deliver affordable housing through the planning system and through partnerships and pursue other avenues for funding;
- there was an improvement in the plan for defining HMOs and overconcentration;
- could the high level of consultation that had taken place be explained?
- the detailed chapter on climate change was welcomed;
- could examples be provided where the Council was being proactive, rather than reactive to government policy and measures for tackling climate change?
- was there any scope in the plan to address improving transport in the city?
- what was the time period for the viability evidence?
- could an example be given of how partnership working has enabled the Council to achieve more affordable housing and making the percentages a reality?
- could clarification be given on the reference to the national transitional arrangements and if the report was accepted the current housing targets, would remain in place until 2040? and
- could Members change anything in the report if they desired and what would be the impact of doing so?

Councillor Mitchell as opposition group leader had submitted an advanced question as follows:-

- could the Leader offer clarity on the reference of 'a significant gap', as stated in the letter from the Secretary of State for Housing, Communities and Local Government on 30th July 2024, referring to the plan and the new local housing figures. Could the Leader also inform the Executive whether any gaps exist between the Exeter housing projections in the new Exeter Local Plan and those that proposed by the Labour government?

The Leader in responding to the submitted question from Councillor Mitchell, explained that:-

- a significant gap was defined in the explanatory information which went alongside the national planning policy reforms consultation in the summer 2024 and was defined as over 200 dwellings per annum and the requirement for homes included in the Draft Exeter Plan was 642 per annum. The revised local housing requirement for Exeter, (as consulted in summer 2024), was 815 per annum, equating to a difference of 173 per year.

Councillor Mitchell in asking a supplementary question enquired on what assurances the council had received that the current proposal was acceptable and would not need to be reworked?

Councillors Jobson and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- given the regulation 19 plan was recommended for approval and that it would be of sync with the new National Planning Framework Policy, had legal advice being sought on any potential planning appeal?
- the current Council policy referred to housing and social rent housing. Was council housing not included because housing associations charged higher rents?
- the affordable housing policy had been changed since the last draft, notably the difference on the brownfield sites, who had made that decision?
- when the consultation begins, would all the evidence accompany it at that time, or would it be included for Council?
- welcomed the nature and water additions and that the inclusion of quality targets would be beneficial; and
- enquired on process for reports, with the forward plan indicating the matter was an Executive function, where there are also recommendations to Council.

The Leader advised that there were three resolved matters for the Executive and two recommendations for full Council to consider on 17 December.

The Portfolio Holder for City Development, advised the plan had been adjusted to due to the viability evidence received, which had been carefully considered by officers. Options for leveraging funding to deliver affordable housing targets would be addressed.

In response to questions raised, the Strategic Director for Place, the Assistant Service Lead – Local Plan and Democratic Services Manager advised that:-

- it was standard practice to review policies within a five-year period, with a potential earlier review opportunity the planning inspector based on the uplift in housing numbers;
- consultations have involved multiple methods, including online consultation, ward exhibitions, community engagement and meetings with Councillors and community groups. The consultations had received a positive and high volume of response. Detailed figures of responses could be made available to Members;
- there were various elements in the plan which addressed climate change and sustainability but also in development strategy for reducing travel and lowering emissions;

- the plan had identified a number of local energy networks and a policy for working with Devon County Council as the transport authority to look at transport plans and bus service improvements;
- the viability time period presented data at the current most up to date time across a wide area, and can be subject to change;
- the plan would be submitted in June 2025, and there was still work to be done which would evolve the plan;
- all evidence would be provided to the inspector and was available online to be viewed alongside the plan. All new evidence would be included until the submission time; and
- the legal requirement for the forward plan was to include forthcoming Executive decisions. Exeter City Council, by way of being fully open and transparent also included forthcoming Council decisions, but it wasn't a legal requirement to do so and therefore had no impact on the recommendations;

The Leader advised on the point raised about evidence being published alongside the draft had been clarified during the debate.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RESOLVED** that:

- (1) the publication of the Regulation 19 version of the Exeter Plan be approved for an eight-week period from 12 December 2024;
- (2) delegated authority be granted to the Strategic Director for Place, in consultation with the Portfolio Holder for City Development, to agree minor changes to the Regulation 19 Publication version of the Exeter Plan before it is published; and
- (3) delegated authority be granted to the Strategic Director for Place, in consultation with Portfolio Holder for City Development, to agree a change to the publication date if required.

**RECOMMENDED** that Council:

- (1) approves the submission of the Exeter Plan, policies map, associated documents, evidence base and Regulation 19 representations, to the Planning Inspectorate for Examination; and
- (2) that delegated authority be granted to the Strategic Director for Place, in consultation with the Portfolio Holder for City Development, to make minor changes to the Regulation 19 Publication version of the Exeter Plan and to submit these to the Planning Inspectorate for Examination.

