



## STRATEGIC SCRUTINY COMMITTEE

Date: Thursday 15 January 2026

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting.

If you have an enquiry regarding any items on this agenda, please contact Liz Smith, Democratic Services Manager on 01392 265425.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

*Membership -*

Pole (Chair), Mitchell, K (Deputy Chair), Atkinson, Haigh, Harding, Miller-Boam, Moore, Rolstone, Wetenhall and Williams, M

### Agenda

**1 Apologies**

**2 Minutes**

(Pages 5 -  
18)

To approve and sign the minutes of the Special Strategic Scrutiny Committee held on 3 November 2025 and the ordinary meeting of the Strategic Scrutiny Committee held on 20 November 2025.

**3 Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item.

Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

**4 Local Government Act 1972 - Exclusion of Press and Public**

It is considered that the Committee would be unlikely to exclude the press and public during the consideration of the items on this agenda, but if it should wish to do so, then the following resolution should be passed:

**"RESOLVED** that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the particular item(s) of business on the grounds that it (they) involve the likely disclosure of exempt information as defined in the relevant paragraph(s) of Part 1, of Schedule 12A of the Act."

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

Details of questions should be notified to the Democratic Services Manager via the [democratic.services@exeter.gov.uk](mailto:democratic.services@exeter.gov.uk) email by 10.00am at least three working days prior to the meeting. For this meeting any questions must be submitted by 10.00am on Monday 12 January 2026.

For details about how to speak at Committee, please click the following link - <https://exeter.gov.uk/council-and-democracy/councillors-and-meetings/public-speaking-at-meetings/overview/>

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

To receive questions from Members of the Council to the relevant Portfolio Holders for this Scrutiny Committee. The Portfolio Holders reporting to this Scrutiny Committee are:

Councillor Bialyk -	Leader
Councillor Patrick -	Portfolio Holder City Development
Councillor Vizard -	Portfolio Holder Climate, Ecological Change and Communities
Councillor Wood -	Portfolio Holder Leisure Services and Healthy Living
Councillor Wright -	Portfolio Holder Corporate Services, Community Safety & City Centre
Councillor Foale -	Portfolio Holder Arts, Culture and Tourism

Advance questions from Members relating to the Portfolio Holders above should be notified to the Democratic Services Manager.

### 7 Portfolio Holder report - Councillor Bialyk, Leader of the Council (Pages 19 - 22)

To receive a report from Councillor Bialyk, the Leader of the Council.

### 8 Petition - To extend Article 4 direction to include all of Hillcrest Park & Doriam Close (Pages 23 - 30)

To hear evidence from the petition organisers and receive the report of the Strategic Director for Place.

### 9 Unauthorised Encampments (Pages 31 - 34)

To receive the report of the Strategic Director for Corporate Resources.

10	<b>Motion Referred by Council - Rivers 2 and transparency template</b>	(Pages 35 - 38)
11	<b>Forward Plan of Business and Scrutiny Work Plan</b>	(Pages 39 - 42)

To receive the motion referred by Council at the meeting held on 2 September 2025, details of which can be found: [Agenda for Council on Tuesday 2nd September 2025, 6.00 pm - Exeter City Council](#)

11	<b>Forward Plan of Business and Scrutiny Work Plan</b>	(Pages 39 - 42)
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Please see for noting a link to the schedule of future business proposed for the Council which can be viewed on the Council's web site. This on-line document is a source for Members to raise issues at Scrutiny on forthcoming Executive agenda items:-

<https://exeter.gov.uk/council-and-democracy/councillors-and-meetings/forward-plan-of-executive-decisions/>

Also attached is a draft work plan of future scrutiny items.

Should Members wish to raise issues in respect of future business please notify Liz Smith in advance of the meeting.

#### **Date of Next Meeting**

The next scheduled meeting of the Strategic Scrutiny Committee will be held on **Thursday 12 March 2026** at 5.30 pm in the Civic Centre.

**Individual reports on this agenda can be produced in other formats on request to Democratic Services on 01392 265425.**

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# Agenda Item 2

## STRATEGIC SCRUTINY COMMITTEE

3 November 2025

### Present:

Councillor Liz Pole (Chair)

Councillors Atkinson, Haigh, Harding, Miller-Boam, Moore, Rolstone, Wetenhall, Williams, M and Read (In place of Mitchell, K)

### Apologies:

Councillor K Mitchell

### Also present:

Chief Executive, Strategic Director for Corporate Resources, Executive Office Manager and Democratic Services Manager

### In attendance as Portfolio Holder:

Councillors Asvachin, Bialyk, Vizard, Williams R and Wood

## 17 **Declarations of Interest**

No declarations of interest were made by Members.

## 18 **Local Government Reorganisation**

The Chair invited the Chief Executive to present the report on Local Government Reorganisation.

The Chief Executive introduced her presentation stating that final briefings hadn't taken place when the agenda was published and she wanted to incorporate feedback from those this evening.

The Chief Executive gave a presentation (slides attached) making the following points:

- the Interim Stage had no geography included as it was felt that not enough empirical work had yet been carried out;
- cross-party support had been a positive motivating factor for officers;
- Growth was missing from Government's six criteria and officers had identified six Exeter principles (slide 6);
- Officers had worked with comparable cities such as Oxford, Cambridge and Norwich;
- a press release last week showed that the officers had worked with Plymouth and Torbay to see where their proposals could be accommodated within Exeter's;
- officers had moved away from thinking at the interim stage that 3 unitary councils would be favourable, mindful of Torbay at the time as a small, well-performing unitary council, whose wishes had been accommodated to a degree, to a 4 unitary model – Exeter plus 49 parishes, Plymouth plus 13 adjacent parishes, Torbay and adjacent areas (different to Torbay's model) and a Coast and Countryside authority;
- the submission must be based on a solution best for all of Devon;
- Exeter had outgrown its current administrative boundaries;
- the Leader and Chief Executive were liaising with Devon Association of Local Councils as well as Police, Fire Service and other relevant stakeholders;

- Exeter was not currently parished, unlike other areas and the intention would be to develop Neighbourhood Area Committees and recommend that the new authority carry out a Community Governance Review;
- Officers would look to replicate the good work undertaken in housing across wider public sector services, including different ways to deliver some of the services not currently provided by the Council such as Adult Social Care, Children's Services and Special Educational Needs and Disabilities (SEND);
- how services would be delivered would be decisions for the new authority;
- salient points from Members' would be reflected as far as possible in the submission and it would be acknowledged where actions would be for the shadow or new authority;
- academic work had focussed in the past on a large one authority bringing efficiencies but more recent research show that leadership, engaging with local demand, understanding local needs was recognised as more important;
- joint areas of work with other districts had been established, resulting in data sharing, a data hub and discussion about engagement work;
- submissions must be based on existing district boundaries to be legally compliant. A modification to the existing district boundaries had then been requested to reflect the proposed expanded boundaries. Legal advice had been taken which confirmed the submission would be compliant;
- from options appraisals it appeared that the Devon County Council proposal was the least worst option but this had not been agreed through the formal decision-making process; and
- Exeter had city status and must ensure that the Lord Mayoralty was protected as well as investigating Charter Status.

The Chief Executive thanked everyone who had engaged with the proposal and also officers who had worked incredibly hard over the last eleven months to put together a submission including Strategic Directors, Executive Officer Manager, Executive Officer and others as well as those officers who had kept services running.

Chair reminded members to focus on the work done by officers and the recommendation.

In response to Councillor Moore's request for clarification the Chair explained that there would be constructive consideration of the recommendation and that officers were happy to consider feedback raised today.

The Chief Executive clarified that wherever possible the team would look to incorporate Members' feedback into the submission and if during discussing issues, thoughts or comments were heard which it was possible to incorporate they would be happy to do so. It was acknowledged that some feedback would need to be considered by the new unitary authority when it is established.

The Chief Executive and Strategic Director for Corporate Resources responded to Members' questions in the following terms:

- the proposal did not go into the detail of warding; the decision would be taken by MHCLG taking advice from the Boundary Commission;
- the council must put forward a credible proposal for consideration and no detail on each ward;
- 72 was the top end of the numbers considered to deliver a functioning council and this didn't take into account the lack of representation at parish level within Exeter;
- reference for the need to consider the River Exe would be included in the submission;

- there would be a single tier local authority so no notional precept for a parish would be included;
- A precept of a parish or Charter would be funded from Council Tax so impact on unitary would be net nil and it would not be possible to predict what a precept would be;
- Members' should note that there was no referendum limit for parish councils they can set a precept as they see fit.
- aggregation and disaggregation of costs were included;
- officers would attempt to find out how many had replied to the consultation compared to other districts;
- the Council wrote directly to the 49 parish council areas. . Three webinars were held and a small number of parishes requested one-to-one meetings which were held. The Leader was also invited to some. Conversations were all very constructive. Parishes were grateful to have been contacted directly. 25 of the 49 councils had been represented at the webinars as well as the Chief Executive having spoken to at least four;
- unable to give clarification on Neighbourhood Area Committees or foras as regulations from Government were awaited but it was understood that this was a key issue for Members' and information would be shared when known;
- thought had not been given to citizen's assemblies and these would need to be better understood in the first instance;
- there was an expectation that once the submission was with Government and statutory consultation had begun that the Council would want to continue to discuss locally how services may work. However, until Government indicated direction of travel it would be hard to put anything firm together;
- a plan will begin to be built otherwise timing would be tight once a decision had been made by Government;
- NHS, Police and Fire services already delivered across a wider geography but were less open to discussion until Government had indicated their intention.
- once a direction of travel was indicated by Government there would be a significant amount of work to do;
- some parishes delivered services in their areas and others did not and an exercise would be required to determine levels of interest in delivering services. This work would need to be resourced whether by a new officer or through our current Community Engagement Team;
- the four unitary model would not have been put forward were it not financially viable and this had been assessed using the same data as the other areas of the county;
- many councils had used consultants for financial modelling however the Council had chosen to derive their modelling in conjunction with Plymouth and Torbay and all had agreed to use an official Government return based on the budget set in February 2025;
- the county council network had looked at demand areas (Adult Social Care, Children's Services and SEND) and this had been used;
- Multi-super Output Area(MSOA) showed where the service demand was and which geographical area it would be based in. A more accurate estimate of expenditure was given based on what was happening now;
- Pixel financial management, who had worked on many of the bids, looked at funding and based that on the new formula which would come forward in December, Fair funding 2.0. Section 151 officers must sign off a financial model and therefore couldn't put this forward ethically if it was not believed to work;
- it was not a unique situation to have some areas which had parish councils and some which did not;

- £135,000 was approved by Council for LGR work and the spend had been greater which would be reported accordingly;
- The Inner Circle Report had cost £8,000;
- the report would state education where this was general and refer to school only where a school was meant in order to include Early Years and those educated other than in a school;
- our approach had been explained to Police and Fire services and they had explained how they deliver services and future work would be to look at how our work supported their work ;
- Government statutory consultation was likely to begin around February;
- Neighbourhood Plans would be treated in same way as Local Plans, they are statutory and would not be undermined;
- service delivery would be integrated with other public sector bodies where possible;
- the principle identified was local delivery to meet local needs and work with third sector organisations who were able to advocate or represent and understand communities;
- there would not be asset disposal for the remaining life of this council that wasn't already planned or identified;
- Pixel had used the formulae in Fair Funding 2.0 on best projection for the funding mechanism and Exeter was projected to do quite well as a result which would have a positive impact on the potential unitary authority;
- it would be difficult to estimate demand and inflation for the next three years therefore officers chose to ignore both and keep calculations straightforward;
- the Fair Funding model was based on next year and estimates had to bring calculations back to this year's prices to make a like for like comparison;
- flexible use of capital receipts had been offered by Government in recent times, to cover transformational costs, which Transitional costs fall into. This might change planning around the current capital programme to potentially use some borrowing there but not borrowing for transitional costs;
- the financial model was extremely prudent;
- there were no significant savings projected through service transformation within upper tier services, built into the viability model;
- the financial model, based on disaggregation, taking apart the upper tier, as well as savings from bringing together district councils;
- there would be some rationalisation of property but mainly of officers, for example, there were eleven Section 151 Officers but only four would be required; and
- waste collection was efficient in Exeter with the MRF generating income and this model could be adopted across the new areas.

The Chair stated that the councillor numbers presented had come from a consensus from Group Leaders rather than being decided by officers.

Councillor Pole moved the recommendation from the Chair.

Councillor Haigh proposed an amendment, seconded by Councillor Moore and following a unanimous vote was CARRIED.

That the Special Strategic Scrutiny Committee:

2.1 Notes the work being done by officers to develop a final proposal for LGR in Devon and notes Member feedback to help shape that submission.

As the amendment was carried it became the substantive motion which Councillor Pole moved from the Chair, seconded by Councillor Atkinson and following a unanimous vote was CARRIED.

The meeting commenced at 5.30 pm and closed at 7.23 pm

Chair

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## **STRATEGIC SCRUTINY COMMITTEE**

20 November 2025

### Present:

Councillor Liz Pole (Chair)

Councillors Mitchell, K, Atkinson, Haigh, Harding, Miller-Boam, Moore, Rolstone, Wetenhall and Williams, M

### Also present:

Strategic Director for Operations, Head of Service – Environment and Waste, Head of Service – City Centre and Net Zero and Democratic Services Manager

Public Health Specialist – Devon County Council

### In attendance as Portfolio Holder:

Councillor Philip Bialyk  
Councillor Ruth Williams  
Councillor Laura Wright  
Councillor Matthew Vizard

### **19 Minutes**

The minutes of the meeting held on 11 September 2025 were taken as read, approved and signed by the Chair as correct.

### **20 Declarations of Interest**

No declarations of interest were made by Members.

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

There were no questions submitted by the public.

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

There were no questions submitted in advance by Members and no questions put to Portfolio Holders present.

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

Councillor Wright presented her report which was taken as read.

Councillor Wright, the Head of Service – Net Zero and City Centre and Head of Service – Environment and Waste responded to Members' questions in the following terms:

- the Police and Crime Commissioner (PCC) had been supportive in the past, including giving grants which were well received, what was required across

the country as well as in Exeter was more police officers. The demise of the PCC would return funds to the policing budget which should have a positive impact on operational policing and on the streets of Exeter;

- the new city centre strategy would include the action plan and would be produced with relevant partners but the timeline had been impacted by Local Government Reorganisation. Before the strategy was finalised it would be ensured that partners could deliver their parts. The Strategy would be added to the Executive Forward Plan to seek consent for public consultation;
- the CCTV covered as far down as Fore Street but the Council had worked with Devon County Council who had traffic cameras in Cowick Street could be monitored giving the Control Centre sight of them;
- the yellow signs were all within sight of cameras and it was known that people were less likely to call the police if they felt they were being followed but they might ring the control centre. Each yellow sign had the number of the nearest camera on them in order that people didn't need to say where they are and locations of cameras could be shared with councillors;
- dialogue with ward councillors would be helpful regarding potential sites for additional cameras as they did obtain information which the police didn't always receive from residents. Crime statistics had informed current camera locations as well as ensuring good coverage of the city centre area;
- the InExeter hyper local ASB Group had worked hard with ward councillors on issues as well as local businesses;
- data from the CCTV control centre would be tracked and shared. A walk-around the city centre with Mr Cox had taken place and it had been identified that some signs were too high and were programmed in to be adjusted;
- Councillor Wright was Member Champion for the SWAN charter and all organisations signed up to the scheme must have a champion. Bystander information was no longer available as part of the scheme but the aim was to encourage men to stand up when they saw inappropriate actions from others. Some venues that had signed up to the Charter have been removed. The CSP intended to look into the SWAN charter in the new year. The Charter was linked to the Best Bar None initially and this did require reaccreditation. These schemes had been resource intensive using short-term government funding which had now ceased. Organisations were still working within the ethos of the Charter;
- Data from MyExeter would be utilised at an operational level but may feed-in to strategic priorities in future;
- the Chair of the ASB sub-group of the CSP was to be handed over to Exeter City Council due to politicisation of ASB and the Monitoring Officer was looking at the constitution with regard to the mechanism for the CSP to feed back into the council and would report back;
- a review of council processes for encampments and traveller sites was being undertaken as there was a clear process by which officers collaborated but this was not currently shared clearly with councillors until there were travellers within their ward. There was tension between new police powers which did not allow them to move people on unless there was a designated site for them to move to and designated sites provisions did not take into account two-tier authorities. Work with Devon County Council hadn't been fruitful in the past and protected characteristics must be taken into account. Scheduled activities on Exeter City Council land did allow eviction as this was not classed as common land; and
- whilst incursion was a strong word, encampments and incursion were the terms used in legislation. Outreach is important but also some people are street-attached rather than homeless.