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### **THE USE OF BODY WORN VIDEO CAMERAS**

The Executive received the report which sought approval for the use of Body Worn Video Cameras for enforcement activities, ensuring the protection of the public and the prevention of crime across the City, when Council officers are engaged in enforcement activities. An example copy of a body worn camera was presented at the meeting.

Particular reference was made to:-

- 22 of body worn cameras had been purchased earlier in the year using funding from the UK shared prosperity fund;

- the cameras would address growing levels of Anti-social Behaviour, notably in the city centre; and
- in a first phase approach, the cameras would be used by the car parks team and new community safety team as part of their daily duties.

During the discussion, Executive Members raised the following points and questions:-

- although there was increased accountability and evidence gathering needed, there were also concerns relating to privacy, data rights and storage;
- the EQIA referred to a risk of unconscious bias, had this been factored into training for officers?
- the cameras had a screen, which when activated would display what's being recorded;
- it was important to protect both citizens and officers when gathering evidence; and
- what was the storage retention for the camera footage? and
- if recordings were stored for 30 days, would residents be able to request copies of the footage?

The Deputy Leader & Portfolio Holder for Corporate Services and City Centre advised that filming and data management was covered under the current CCTV control room camera usage policy and that the EQIA focussed on cameras being there to protect officers. It was assumed that with cameras operating, it would deter certain behaviours, which was a positive impact

Councillor Moore spoke on the item as opposition group leader and raised the following points and questions:-

- welcomed the recommendations to protect officers;
- enquired about the duration of the trial period and where would the results be reported to for longer term use? and
- the EQIA section on religion hadn't been completed, considering there were some discrimination issues related to various faiths.

In response to questions raised, the Strategic Director for Place and the Interim Director – Environment, Waste and Operations (SL) advised that:-

- the proposal was to introduce body worn cameras initially for the car parking and community safety team with a view to provide to other teams in due course;
- body worn cameras were covered under the council-wide CCTV policy with staff who were security industry trained and appropriately checked and qualified;
- staff would be unable to download or access footage with security mechanisms in place;
- if footage was required for evidential purposes, there were appropriate forms to available to justify the request;
- the data retention period was 30 days, which was consistent with security industry authorities' guidance and the information commissioner;
- residents could make a Subject Access Request (SAR) for a copy of the footage and procedures for release would also then apply;
- body worn cameras were common place and supported better behaviour towards staff.

In response to additional Member questions, the Chief Executive explained that all policies had a timescale for review and this policy would be reviewed in due course. The Chief Executive also noted that unconscious bias was missing from the religion section of the EQIA, which would be added. Members were advised that unconscious bias training was also being provided.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RECOMMENDED** that Council approves the Body Worn Video Cameras Policy and the use of Body Worn Video Cameras across the City Council's enforcement activities.

#### 134 **APPOINTMENT TO THE DEVON AND TORBAY HOUSING ADVISORY GROUP**

The Executive received the report seeking agreement to nominate the Leader of the Council to represent Exeter City Council on the Devon and Torbay Housing Advisory Group (DTHAG).

Particular reference was made to:-

- the DTHAG would replace the existing informal housing task force represented by all Devon Councils with a formal constituted group as part of the Combined County Authority (CCA) structure;
- the group would have its own Terms of Reference and would be operating as an advisory group only; and
- each of the Devon Councils were required to nominate an elected member before the end of the year so a meeting may be convened early in 2025.

During the discussion, Executive Members raised the following points and questions:-

- was there any indication from the terms of reference for a deputy to attend in the unlikely event that the Leader was unable to attend? and
- having a representative on the group was important to ensure the Council had a voice on the emerging CCA and housing targets

Councillors Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- supported the suggestion that a substitute should be available if the Leader was unable to attend and should be a part of the Terms of Reference;
- clarity was sought on the remit for providing more affordable and social housing and was the focus of the group going to be on meeting the housing target? and
- to what extent would the group be focused on addressing the housing crisis?

The Leader advised that 8.5 of the report provided the detailed strategic and operational role of the DTHAG and that a deputy would be considered.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RESOLVED** that the Leader of the Council, Cllr Philip Bialyk, be appointed to represent Exeter City Council on the Devon and Torbay Housing Advisory Group.

## **SELECTION AND APPOINTMENT OF EXETER HARBOUR DESIGNATED PERSON**

The Executive received the report which outlined the selection process for individuals with suitable knowledge and understanding to serve as the 'Designated Person' (DP) to the Exeter Harbour Duty Holder and recommended the appointment of James Hannon, Associate Maritime Consultant in the role. A copy of Mr Hannon's CV was attached to report as a Part II item, for the reasons that it related to an individual's information.