During discussion Councillor Rolstone commented that in leading a well-run council the revision of the processes and committees, especially in Planning were highlighted as best practice at a recent training session held nationally.

The Chair moved the recommendation, seconded by Councillor Kevin Mitchell, that the report be noted and following a vote was CARRIED.

## 24 Air Quality

The Chair invited Public Health and Councillor Rees, as proposer of the item to the table and explained that there was also a recommendation from the Executive.

Councillor Rees, under Standing Order No. 45, presented her Scrutiny Proforma and in doing so, made the following points:

- that this had been submitted in May 2024 prior to the previous Air Quality Action Plan coming to an end with the intention of evaluation before a new one was written;
- there was consensus that many targets were difficult to evaluate as they were not SMART therefore successes could not be celebrated or areas for improvement seen;
- the decision from Executive to have a wider strategy document with clear information for the public and also detailing aspirations;
- the Air Quality Action Plan had a specific remit and a wider strategy would provide a holistic picture of the ambitions for the city; and
- it was great to see Public Health represented.

The Strategic Director for Operations presented the report making the following points:

- the status report had been reviewed for twelve years;
- the annual status report had to be presented on a Government issued template which the council couldn't change.
- data from 2024 had been surprising as it had not been expected that East Wonford Hill would fall below the exceedance level set by the government;
- this was a positive situation but there was still work to do to improve air quality further;
- officers were now seeking to go on a different journey and were present at the meeting to hear from and to listen to members of the scrutiny committee;
- The Air Quality Action Plan was now required to be reviewed;
- this was highly specialist work which couldn't be resourced in-house due to the current vacancy; and
- in drawing the strategy together there would likely be workshops and other opportunities for member to engage.

The Public Health Specialist gave evidence making the following points:

- the Director of Public Health must see and sign off the air quality status reports;
- public health were keen to work with officers and members to look at how this could be better coordinated across the wider Devon area;
- Exeter was influenced by being one of the biggest commuting-in areas in the country;
- there was a desire to streamline the process by becoming involved earlier and looking more strategically across the area, including looking to have one data-set;
- once areas had moved beyond Air Quality Management Areas they were looking to address how authorities could work as a system; and

- looking across the whole region included Europe as everyone must be mindful of large forest fires having a wider-ranging impact on air quality.

The Strategic Director for Operations, Head of Service – Environment and Waste and Public Health Specialist responded to Members' questions in the following terms:

- the Executive had decided not to consult on reviewing the Air Quality Management Area (AQMA), as the AQMA would be short-lived;
- there was a legal requirement to look at the Air Quality Action Plan and comments about SMART objectives would be taken on board;
- there was a desire to have a strategy which would contain resourcing and costs to achieve the actions required;
- the government may decide to review current air quality targets, but no announcements had been made to date;
- the timescale for drafting the strategy would be as soon as was feasibly possible and feedback would be given but it was important to note that external resource would be needed and a procurement exercise would be required;
- views of those in the current area at East Wonford Hill that had not been below the government objective were important to the action plan.
- Local Transport Plan 4 had just been released and air quality was mentioned in it and a health impact assessment had been undertaken;
- there was a legal duty on Exeter City Council duty to measure nitrogen dioxide;
- air quality had no boundaries but there were certain controls which could be put in place both locally and nationally;
- locally there were statutory bodies who could take action but individual responsibility played a big part;
- cycling in Exeter was increasing;
- electric buses were due to come into service imminently;
- the duty to measure would continue and there was no plan to reduce the current monitoring network. The kit at the RAMM and Alphington corridor showed Exeter City Council's commitment to measuring air quality;
- transport was a major contributor to air quality as well as domestic heating;
- nitrogen dioxide was reduced through the introduction of electric vehicles, however, particulates would remain through wear and tear of tyres and brakes;
- cars becoming bigger and heavier means increased weight and therefore greater wear and tear on the road;
- the transport plan stated that it was desirable to use alternative modes of transport with the wish to give choice rather than remove options;
- hydrogen was likely to be dismissed nationally as a realistic solution as it produced nitrous oxide;
- there would be a natural drop-off of gas boilers with the installation of more air-source heat pumps;
- The Council's Housing Team oversaw damp and mould in both their own housing properties as well as the Private Sector. They were responsible for the Council's web content with respect to Awaab's Law. Work had been done ahead of introduction and implementation of the law, ensuring contractors working for housing delivered to appropriate timescales;
- improvements in technology would also bring improvements through the reduction of gas cookers in homes which were harmful;
- wood burners had an impact on the external environment but also internal as pollutants were brought directly into the home;

- there was information regarding air quality in deprived areas and it was known that there was often traffic in poorer neighbourhoods and residents were more susceptible to chronic health conditions. Hospital episodes were being looked at and modelling carried out replicating a Liverpool and London study;
- the relationship between internal and external air quality was not as straightforward in Devon as it was in London;
- Exeter's Passivhaus and other initiatives were being held up as examples of good practice;
- wood burners were permitted within a controlled area if they met the DEFRA standard and were burning the correct DEFRA approved fuel. At the point of purchase advice should be given and this would be a trading standards issue otherwise.
- There was legislation regarding Idling vehicles which was an offence not to comply with an officer's request to switch off, but would require enforcement resource;
- the action plan had included items which were out with the city council control and were that of the transport and highway's authority and engagement would be required to meet the actions and since the Public Health Specialist had been in post productive discussion had taken place;
- electric buses were reliant on funding external to Devon County Council and other areas with worse air quality had been more successful in attracting funding in the past;
- all work would look at transition with regard to local government reorganisation;
- cumulative impact came under planning law and it was difficult to demonstrate in planning term but public health and planning worked closely together and could be strengthened;
- permits were issued by the Environment Agency and local authorities depending upon the nature of the business being regulated; and
- a national consultation on permits had recently closed and the questions were wide-ranging which government were looking at, with a report expected in the new year.

During discussion Members' noted that:

- it would be useful to map other policies in existence, such as, Joint Strategic Needs Assessment and the local transport plan as these all had targets which already existed and could be updated;
- realistic targets should be set which may not only be exceedance of legal limits;
- it would be good to see a return of a car club initiative and enforcement where there was poor practice from developers;
- there could be an opportunity for procurement across Devon which would be to Exeter's advantage as some housing developments were on the edges of the city but out with Exeter City Council boundary;
- internal air quality should be included and advice could be given to residents on how to manage this within their home;
- trees and green infrastructure should be included;
- consideration of a rapid health impact assessment ([Rapid Health Impact Assessment for Local Transport Plan 4.pdf](#));
- Lower layer Super Output Areas(LSOAs) and areas of multiple deprivation should be considered within the strategy as some areas had deteriorated and now had two indicators including health outcomes;
- it was important to draw on best practices from other places and York and Winchester were examples which had links to other policies to ensure clarity

- of the whole air quality picture within an areas and the information was easy to read and understand;
- would a joint strategy with Devon County Council be possible;
- could measures of education and enforcement be clearly stated in the strategy including the costs;
- London had Breathe Cities – request to look at how to involve communities, for example in monitoring, identifying idling hotspots and children designing posters;
- that there was discussion with Planning to identify how developers could be encouraged to think about minimising air pollution at all stages of their building work;
- that single emitters be considered as each was treated separately and not included in wider data;
- it would be good to have more smokeless zones in the city, giving more coverage as well as a review, based on transparent principles, of where the NO2 monitors were. This could include looking at secondary roads which carried regular peak hour flow;
- which polluting chemicals would be considered in the strategy and which wouldn't as a councillor had recently learned about Butedine;
- plans should include all housing stock and be based on Energy Performance Certificate (EPC);
- on development sites dampening work could be undertaken before work began;
- some displacement of traffic may have led to increased traffic in areas of deprivation.

The Portfolio Holder for City Management responded to Members' questions in the following terms:

- there was a particular type of birch tree which was not good for air quality and the Parks and Green Spaces Team would give advice to the Planning department in order not to aggravate people's breathing issues;
- the original recommendation to the Executive was to focus on the East Wonford Hill area but that gave the wrong message, that there was no need to worry about the rest of the city;
- monitoring of the 85 sites would continue;
- there were interim World Health Organisation (WHO) targets; and
- her priority was to consider the city as a whole.

The Chair requested that a report be brought back to the Strategic Scrutiny Committee in June 2026 and that particulates be included as well as nitrous oxide.

The Chair proposed, seconded by Councillor Kevin Mitchell that the Customer Focus Scrutiny Committee note that officers note their comments and request clarification on the timetable of the Air Quality Management Area and Action Plan, balancing the need to make progress with space to have further workshops and hear back within six months.

Following a unanimous vote the motion was CARRIED.

## 25 Motion referred by Council

The Chair invited Councillor Wetenhall to present her motion, which she did making the following points:

- there were three resolutions and in order to achieve these some would be easy, cheap or quick and others would be difficult or more expensive;

- some could be done easily and there were best practice websites to compare to; and
- this work was important and relevant.

During discussion Councillors made the following points:

- easy to understand information was required for residents rather than technical detail;
- Denis the Dustcart was an excellent example of how information could be provided and it would be good to have something similar for air quality;
- people may not know the issues of wood burners;
- consultation could feed in information about communicating information and this could be reviewed within the action plan;
- communications could be incorporated into longer term work but it would be good to hear from officers if there were some simple wins; and
- it would be good to bring together technical and communications experts.

The Strategic Director for Operations, Head of Service – Environment and Waste and Portfolio Holder for City Management responded to Members' questions in the following terms:

- the Digital and Data team were seeking to address website issues, including making information more easily understandable;
- Awaab's law only applied to social housing at present but would be introduced into the private sector in 2026;
- the non-technical summary was now included on the Air Quality webpage and mapping was available despite some technical difficulties which had arisen;
- some things had been moved from the Air Quality webpage, such as bonfires information which could now be found under pollution and some links maybe required;
- the DCC transport plan had no reference to Air Quality until Exeter City Council's feedback had been responded to;
- the UK legal limits were included in the non-technical summary;
- the example given of York to look at how information was presented was welcomed; and
- some work was outside the remit of officers present, for example responsibility for damp and mould lay with Housing but all points made would be taken on board.

Councillor Atkinson made a proposal which was subsequently withdrawn that all aspects of the motion be considered as part of the strategy review.

Councillor Miller-Boam proposed, seconded by Councillor Rolstone that Customer Focus Scrutiny Committee:

- recognises that this council continues to be open and transparent with Air Quality data at the monitoring site and road level;
- recommends that officers consider additional website content to help improve understanding, for example, links to external organisations, regarding air pollution sources inside and outside the home; and
- guidance to residents and wider review of communications around air quality be brought forward as part of the air quality strategy in collaboration with Strata and Digital and Data teams.

During debate on the proposal Councillor Kevin Mitchell commented that there was no reference to the motion. Councillor Williams stated that he was pleased this motion had come to scrutiny and that relevant officers had increased his understanding and that as a communications professional he would be happy to

support informally where helpful and supported the recommendation. Councillor Wetenhall could not support the wording about being clear and honest as information on the website stated that air quality in this area had low impact and was unlikely to affect residents.

Following a vote the proposal was CARRIED.

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

The Chair made suggestions of changes to the timetabling on the work plan, as follows:

- that the Leader's Portfolio Holder Update be heard in January;
- Rivers Transparency Template, referred by Council be heard in January;
- Portfolio Holder Update on Arts, Culture and Tourism, Stagecoach and Shared Prosperity items be moved to April;

Councillor Moore enquired of her Empty Homes proforma which the Chair confirmed had been received and would be considered by the Scrutiny Programme Board in January after the Strategic Management Board had made comments.

The Chair proposed, seconded by Councillor Haigh, that the committee consider Unauthorised Encampments which she had submitted on a proforma and following a vote was CARRIED.

The Chair invited Councillor Wetenhall to put forward her proforma on Bike Storage. Councillor Wetenhall explained that Devon County Council were producing a report on Devonwide secure bike hanging and partnership working would be required. The Chair explained that a feasibility study would come forward which would be carried out in Exeter with a view to being rolled out. She added that the Green Travel Plan had been impacted by LGR and that a question about bike storage would be added to the tenants' survey.

Councillor Wetenhall proposed, seconded by Councillor Moore that the committee consider Bike Storage and following a unanimous vote was CARRIED.

Following a unanimous vote the draft Scrutiny Work Plan as amended was **AGREED**.

The meeting commenced at 5.30 pm and closed at 8.50 pm

Chair

## REPORT TO STRATEGIC SCRUTINY COMMITTEE

Date of Meeting: 15 January 2026

### PORTFOLIO HOLDER'S REPORT TO STRATEGIC SCRUTINY COMMITTEE

#### Councillor Philip Bialyk, Leader

##### **1. Issues relating to achieving the Council's published priorities**

**Provisional Finance Settlement** - The Provisional finance settlement has confirmed the projections that the new funding formula has largely offset the impact of the business rates reset. This does not mean that the council has more money to spend, but that the reductions required are significantly lower than projected at the start of this financial year. Council will consider the budget proposals during February.

**Value for Money Audit** – The Value for Money Audit report has been issued with a significant reduction in recommendations compared to 2023-24. The number of key recommendations has reduced from 5 to 3 and general recommendations down from 17 to 5. It remains a priority to address these areas.

**Statement of Accounts Audit** - The Statement of Accounts audit is progressing and the council is on track to consider the accounts and audit opinion at a special Audit & Governance Committee in February 2026.

**Strategic Partnerships** – The council continues to facilitate and sit on the Exeter Partnership. Over the last year, five theme groups have been created that focus on Culture, Business, Economy and Growth, Being Healthy and Active, Climate and Nature and Housing. A number of successes have been achieved, including a campaign to signpost women and girls to free/low cost activities in the city and a project to encourage more people to travel by train to use the Green Circle. Over the coming year, the partnership aims to support the council with its work to submit a bid to become a City of Culture and to achieve the Nature Towns and Cities Accreditation. The council also continues to be a partner of the Exeter Civic University Agreement. Earlier this year, the CUA partners created a film to reflect on the success of the partnership: [Civic University Agreements | Regional Engagement | University of Exeter](#)

**Corporate Plan** - The Executive has worked with SMB to develop a new, more streamlined Corporate Plan setting out the council's priorities up to 2028. In addition to setting out the council's priorities, the plan also sets out a series of measures to determine whether the council is delivering against the priorities set. Work is underway to develop a performance dashboard so that regular reports can be provided to SMB and Members on progress against the delivery of the plan.

##### **2. Update or commentary on any major ongoing programmes of work**

**Corporate Risk** - the work to enhance the Council's approach to risk management has continued, with further sessions, supported by Zurich Municipal, to review the Corporate Risk Register in light of the new Corporate Plan. A session was also held with Audit & Governance members to improve the understanding of their role in risk management. This has been well received. The new Corporate Risk Register will be presented in March 2026.

**Procurement** - Work to improve the council's approach to procurement has continued with strengthened oversight by SMB and reporting to Audit &

Governance Committee. Procurement training has been rolled out to around 150 staff. The next stage of improvements includes the introduction of a Procurement and Contracts Board, which will be chaired by the Strategic Director Corporate Resources and the rolling out of contract management training for staff.