Particular reference was made to:-

- Mr Hannon was considered suitably qualified to meet the Port Marine Safety Code requirements to act as the Designated Person (DP) for the Harbour Duty holders and to provide an independent overview of the Council's Port Safety Systems; and
- the Council's Harbour Master had approached five individuals and two suitable applications with demonstrable competencies had been received. Mr Hannon was considered to have the most extensive Port Marine safety experience and was also the current DP with Dorset Council.

The Portfolio Holder for City Management advised that a meeting was being arranged to address Duty Holder governance, for 13th January 2025. She expressed her thanks for the work that had been undertaken to date in appointing the Duty Holder, provision of training and in appointing the DP.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

**RESOLVED** that James Hannon, Associate Maritime Consultant be appointed as the Designated Person for the role of Harbour Duty Holder.

## **APPENDIX A - SELECTION AND APPOINTMENT OF EXETER HARBOUR DESIGNATED PERSON**

The recommendations were agreed in Minute No.135.

(The meeting commenced at 5.30 pm and closed at 8.35 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 17 December 2024.**

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## Equality Impact Assessment: Body Worn Video Camera Policy

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

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

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

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive – 3 December 2024  Council – 17 December 2024	Body Worn Video Camera Policy	That Executive recommends and Council approves the use of Body Worn Video Camera's across the City Council's enforcement activities and endorsement of the Policy.	Race and ethnicity Disability Sex/Gender Age

**Factors to consider in the assessment:** For each of the groups below, an assessment has been made on whether the proposed

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

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

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

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

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
<b>Race and ethnicity</b> (including Gypsies and Travellers; migrant workers; asylum seekers).	Negative	Medium	<p>There is the potential that officers record this particular characteristic due to unconscious bias.</p> <p>Individuals could be filmed undertaking illegal activity.</p> <p>Positive – protection of staff who feel vulnerable addressing ASB. As of May 2023, the majority of car parking are male. This is different for other services using BWVC.</p>
<b>Disability:</b> as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Negative	Medium	<p>Some of those that are homeless and are street attached suffer from mental health and maybe drug and alcohol dependant.</p> <p>There is the potential that officers record this particular characteristic due to unconscious bias.</p> <p>Individuals could be filmed undertaking illegal activity.</p> <p>Positive – protection of staff who feel vulnerable addressing ASB. As of May 2023, the majority of car parking are male. This is different for other services using BWVC.</p>
<b>Sex/Gender</b>	Negative And	Medium	Men are most likely to be filmed that are homeless or street attached.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
	Positive		<p>Officers from across the organisation car park male housing female nor consistent per service area</p> <p>Positive – protection of staff who feel vulnerable addressing ASB. As of May 2023, the majority of car parking are male. This is different for other services using BWVC.</p> <p>Officers from within the Council will now have the opportunity to wear a BWVC when encountering ASB across the city</p> <p>Officers who undertake enforcement type activities females may suffers from additional types of abuse, which would now be recorded.</p>
<b>Gender reassignment</b>	N/A	N/A	N/A
<b>Religion and belief</b> (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Negative	Medium	<p>There is the potential that officers record this particular characteristic due to unconscious bias.</p> <p>Individuals or groups could be filmed visiting places of worship or undertaking open-air preaching</p> <p>Positive – filming could provide evidence for those that suffer from verbal or physical abuse under this protected characteristic.</p>
<b>Sexual orientation</b> (including heterosexual, lesbian, gay, bisexual).	N/A	N/A	N/A
<b>Age</b> (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Negative	High	<p>Some ASB is undertaken by young people in car parks.</p> <p>Individuals could be filmed undertaking illegal activity.</p> <p>Positive – protection of staff who feel vulnerable addressing ASB. As of May 2023, the majority of car parking are male. This is different for other services using BWVC.</p>

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
			There may be a positive impact on people with protected characteristics, as the use of BWVC could reduce unwanted and potentially dangerous ASB across the city.
<b>Pregnancy and maternity</b> including new and breast feeding mothers	N/A	N/A	N/A
<b>Marriage and civil partnership status</b>	N/A	N/A	N/A

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

- Review footage to ensure there isn't unconscious bias across the organisation. If unconscious bias is recognised, it is no longer unconscious, with the effected officer spoken with by their line manager and recommended for training.
- Feedback from staff on their perception of safety as a result of using BWVC
- Review the policy and EQIA after 12 months

**Officer: Victoria Hatfield**

**Date: 3 November 2024**

## REPORT TO COUNCIL

Date of Meeting: 17 December 2024

Report of: Chief Executive

Title: Council Appointment to the Team Devon Joint Committee

### Is this a Key Decision?

No

### Is this an Executive or Council Function?

Council

### 1. What is the report about?

1.1 The report seeks Council approval to appoint the Leader of Exeter City Council (“the Leader”), Councillor Philip Bialyk, to the Team Devon Joint Committee.