**Materials Reclamation Facility (MRF)** - A scheme is being developed for the replacement of the recycling plant at the Exton Road MRF. This will involve extensive works to remove the existing plant, design, manufacture and install new plant and undertake extensive works to the building and infrastructure to accommodate this. A design team has been procured, and extensive surveys and investigations have been undertaken to confirm the scope of work and remedial works that are required. Whilst the refurbishment option is being currently prioritised, consideration is also being given to alternative ways to improve the recycling infrastructure including the purchase of additional buildings should that provide a more cost-effective alternative. This would be reported to Council should a viable opportunity be available.

**Commercial, Social Housing and Property Assets** - Works to the first phase at Vaughan Road – named Cherry and Damson Houses – is now complete and lettings have been arranged. SMB has agreed the funding viability allowing Phase B to proceed so plans are being made to formalise the procurement approvals and instruct the contractor – this is currently proposed as 6 one-bed and 10 two-bed apartments.

The final phase of the redevelopment of the non-traditional housing (known as Laings) in the St Thomas area of the city is now progressing with the contractor selection being finalised and works to commence on site in early January 2026.

Work continues on the retrofit programme for all council housing – 1,250 properties have been completed to date.

The formal legal application to Court for the removal of the telecom's equipment from the roof of Rennes House continues – the council now needs the engagement and commitment of the private company to agree the terms and timescale for the relocation of the equipment. This will then allow the demolition process to commence.

Devon County Council has terminated the Mallison Bridge replacement project due to financial constraints. Discussions are underway to see how the Active Travel England funding can be used for other projects within the city.

The options review for the renewal of Trews Weir has commenced. It is expected that the final Options Appraisal will be completed during the first six months of 2026 after which there will be a process of stakeholder engagement.

Repairs to a section of the City Wall at Bartholomew Street East have been completed. This follows the recent completion of repairs to the Rougemont and Northernhay Gardens Archway allowing it to be reopened.

Pendragon Road - the sale of land at Pendragon Road has been completed and the capital receipt received contributing to the viability of the delivery of Vaughan Road Phase B. This land is part of our social housing estate and therefore the receipt can only be used for social housing.

Contracts have been exchanged in respect of the land at Clifton Hill. This is an important step in the process to deliver an affordable rent Extra Care development on the site.

### 3. Issues that may impact : services delivery/financial performance/future budget requirements

**Local Government Reorganisation (LGR)** - In December 2024, the Government published the English Devolution White Paper: *Power and Partnerships – Foundation for Growth*. This set out a long-term plan for simpler council structures and the end of two-tier local government in areas like Devon.

In response to this, the council and Plymouth City Council has submitted a single, shared proposal to Government for local government reorganisation (LGR) in Devon.

Following the submission of the final proposal, work will need to continue to prepare the groundwork for the final model that is agreed by the Government. Work is underway to understand the budget and resource implications of the work that will be required and the impact that this may have on business as usual. Guidance from the District Councils Network and learning from other unitary councils recommends that preparatory work starts in a timely way in relation to the following:

- **Democracy and governance:** Developing the constitutions, establishing the leadership to steward the new organisations and running the elections for new councillors who will govern the new unitary councils. This also includes setting up shadow council arrangements as part of the transition.
- **Service design:** Developing the detailed future operating models that lay out how each service within each new authority will work.
- **Budgets and finance:** Apportioning the existing budgets to each new unitary in a fair and transparent way, as well as dealing with other key financial policies such as council tax harmonisation.
- **Workforce and organisational change:** Supporting the existing officer workforce with the changes and staff transfer to the new organisations. This will also entail other workforce considerations such as union engagement, staff consultation, redeployment issues, and culture and practice changes.
- **Data and technology:** Ensuring that all data we hold is accurate and complete, before it is safely transferred to the correct unitary. Managing the systems which hold this data and support service delivery falls within this element.
- **Procurement and contracts:** Identifying which contracts are novated to each unitary. This may involve contract variations and negotiations with suppliers, as well as preparation for decommissioning and re-procurement.
- **Partnerships:** Ensuring that the strong working relationships with partner organisations are maintained, as well as setting up new arrangements that align with both unitary aspirations and regional goals.
- **External delivery bodies:** Councils have set up a variety of delivery vehicles (arm's length companies and joint ventures) to support strategic objectives. We will need to work through decisions around the future of these vehicles and ownership of them.

#### 4. Potential changes to services/provisions being considered

**Office relocation** - The Civic Centre is no longer appropriate for the needs of the council. The building does not support modern ways of working and carries a high carbon footprint.

Senate Court in Southernhay has emerged as a viable alternative. The building is owned by the council, offers modern, open-plan space, and can accommodate around 500 workstations, alongside meeting rooms, committee rooms, the Customer Service Centre, and staff wellbeing facilities. It also aligns well with the council's sustainability goals, with the potential to achieve a high EPC B rating and support the council's net zero aspirations.

The Council is proposing to secure vacant possession of Senate Court by July 2026, following agreement with the current tenant. It is anticipated that the existing Civic Centre will be disposed of for much needed housing.

#### 5. Other matters the Portfolio Holder wishes to raise with the Scrutiny Committee

**County Combined Authority** – The council continues to be part of the Devon and Torbay Combined County Authority as a non-constituent Member and representative on the Devon and Torbay Housing Advisory Group. The council also continues to participate in the Devon Districts Forum which has recommended now that LGR submissions have been made. Should DCC decide to reinstate Team Devon, this council will of course recommence our engagement with it. The council has continued to work positively with councils across Devon and farther afield on issues of common interest.

**Strategic Communications** – the council continues to deliver strategic communications to its stakeholders through a number of mechanisms including social media, newsletters and press releases. Over the next 12 months, work will be undertaken alongside the Sales and Marketing Team to understand how the council can further improve the way it communicates strategically and promotes the council's priorities and services.

**Strata Joint Executive Committee** – The council continues to play its role in ensuring appropriate governance and oversight of our joint ICT company via participation in the Strata JEC as well as Scrutiny Committee.

### Portfolio Holder's Responsibilities:

- Corporate Plan
- Local Government Reorganisation and Devolution
- Corporate Risk Strategy
- MTFP and Budget Strategy
- Fees & Charges
- Devon and Torbay County Combined Authority
- Devon District Forum
- Team Devon
- Exeter Civic University Agreement
- Strategic Partnerships (incl Exeter Partnership) and the Sub Regional Growth agenda
- Commercial, Social Housing Assets & Property Assets
- Strategic Communications
- Business Rates Discretionary Grants
- Procurement Policy
- Strata Joint Executive Committee

# Agenda Item 8

## REPORT TO STRATEGIC SCRUTINY COMMITTEE

Date of Meeting: 15 January 2026

Report of: Strategic Director for Place

Title: Petition to the Council: Extend the Article 4 Direction (regarding houses in multiple occupation) to include all of Hillcrest Park and Doriam Close

### Is this a Key Decision?

Scrutiny is a non-decision making committee

### Is this an Executive or Council Function?

Executive

#### **1. What is the report about?**

- 1.1. The report provides commentary in response to a petition which seeks to extend the area covered by the Council's Article 4 Direction which restricts the conversion of regular housing (Use Class C3) to houses in multiple occupation (HMOs – Use Class C4: dwellinghouses occupied by between 3 and 6 unrelated people). The petition seeks that Hillcrest Park and Doriam Close are included in a revised Article 4 Direction. The formal response to the petition was to consider the petition by Strategic Scrutiny Committee. The petition and response text is included in Appendix A. The locations of Hillcrest Park and Doriam Close are shown in Appendix B.

#### **2. Recommendations:**

- 2.1. That the receipt of the petition regarding the extension of the Article 4 Direction regarding HMOs is noted; and
- 2.2. That a revision to the Council's Article 4 Direction is not required.

#### **3. Reasons for the recommendations:**

- 3.1. There is insufficient evidence of the presence of HMOs in Hillcrest Park and Doriam Close to justify a revision to the Article 4 Direction to include these additional streets as requested by the petition.

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

- 4.1. The report recommends that no further action is taken to amend the Article 4 Direction to extend its associated area. On this basis, the recommendations made in this report do not result in any direct additional resource implications.

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

- 5.1. The Council has an Article 4 Direction for a designated area around the campuses of the University of Exeter. This restricts Permitted Development rights in this area meaning that a change of use from a 'regular' class C3 dwelling to a class C4 house in multiple occupation requires planning permission. In establishing this position, the necessary processes in accordance with Article 4 of the General Permitted Development Order were undertaken.
- 5.2. The Article 4 Direction has been through various iterations; the current iteration came into effect in December 2024.
- 5.3. Although a petition has been received advocating an extension to area to which the Article 4 Direction applies, it is recommended that a review is not required - there are no specific legal requirements for the Council to review the Article 4 Direction at this time.

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

- 6.1. In making the recommendations no potential impact has been identified on people with protected characteristics as determined by the Act because the report is for discussion and no action is recommended.

## **7. Carbon Footprint (Environmental) Implications**

- 7.1. No direct carbon/environmental implications would arise from the recommendation not to review the Article 4 Direction nor extend the area to which it applies.
- 7.2. If a review of the Article 4 Direction was implemented it could restrict HMOs in a larger area around the University campuses which could potentially result in students seeking accommodation further away. This could increase car use which would have a negative impact in terms of carbon emissions and air quality.

## **8. Report details**

### Background

- 8.1. In 2010 the Council made an Article 4 Direction to restrict homeowners' permitted development rights to use their properties as HMOs. The Article 4 Direction has been through various iterations; it was established in 2010, updated in 2014 then, most recently, amended via a review conducted between 2022 and 2024 following the receipt of a petition in 2021. The current iteration came into effect in December 2024. With each review, the area to which the Article 4 Direction applies has grown.
- 8.2. Alongside the most recent Article 4 Direction review, the Council also updated the houses in multiple occupation supplementary planning document (SPD). This updated SPD provides more detailed guidance on how policy H5 of the Exeter Local Plan First

Review, and Policy C1 of the Exeter St James Neighbourhood Plan, will be implemented. This is in order to help manage the impact of HMOs, which, within the area covered by the Article 4 Direction, tend to be occupied by students. The SPD was adopted in December 2023.

### The petition

- 8.3. In September 2025 the Council received an 'e-petition' to extend the Article 4 Direction again to cover two roads to the north of the city close to the Streatham Campus of the University. The full petition text is included in Appendix A.
- 8.4. The petition ran from 18 September to 5 November 2025 and was signed by 40 people. It is understood that 38 of the 40 signatories of the petition live in either Hillcrest Park or Doriham Close.
- 8.5. Officers in the City Development Department have reviewed the e-petition and examined the potential evidence regarding HMOs to consider whether it would be appropriate to update the Article 4 Direction and extend the area to which it applies to include Hillcrest Park and Doriham Close on the basis of the reasons put forward in the petition;
  - Residential amenity; and
  - Access and parking issues.

### Analysis

- 8.6. Article 4 Directions remove permitted development rights and therefore there are significant considerations for determining when they are appropriate.
- 8.7. National planning policy sets out the requirements for when Article Directions, and their extension, could be considered. Paragraph 54 of the National Planning Policy Framework (NPPF) states the following:

*'The use of Article 4 directions to remove national permitted development rights should:*

- a) where they relate to change from non-residential use to residential use, be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre).*
- b) in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities).*

*c) in all cases, be based on robust evidence, and apply to the smallest geographical area possible'.*

- 8.8. Paragraph 54a) does not apply in the case of the Article 4 Direction regarding HMOs but the paragraphs 54b) and c) are relevant and so are discussed here.
- 8.9. Paragraph 54b) of the NPPF states that Article 4 Directions can be used to protect local amenity and wellbeing. This could potentially also take into consideration associated parking and access issues. The argument to extend the Article Direction to take in Hillcrest Park and Doriham Close would therefore be reliant on there being evidence of an adverse impact on local amenity, access and parking being caused by HMOs.
- 8.10. The starting point for identifying the evidence of current HMO impact is the number of HMOs in the two roads being suggested for inclusion in a revised Article 4 Direction. The boundary of the area currently covered by the Article 4 area is drawn to encompass postcodes (and their adjoining postcodes) where 20% or more of residential properties are likely to be HMOs, based on:
  - HMO licence data (all residential properties occupied by 5 or more unrelated people should have an HMO licence); and
  - Exemption N Council Tax data (which apply to properties entirely occupied by students).
- 8.11. There are no records of either HMOs or properties with an N Council tax rating in Hillcrest Park and Doriham Close. The two most reliable datasets therefore do not provide any evidence of HMOs in the two streets, and therefore by association, any evidence of HMO impact on local amenity, wellbeing, access or parking. This would reflect the position at the time of the previous Article 4 Direction review because the streets were not included at that time.
- 8.12. Paragraph 54c) of the NPPF states the importance of evidence to ensure that Article 4 Directions apply to the smallest geographical area possible. Given the lack of robust evidence of HMOs in Hillcrest Park and Doriham Close and the fact that the area covered by the Article 4 area has been extended in the last two years, a further extension of the area would not fulfil this NPPF requirement.
- 8.13. Looking more widely, the Council and the University have a policy to accommodate at least 75% of student growth in purpose-built student accommodation from a baseline date of 2006. This aims to ease pressure on regular housing stock from becoming HMOs. Whilst the outcome of the assessment varies each year, most recent data suggests the target was met in 2025. If this position persists, there may be fewer conversions of houses to HMOs in future years. This position will be monitored annually.

## Summary

8.14. Given the lack of evidence regarding the number of HMOs in Hillcrest Park and Doriam Close and the need for Article 4 Directions to cover the smallest geographic area possible, the inclusion of Hillcrest Park and Doriam Close in a revised Article 4 Direction area does not meet national planning policy and is therefore not currently justified.

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

9.1. The recommendation not to undertake a review of the Article 4 Direction relates to the 'homes' priority in the Council's Corporate Plan.

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

10.1. There are no statutory requirements to review the Article 4 Direction. On this basis, there are minimal legislative risks for the Council.

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

11.1. The Council does have the option of a review of the Article 4 Direction. Currently this is not considered to be an appropriate course of action because of the reasons detailed in the report.

Strategic Director for Place: Ian Collinson

Author: George Marshall – Assistant Service Lead: Local Plans

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

Background papers used in compiling this report:-

- Petition for the extension of the Article 4 Direction: November 2025.
- Current Article 4 Direction regarding houses in multiple occupation: December 2023.

Contact for enquires:

Democratic Services (Committees)

Room 2.35

01392 265275

## **APPENDIX A: Petition and formal response**

### **Petition**

'We the undersigned petition the council to extend the Article 4 Direction to restrict houses of multiple occupancy (HMOs) in the whole of Hillcrest Park and Doriam Close'.