### 2. Recommendations:

- 2.1 That the Council's membership of and participation in the Team Devon Joint Committee be approved on the basis of the constitution appended to this report
- 2.2 That the Leader of the Council be appointed as the Council's representative on the Team Devon Joint Committee;
- 2.3 That the Deputy Leader of the Council be appointed as the substitute for the Leader on the Team Devon Joint Committee
- 2.4 That any minor amendments to the constitution be delegated to the Monitoring Officer in consultation with the Leader of the Council.

### 3. Reasons for the recommendation:

3.1 The Leader has been an active member, both as Leader and as the Chair of the Devon Districts Forum, the informal Team Devon partnership, working with Devon County Council, District Councils, National Park Authorities, and the Devon Association of Local Councils to seek a joint approach to common issues and challenges for Devon.

3.2 At its full Council meeting 29 April 2024 Devon County Council resolved to “support the establishment of the statutory Team Devon Joint Committee to formalise the existing partnership, to address shared priorities and have a voice in the work of the Devon and Torbay Combined County Authority (CCA)”. Terms of reference were due to be presented in September 2024, but following a change in Government, had been delayed until December 2024. A copy of the Terms of Reference are attached as Appendix A.

3.3 Team Devon (Leaders and Chief Executives of Devon County Council and the district Councils in Devon) have agreed in principle that the establishment of a Team Devon Joint Committee to formalise the existing partnership would: improve partnership governance; enable transparent decision-making; create opportunities to take Team Devon's work on shared priorities further forward; and enable it to inform the work of any future Devon and Torbay Combined County Authority.

3.4 It is proposed that the Leader of each District Authority will have a seat on the Team Devon Joint Committee and therefore Council are being asked to formally ratify the appointment of the Leader for Exeter City Council to the formal Team Devon Joint Committee.

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

4.1 There are no financial implications for Exeter City Council.

4.2 Devon County Council will be the Administering Authority for the Joint Committee and will be providing resources needed to service the committee for secretarial, legal and communications support.

#### **5. Section 151 Officer comments:**

5.1 There are no financial implications for Council to consider.

#### **6. What are the legal aspects?**

6.1 The purpose of this report is to formally appoint the Leader of the Council to the Team Devon Joint Committee and to make provision for the Deputy Leader of the Council to be appointed as the substitute for the Leader of the Team Devon Joint Committee..

#### **7. Monitoring Officer's comments:**

7.1 Devon County Council has set up and approved the Team Devon Joint Committee as part of the Combined County Authority. The purpose of this report is to ensure that Exeter City Council is represented on the new committee.

#### **8. Report details:**

8.1 Local authority partners in Devon came together in 2018 to form the Team Devon partnership. The partnership consisted of Devon County Council, Devon's District, City and Borough Councils (East Devon District Council, Exeter City Council, Mid Devon District Council, North Devon Council, South Hams District Council, Teignbridge District Council, Torridge District Council and West Devon Borough Council), and wider county stakeholders (including Devon's two national parks and the Devon Association of Local Councils which represents Devon's town and parish councils) formed an informal partnership which allowed for the pursuit and discussion of shared matters.

8.2 The Team Devon Joint Committee will comprise the Leader of each of the nine local authorities (i.e. the County Council and eight district, city and borough councils) and a member of the Dartmoor and Exmoor National Park Authorities. The Chair of the Devon Association of Local Councils will be an associate member together with representatives of the NHS and police.

8.3 The Joint Committee will operate on the basis of one member, one vote. Scrutiny will be undertaken by each of the constituent authorities' own scrutiny arrangements.

8.4 The proposed Terms of Reference for Team Devon Joint Committee is attached as Appendix A.

8.5 The proposed functions of the Team Devon Joint Committee are to:

- Support continuous improvement and value for money in the ways that Devon's National Park Authorities, parish, town, district, and county councils exercise their duties and responsibilities. This could include aligning performance measures and sharing or integration of services.
- Contribute to the following environmental, economic, and social wellbeing objectives for Devon's people and communities:
  - economic development (incorporating green growth);
  - housing and homelessness;
  - transport infrastructure;
  - climate change;
  - natural and cultural heritage;
  - health and wellbeing inequalities; and
  - Migration and asylum.
- Advise, inform, and support the work of any future Devon and Torbay Combined County Authority.

8.6 The County Council's declaration of a housing crisis and the Devon Housing Commission's report highlight the significant role that the Team Devon Joint Committee could play in improving the availability, affordability, and accessibility of housing through a Devon-wide housing strategy. The Joint Committee could also have a focus, in the context of devolution to Devon and Torbay, on economic growth, employment and skills.

The Joint Committee will enable Devon's local government family as a whole to engage and work with Government and regional bodies.