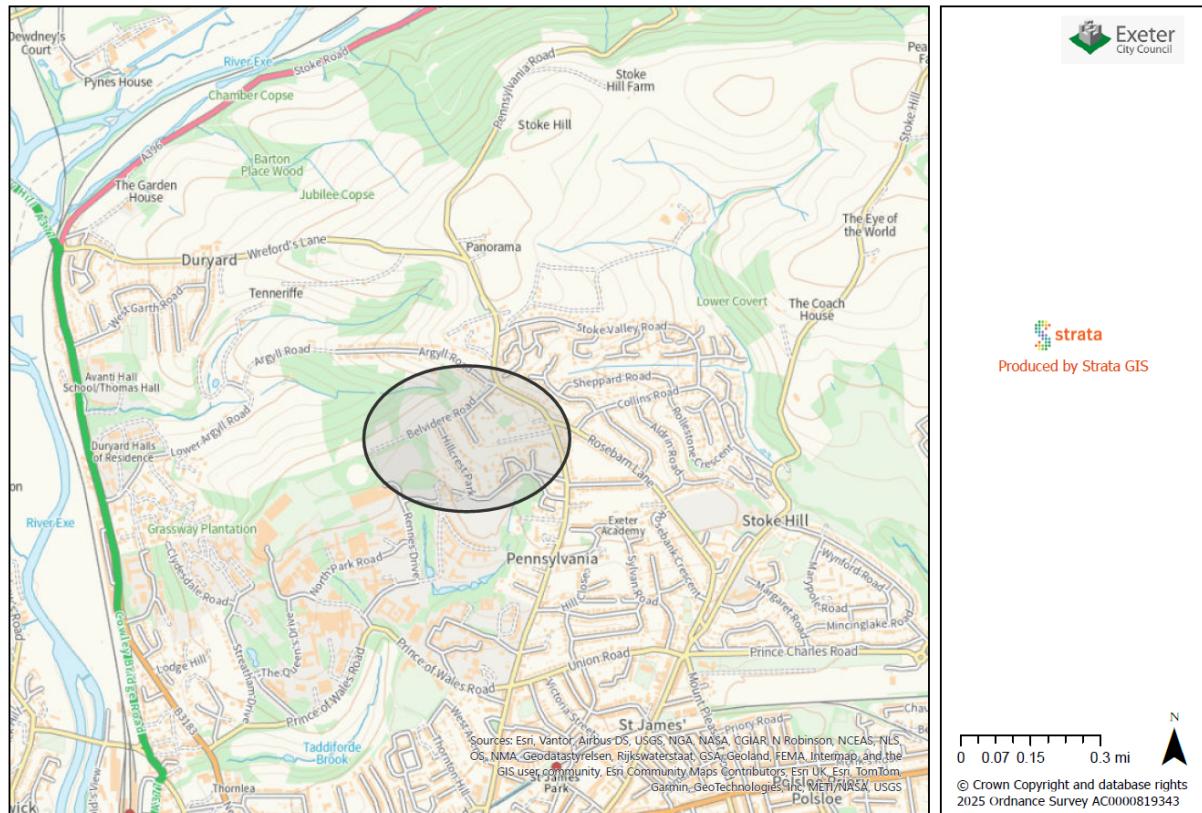
'Hillcrest Park and Doriam Close are quiet, residential streets. The conversion of dwellings in Hillcrest Park and Doriam Close to HMOs (which includes student lets) should be restricted in order to preserve the residential amenity of these areas which would be severely adversely harmed if the dwellings started to be converted into HMOs. Furthermore, Hillcrest Park is a private cul-de-sac accessed by a single track lane. Increased vehicular movements resulting from conversion to HMOs would create access and parking issues. When the new Article 4 Direction was enacted in 2024, it did not extend to include Hillcrest Park and Doriam Close. Hence, this e-petition is a request for the Article 4 Direction to be further revised to include these two roads'.

### **Council response**

This petition has received 40 signatures and as such will be heard by the Strategic Scrutiny Committee.

This meeting will be held on Thursday 15 January 2026, at 5:30pm in the Rennes Room, Civic Centre.

## APPENDIX B: Location Plan showing Hillcrest Park and Doriam Close



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# Agenda Item 9

## PROTOCOL FOR UNAUTHORISED ENCAMPMENTS (CARAVANS & VEHICLES)

### LAND OWNED OR CONTROLLED BY THE COUNCIL

#### 1.0 INTRODUCTION

- 1.1 This Protocol is intended for use where an unauthorised encampment is reported on the Council's land. It has regard to the requirements of the Office of the Deputy Prime Minister's document "Guide to effective use of enforcement powers - Part 1: Unauthorised encampments" February 2006, one aim of which is to help strike a balance between the needs and legitimate expectations of members of the settled community, local businesses and other landowners, and Gypsies and Travellers.
- 1.2 By way of definition, the term "*unauthorised encampment*" shall be the same as that stated in the ODPM's guidance. ***Unauthorised encampment – trespassing by Gypsies and Travellers on land which they do not own (e.g. playing fields, farmers' fields or other private land).***
- 1.3 When an unauthorised encampment on the Council's land is brought to the attention of the Council it should be reported to Corporate Property who will inform the officers mentioned in 3.1. Corporate Property will inform the Chief Executive and Deputy Chief Executive. A decision will be required whether to evict or authorise for a fixed period. Other interested departments and third parties must be notified as necessary.
- 1.4 This Protocol has been subject to an Equality Impact Assessment.

#### 2.0 INITIAL CONTACT

- 2.1 Normally two officers from Corporate Property (the Visiting Officers) (or other Section or other Agency if appropriate) will make contact, ideally within 24 hours, note the number of vehicles and caravans and advise the trespassers that they are camped on land, which is not a campsite. Enquiries must be made and recorded as to any welfare, health or educational needs.
- 2.2 In circumstances where an encampment involves only tents or rough sleepers it is not necessary for Corporate Property to be involved. The Department responsible for the affected land should make their own arrangements for dealing with such encampments.
- 2.3 The Visiting Officers will arrange for Civil Enforcement Officers to accompany them. If not available, the Visiting Officers must decide whether to proceed or delay. (See Section 7)
- 2.4 The initial visit is an opportunity for giving information to unauthorised campers about;
  - the standard of behaviour expected,
  - what is going to happen next, what procedures the authority are likely to follow and what this means for the unauthorised campers
  - names and addresses of local services and sources of advice likely to be useful to the unauthorised campers. (See para 8 below for full contact details of useful contacts.)

#### 3.0 MAKING DECISIONS

- 3.0 On return to the Civic Centre the visiting officer should:
  - Make appropriate welfare enquiries
  - Notify G&T Traveller Liaison Service and EMTAS (see para.8).

- If there are safeguarding concerns these will be discussed with safeguarding lead or designated professional, if appropriate a safeguarding referral will be made.
- Consult, subject to individual officers being available, the following:-
  - (1) The most senior officer responsible for the land or a representative
  - (2) The City Surveyor or a representative
  - (3) The City Solicitor or a representative

Those consulted should decide on how to manage the unauthorised encampment. The Chief Executive and Deputy Chief Executive are to be kept informed, plus other relevant officers.

- | 3.1 Decisions must be: based on information gathered; lawful; reasonable; balanced and proportionate; based on Government guidance; and fully recorded and documented.
- | 3.2 Any welfare needs of unauthorised campers are a material consideration for local authorities when deciding whether to start eviction proceedings or whether to allow the encampment to remain longer. Welfare needs do not give an open ended right to stay. Some examples, (given in the guidance), of welfare needs to be considered in eviction decisions include advanced pregnancy, ill health, and educational needs. In some circumstances it may be appropriate to exclude a single person or family from eviction action.
- | 3.3 The Human Rights Act 1998 should be considered. With regard to eviction, the issue that must be determined is whether the interference with the unauthorised camper's family life and home is justified and proportionate. The human rights of members of the settled community are also material if an authority fails to curb nuisance from an encampment.
- 3.4 Also to be considered is the Equality Act 2010 under which it is necessary to eliminate, as far as reasonably possible, discrimination, harassment intimidation etc and to foster good relations between the travelling and settled community.
- 3.6 **Unacceptable Encampment Locations.** There are locations where encampment will not be acceptable under any circumstances. If the unauthorised campers refuse to move from an unacceptable location, eviction processes should be commenced. Only if extreme welfare issues exist would a decision other than eviction be considered.

Examples of unacceptable locations given in the guidance include: Town & Village Greens, school car parks or playing fields, an urban park, car parks, industrial estate, a site where pollution could damage groundwater, a derelict area with toxic waste or other serious ground pollution, the verge of a busy road where fast traffic is a danger. This list is not exhaustive and would also include for instance the Council's Operational Property.

Unauthorised Encampments have been experienced at the following Unacceptable Encampment Locations:

Riverside Valley Park  
 Matford Park & Ride  
 Haven Banks Car Park  
 Ludwell Valley Park Playing Fields  
 Eastern Fields  
 Betty's Mead Playing Fields  
 Station Road (Pinhoe) Playing Fields  
 As part of Exhibition Fields is a Village Green, a notice is to be erected at the same time as Court papers advising the action the Council is taking.