8.7 No decision could be taken by the Team Devon Joint Committee which relates to any matter that is the sole preserve of a specific member body unless that body indicates its agreement with the proposal. In addition, no decision could be taken that is to the financial detriment of any member body unless that body indicates its agreement to the proposal.

8.8 The Joint Committee would meet in public on a quarterly basis, with the first planned meeting to be held on Wednesday 8 January 2025, to allow time for appointments to be made by member bodies.

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

9.1 The appointment will enable continued collaborative working with other local authorities to support the Council in addressing achieving the outcomes set out in the Corporate Plan 2022-2026, namely in achieving:-

- a Prosperous local economy;
- developing housing and building great neighbourhoods and communities;
- a Net zero carbon city;
- a Healthy and Active City; and
- a prosperous Local Economy.

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

10.1 There are no risks to the appointment of the Leader. The proposal from Devon County Council has been assessed and all necessary safeguards or action have been taken / included to safeguard the Council's position.

## **11. Equality Act 2010 (The Act)**

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation, and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies, and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage, and civil partnership status in coming to a decision.

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

All public authorities involved in Team Devon Joint Committee are bound by the Public Sector Equality Duties (Equality Act 2010). The Committee will provide a positive opportunity to meet the shared duties to eliminate discrimination, advance equality and foster good relations across through improved partnership working, benefitting Devon's diverse communities.

## **12. Carbon Footprint (Environmental) Implications:**

12.1 No direct carbon/environmental impacts arising from the recommendations.

## **13. Are there any other options?**

13.1 There is the option to refuse the appointment, which may deprive Exeter City Council the opportunity to strengthen collaboration and joint working, at a time when increased focus is being placed on effective partnership in service delivery and outcomes.

**Chief Executive, Bindu Arjoon**



Authors: Mark Devin, Democratic Services Manager and Lorraine Betts, Executive Office Manager

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

Background papers used in compiling this report:-

Appendix A – Terms of Reference.

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

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## Appendix A

### **Team Devon Joint Committee - Terms of Refence for the Joint Committee**

#### **1. Governance**

The Team Devon Joint Committee (hereafter referred to as the “Joint Committee”) will act as a joint committee under section 101 of the Local Government Act 1972 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. The Joint Committee will undertake the functions detailed in section 4 below.

The Joint Committee will not hold funds or monies on behalf of the member authorities.

#### **2. Key purpose**

The Joint Committee will be the means by which Devon’s National Park Authorities, parish, town, district, and county councils work jointly on shared priorities for the benefit of people and places across the county.

#### **3. Membership**

The membership of the Joint Committee will comprise a representative of each of the following (hereafter the **Constituent Authorities**):

- Dartmoor National Park Authority;
- Devon Association of Local Councils (associate member);
- Devon County Council;
- East Devon District Council;
- Exeter City Council;
- Exmoor National Park Authority;
- Mid Devon District Council;
- North Devon District Council;
- South Hams District Council;
- Teignbridge District Council;
- Torridge District Council;
- West Devon Borough Council;
- NHS Integrated Care Board (ICB) (co-opted member); and
- Devon and Cornwall Police (co-opted member)

Each of the bodies listed above shall appoint one member and one named substitute member to the Joint Committee on an annual basis. Each member shall have one vote including substitute members and no member (including the Chair) is to have a casting vote. A body’s substitute member can only attend and vote if the body’s member is not present. The Devon Association of Local Councils will be an associate member of the Joint Committee and its appointed member (or substitute member) will have authority to speak and vote on any matter on behalf of the Association.

For each of the nine councils (i.e. the eight district, city, borough, and county councils), the member appointed shall be that Council’s Leader. Political balance rules will not apply to the Joint Committee membership. The substitute member shall also be a cabinet member where the Council is operating executive arrangements. For the Dartmoor and Exmoor National Park Authorities the appointed members (or substitute members) shall have authority to speak and vote on matters on behalf of both National Park Authorities. The Joint Committee may co-opt non-voting representatives from the private, voluntary, community, social enterprise, or other public sector bodies at any time.

A member or substitute member of the bodies shall cease to be such a member immediately upon them ceasing to be a member of the body. The body will appoint a replacement member as soon as practicable.

A member may resign from Joint Committee by written notice served on the Monitoring Officer of the body that appointed them, and the resignation takes effect on receipt of the notice by the body that appointed them. The body must serve written notice of the resignation on the Joint Committee's Secretary as soon as reasonably possible.

#### **4. Functions**

The functions of the Joint Committee will be to:

- Support continuous improvement and value for money in the ways that Devon's National Park Authorities, parish, town, district, and county councils exercise their duties and responsibilities. This could include aligning performance measures and sharing or integration of services.
- Contribute to the following environmental, economic, and social wellbeing objectives for Devon's people and communities:
  - Economic development (incorporating green growth);
  - Housing and homelessness;
  - Transport infrastructure;
  - Climate change;
  - Natural and cultural heritage;
  - Health and wellbeing inequalities; and
  - Migration and asylum
- Advise, inform, and support the work of any the Devon and Torbay Combined County Authority.

#### **5. Administering Authority**

Devon County Council will be the Administering Authority for the Joint Committee and shall provide secretarial, legal, financial and communications support to the Committee. The role of the secretary to the Joint Committee shall be:

- a) to maintain a record of membership of the Joint Committee and any sub-committees or advisory groups appointed;
- b) to summon meetings of the Joint Committee or any sub-committees or advisory groups;
- c) to prepare and send out the agenda for meetings of the Joint Committee or any sub-committees or advisory groups; in consultation with the Chair and the Vice Chair of the Committee (or sub-committee/ advisory group);
- d) to keep a record of the proceedings of the Joint Committee or any sub-committees or advisory groups, including those in attendance, declarations of interests, and to publish the minutes;
- e) to take such administrative action as may be necessary to give effect to decisions of the Joint Committee or any sub-committees or advisory groups;
- f) to perform such other functions as may be determined by the Joint Committee from time to time.

The Joint Committee's Forward Plan of business and papers for its meetings shall be published on the Administering Authority's website with links provided to the websites of the other Constituent Authorities and partner organisations.

## **6. Appointment of Chair and Vice-Chair**

The Joint Committee shall elect a Chair and Vice-Chair from amongst the voting membership as the first items of business at its inaugural meeting and at each Joint Committee Annual General Meeting thereafter. The appointments shall be confirmed by a simple majority vote. If a deadlock occurs between two or more candidates a secret ballot shall immediately be conducted to confirm the appointment. If there is still deadlock following a secret ballot then a further meeting of the Joint Committee shall be held within 14 days and a further secret ballot shall be held to resolve the appointment.

A vacancy occurring in the positions of Chair or Vice-Chair between Annual General Meetings shall be filled by election at the next meeting of the Joint Committee. The person elected will serve until the next Annual General Meeting.

The Chair and Vice-Chair shall, unless he or she resigns the office or ceases to be a member of the Joint Committee and subject to the following provision, continue in office until a successor is appointed. In the absence of the Chair and the Vice-Chair at a meeting, the voting members of the Committee present shall elect a Chair for that meeting. The Chair or Vice-Chair may be removed by a vote of all of the Constituent Authority members present at a meeting of the Joint Committee.

## **7. Quorum**

The quorum shall be six members. No business will be transacted at a meeting unless a quorum exists at the beginning of a meeting. If at the beginning of any meeting, the Chair or Secretary after counting the members present declares that a quorum is not present, the meeting shall stand adjourned.

## **8. Voting**

Wherever possible the elected and co-opted members of the Joint Committee shall reach decisions by consensus and shall seek to achieve unanimity.

Where all voting members are unable to agree the following will apply:

- 1) In exceptional circumstances where a formal vote is required and nobody is financially affected, the proposal will be carried by a simple majority agreement of the voting members present and voting by a show of hands.
- 2) In circumstances where one or more bodies are either financially impacted or proposals relate to the specific geographical area of the body(ies), the body's(ies') member(s) must first consent to the proposal and indicate an intention to vote in favour of the proposal, the proposal will then be put to the vote in accordance with clause 8.1 above.

On the requisition of any two members, made before the vote is taken, the voting on any matter shall be recorded by the Secretary so as to show how each member voted and there shall also be recorded the name of any member present who abstained from voting.

A member may demand that their vote is recorded in the minutes of the relevant meeting.

The proceedings of the authority are not invalidated by any vacancy among its members or any defect in the appointment or qualifications of any member.

## **9. Sub-Committees and Advisory Groups**

The Joint Committee may appoint sub-committees from its membership as required to enable it to execute its responsibilities effectively and may delegate tasks and powers to the sub-committee as it sees fit.

The Joint Committee may set up advisory groups as required to enable it to execute its responsibilities effectively and may delegate tasks as it sees fit to these bodies, which may be formed of officers, Joint Committee members or such third parties as the Joint Committee considers appropriate.

## **10. Meetings**

The Joint Committee will meet no less than quarterly. Meetings will be held at such times, dates and places as may be notified to the members of the Joint Committee by the secretary, being such time, place and location as the Joint Committee shall from time-to-time resolve.

Meeting papers will be circulated five clear working days in advance of any meeting. The Chair has discretion to accept or reject urgent items that are tabled at any meeting.

Additional ad hoc meetings may be called by the secretary, in consultation, where practicable, with the Chair and Vice Chair of the Joint Committee, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the Joint Committee, addressed to the Secretary:

- a) from and signed by two members of the Joint Committee, or
- b) from the Chief Executive of any of the member bodies.

The Secretary shall settle the agenda for any meeting of the Joint Committee after consulting, where practicable, the Chair or in their absence the Vice Chair; and shall incorporate in the agenda any items of business and any reports submitted by the Chief Executive, Chief Finance Officer, or Monitoring Officer of any of the members.

The Joint Committee shall, unless the person presiding at the meeting or the Joint Committee determines otherwise in respect of that meeting, conduct its business in accordance with the procedure rules set out below.

## **Access to Information**

Meetings of the Joint Committee will be held in public except where confidential or exempt information, as defined in the Local Government Act 1972, is being discussed.

These rules do not affect any more specific rights to information contained elsewhere under the law.

The Secretary will ensure that the relevant legislation relating to access to information is complied with. Each body is to co-operate with the Secretary in fulfilling any requirements.

Any Freedom of Information or Subject Access Requests (or other request received pursuant to Freedom of Information or Data Protection legislation) received by the Joint Committee should be directed to the relevant body(s) for that body to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by two or more member authorities, they will liaise with each other before replying to the request.

## **11. Attendance at meetings**

The Chair may invite any person, whether a member or officer of one of the member bodies or a third party, to attend the meeting and speak on any matter before the Joint Committee.

Third parties may be invited to attend the Joint Committee on a standing basis following a unanimous vote of those present and voting.

Where agenda items require independent experts or speakers, the officer or member body proposing the agenda item should indicate this to the Secretary and provide the Secretary with details of who is required to attend and in what capacity. The participation of independent experts or speakers in Joint Committee meetings will be subject to the discretion of the Chair.

## **12. Procedure Rules**

**Attendance** - At every meeting, it shall be the responsibility of each member to enter their name on an attendance record provided by the Secretary from which attendance at the meeting will be recorded.

**Order of Business** - Subject to the provisions below, the order of business at each meeting of the Joint Committee will be:

- 1) Apologies for absence.
- 2) Declarations of interests.
- 3) Approve as a correct record and sign the minutes of the last meeting.
- 4) Matters on the agenda for the meeting which, in the opinion of the Secretary are likely to be considered in the absence of the press and public.

The person presiding at the meeting may vary the order of business at the meeting.

### **Disclosable Pecuniary Interests**

If a new DPI comes to light, they have 28 days in which to tell the Monitoring Officer and add it to the register. If it is a new interest that hasn't yet been registered and is engaged at a meeting when business is being considered at which they are present, the DPI must be declared at the meeting

If a member is aware that he/she has a disclosable pecuniary interest in any matter to be considered at the meeting, they must not participate in any:-

- discussion of the business of the meeting or, if they become aware of a DPI during the meeting, not participate any further in the discussion;
- vote taken on the matter at the meeting

This limit applies to any form of participation, including speaking as a member of the public or as an interested councillor.

They should also leave the room if their continued presence is not compatible with the code of conduct or the Nolan Principles.

**Minutes** - There will be no discussion or motion made in respect of the minutes other than as to their accuracy. If no such question is raised or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

**Rules of Debate** - A member wishing to speak shall address the Chair and direct their comments to the question being discussed. The Chair shall decide the order in which to take representations from members wishing to speak and shall decide all questions of order. Their ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.

A motion or amendment shall not be discussed unless it has been proposed and seconded. When a motion is under debate no other motion shall be moved except the following:

- 1) To amend the motion.

- 2) To adjourn the meeting.
- 3) To adjourn the debate or consideration of the item.
- 4) To proceed to the next business.
- 5) That the question now be put.
- 6) That a member be not further heard or do leave the meeting.
- 7) To exclude the press and public under Section 100A of the Local Government Act 1972

**Conduct of Members** - Members of the Joint Committee will be subject to their own bodies Code of Conduct.

### **13. Application to Sub-Committees**

The procedure rules and also the access to Information provisions set out above shall apply to meetings of any sub-committees of the Joint Committee.

### **14. Scrutiny of decisions**

Any member body may call in any decision of the Joint Committee in accordance with that member body's constitution. If any decision of the Joint Committee is subject to call-in by any member body(ies), the Joint Committee shall take no action to implement that decision unless the call-in process upholds the decision.

### **14. Winding up of the Joint Committee**

The Joint Committee may be wound up immediately by a unanimous vote of all the members.

### **15. Amendment of this Constitution**

This Constitution can only be amended by resolution of each of the members.



## Equality Impact Assessment: Appointment of the Leader of the Council to the Team Devon Joint Committee

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

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

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

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Council: 17 December 2024	Appointment of the Leader of the Council to the Team Devon Joint Committee	2.1 That the Council approve the appointment of the Leader (Councillor Phil Bialyk) to the Team Devon Joint Committee.	N/A

**Factors to consider in the assessment:** For each of the groups below, an assessment has been made on whether the proposed

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

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

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

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

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
<b>Race and ethnicity</b> (including Gypsies and Travellers; migrant workers; asylum seekers).	N/A	N/A	The appointment of the Leader to the Joint Committee will not have any impact. Any issues relating to the protected characteristics at the meetings, will be addressed as part of the equalities impact on the specific items of business.
<b>Disability:</b> as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	N/A	N/A	The appointment of the Leader to the Joint Committee will not have any impact. Any issues relating to the protected characteristics at the meetings, will be addressed as part of the equalities impact on the specific items of business.
<b>Sex/Gender</b>	N/A	N/A	The appointment of the Leader to the Joint Committee will not have any impact. Any issues relating to the protected characteristics at the meetings, will be addressed as part of the equalities impact on the specific items of business.
<b>Gender reassignment</b>	N/A	N/A	The appointment of the Leader to the Joint Committee will not have any impact. Any issues relating to the protected characteristics at the meetings, will be addressed as part of the equalities impact on the specific items of business.
<b>Religion and belief</b> (includes no belief, some philosophical beliefs such	N/A	N/A	The appointment of the Leader to the Joint Committee will not have any impact. Any issues relating to the protected characteristics at the

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
as Buddhism and sects within religions).			meetings, will be addressed as part of the equalities impact on the specific items of business.
<b>Sexual orientation</b> (including heterosexual, lesbian, gay, bisexual).	<b>N/A</b>	<b>N/A</b>	The appointment of the Leader to the Joint Committee will not have any impact. Any issues relating to the protected characteristics at the meetings, will be addressed as part of the equalities impact on the specific items of business.
<b>Age</b> (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	<b>N/A</b>	<b>N/A</b>	The appointment of the Leader to the Joint Committee will not have any impact. Any issues relating to the protected characteristics at the meetings, will be addressed as part of the equalities impact on the specific items of business.
<b>Pregnancy and maternity</b> including new and breast feeding mothers	<b>N/A</b>	<b>N/A</b>	The appointment of the Leader to the Joint Committee will not have any impact. Any issues relating to the protected characteristics at the meetings, will be addressed as part of the equalities impact on the specific items of business.
<b>Marriage and civil partnership status</b>	<b>N/A</b>	<b>N/A</b>	The appointment of the Leader to the Joint Committee will not have any impact. Any issues relating to the protected characteristics at the meetings, will be addressed as part of the equalities impact on the specific items of business.

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

**Officer: Mark Devin, Democratic Services Manager and Lorraine Betts, Executive Office Manager**

**Date: 29 November 2024.**

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## SEATING IN THE GUILDHALL

		Deputy Lord Mayor Councillor Knott (L)	Chief Executive	Lord Mayor Councillor K.J. Mitchell (LD)	Democratic Services Manager	Service Lead Legal Services	Democrati c Services Officer
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				Strategic Directors	Strategic Directors	Strategic Directors
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<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>		<u>Councillors</u>	<u>Councillors</u>
Darling (L)	Miller (L)	Bialyk (L)	TABLE	Moore, (G)*	Jobson (C)
Atkinson (L)	Snow (L)	Wright (L)		Mitchell, M.N. (LD)*	Holland (C)
Patrick (L)	Begley (L)	Wood (L)		Fullam (LD)*	Sheridan (C)
Ellis-Jones (L)	Hussain (L)	Williams, R.T. (L)		Read (G)*	Haigh (I)
Hughes(L)	Parkhouse (L)	Allcock(L)		Ketchin (G)*	Palmer (LD) *
Rolstone (L)	Pole (L)	Foale (L)		Rees (G)*	Banyard (G) *
				Bennett (G)*	Wetenhall (G) *

Cllr Harding (L)	Cllr Williams M.J. (L)	Cllr Wardle (L)	Cllr Asvachin (L)	Cllr Vizard (L)				
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### Portfolio Holders

<b>L:</b>	<b>Labour:</b>	<b>24</b>
<b>G:</b>	<b>Green:</b>	<b>7*</b>
<b>LD:</b>	<b>Liberal Democrat</b>	<b>4*</b>
<b>C:</b>	<b>Conservative:</b>	<b>3</b>
<b>I:</b>	<b>Independent</b>	<b>1</b>

\* Known as the  
Progressive Group

Bialyk:	Leader
Wright	Deputy Leader and Corporate Services & City Centre
Vizard	Climate and Ecological Crisis and Communities
Williams, R.T.:	City Management
Asvachin	Housing, Homelessness Prevention & Customer Services
Wood:	Leisure Services and Healthy Living
Foale:	Arts, Culture & Tourism
Allcock	City Development