- 3.7 **Other Locations.** Generally, tolerance will be shown where groups are small, look after the land they are parking on, don't dump or burn rubbish, park vehicles safely, keep animals

under control and only park on land not needed for another purpose, or where there are genuine welfare grounds.

3.8 Consideration will be given as to whether there is another council owned parcel of land which is not currently operational and where lawfully, and notwithstanding the lack of planning consent the travellers could be temporarily sited. If there is such a site it should be included in the consultation under clause 3.1.

#### **4.0 DECISION TAKEN TO TOLERATE**

4.1 The unauthorised campers should be informed of: the decision, the period over which their presence will be tolerated, their responsibilities, and the factors that might trigger the eviction process. Encampments should be kept under review.

4.2 Changed and deteriorating circumstances and levels of anti-social behaviour could lead to the start of eviction proceedings, for example; increased levels of nuisance or environmental damage. This could also occur if other unauthorised campers join the original encampment and increase its size to unacceptable levels or initiate anti-social or criminal activities. It should be made clear to unauthorised campers that such changes could precipitate eviction, if they occur.

4.3 Depending on the facts of the case, the effects of unauthorised use for short periods might not be unacceptable in planning terms. In this context, the Council may wish to bear in mind the length of time specified in part 5 of schedule 2 to the 1995 General Permitted Development Order, for which caravans may stay on land without requiring specific planning permission, which is 28 days total in any year.

#### **5.0 DECISION TAKEN TO EVICT**

5.1 Once a decision to evict an unauthorised encampment has been properly taken, the aims should be:

- To act quickly and efficiently
- To use powers most appropriate to the circumstances
- To reduce scope for challenge through the courts by ensuring that policies and procedures are properly followed so as to reduce cost and delay.

5.2 On land **owned** by the Council a claim for possession should be brought using Civil Powers in the County Court, see section 6 below.

5.3 On land **not owned** by the Council, the Council may use powers under the Criminal Justice & Public Order Act (CJPOA) 1994 ss77 & 78, through the Magistrates Court. In general, if a request to evict unauthorised campers is received, such owners will be advised that this is their own responsibility. If there is some over-riding reason for the Council to become involved in such action and it has the authority the owners should be advised that the same criteria would be used in decision making as that outlined above.

5.4 It should be noted that on land where there are two or more persons trespassing AND those persons cause damage or engage in anti-social behaviour OR those persons have 6 or more vehicles on the land the Police do have special powers under s61 of the CJPOA.

#### **6.0 PROCEDURE FOR EVICTION AND CORRECT SERVICE OF NOTICES**

6.1 It is **vital** that notices are served correctly. To be served correctly a notice must, as a minimum, be placed in a clear plastic envelope fixed on a stake driven into the land so that it is clearly visible. In addition, wherever practical notices should be placed on or with each caravan. (Where possible a photographic record should be made of the notice fixed to the stake). When encampments are large or where trespassers become aggressive it may not be possible to serve a notice on each caravan. Private Bailiffs may be engaged to serve

notices. Any Officer or Bailiff who serves a Court Notice must complete a Certificate of Service form N125, available from Legal Services.

6.2 **Step 1** – A Direction to Leave Land requiring the travellers to vacate the premises by a stated date and time may be served, the minimum reasonable notice period being 24 hours unless there are very extreme circumstances. This direction is not essential under the County Court Procedures but is considered a sensible step to take and the direction can be served at the same time as the County Court papers.

A Template can be found on S/Property/Estates/Travellers.

6.3 **Step 2** - An application to the County Court via Legal Services should be initiated and Legal Services will prepare the Claim (*Form N5 – Claim Form for Possession of Property, N121-Particulars of Claim, a Draft Order for Possession and visiting officer's statement*) with assistance from the visiting officer. Proof of title to the land must be established and details included in the visiting officers statement. The Court will provide a hearing date, which will be inserted along with the Court Seal on the claim papers. The sealed court papers must be copied and served.

6.4 **Step 3** – Court Hearing – One of the visiting officers should attend with a member of Legal Services. Where a Possession Order is granted, the Order should be served immediately on the trespassers and where required a warrant of execution should be filed at the Court Office instructing Court Bailiffs to proceed with eviction.

6.5.1 Notify other interested departments and third parties that an encampment is likely to be on the move. When vacant, secure and initiate clean up. Review Security Measures.

## **7.0 GENERAL**

7.1 Health and Safety issues can arise for Council staff working on site. Such staff must work in accordance with the Safe Working Practice on Site Visits Protocol and the Step Away Policy. Assistance from Civil Enforcement Officers can be requested. The Police have stated that they are not prepared to make joint visits unless there is a pre-existing situation of criminality. If an incident develops on site the Visiting Officers should step away and consider calling the Police on 999.

# Agenda Item 10

## Rivers 2 transparency template motion 20.8.2025

### Rivers Motion 2, August 2025.

#### **This Council notes that:**

Increasing dialogue and working with relevant stakeholders is the key to improving water quality to benefit all Exeter residents and wildlife.

This government has made improving river quality a key priority. The Environment Secretary MP Steve Reed has pledged that sewage pollution from water companies will be cut in half by the end of the decade.<sup>i</sup> “The Government, in partnership with investors, has secured funding to rebuild the entire water network to clean up our rivers with a record £104 billion being invested to upgrade crumbling pipes and build new sewage treatment works cutting sewage pollution into rivers.”

In July 2019 Exeter declared a climate emergency, and this was strengthened in April 2021 by including biodiversity. The Exe Estuary has the highest protection status afforded to it and is designated a Site of Special Scientific Interest and a Special Protection Area because it supports internationally important populations of birds. The Council has an obligation to protect its rivers and the City Council’s Harbour Board has, as one of its core values “We will lead on environmental stewardship of the Port.”<sup>ii</sup>

South Hams District Council recently voted unanimously to request SWW use the Friends of the River Dart’s “Transparency Template” to record all information regarding infrastructure upgrades so that progress to improved systems can be easily understood and communicated to the public.<sup>iii</sup> The Transparency Template is an easy to understand pro forma which SWW is requested to complete to detail all of their pieces of infrastructure in the region, their capacity and method of filtration, and the timetable for upgrade. The FORE Transparency Template is attached, SWW completing this will enable the public to easily understand SWW’s planned investment in its infrastructure and so can track progress to better water quality.

#### **This Council resolves that:**

The leader of the Council/ Chief Executive write to the Chairman of the Pennon Group and request that SWW complete the FORE Transparency Template for each piece of their infrastructure in the Exe and her catchment.

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<sup>i</sup> <https://www.gov.uk/government/news/reed-government-to-cut-sewage-pollution-in-half-by-2030>

<sup>ii</sup> [Harbour+Board+Visioning+Event+Review+-+EHB+11+Mar+2024.pdf](#)

<sup>iii</sup> [Council Vote Unanimously To Support Friends Of The Dart Transparency Template — Friends of the Dart](#)

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**South West  
Water**

Cllr Phil Bialyk & Bindu Arjoon  
Exeter City Council  
Civic Centre  
Paris Street  
Exeter  
EX1 1JN

Thursday 9th October

*Sent by email*

Dear Cllr Bialyk and Ms Arjoon,

Thank you for your letter to our Chair dated 19 September 2025 regarding Exeter City Council motion to request South West Water to adopt the Friends of the River Exe (FORE) transparency template. I am responding on his behalf, as Head of Local Government Affairs.

My team were informed of the motion and discussed this issue with Cllr Tess Read ahead of your Council meeting. In this conversation, I outlined a similar conversation that had taken place at the South Hams District Council Scrutiny and Overview Committee on 27 March 2025. Following consultation with colleagues within South West Water, we replied indicating this transparency template would not be adopted.

We are committed to transparency and engagement, regularly providing information to a variety of external organisations using databases we hold internally. We also point organisations to other regulatory bodies where we are not the primary holder of the information requested. Aside from personal information (e.g. the names of individual employees), the information you are requesting is already publicly available through these routes.

Organisations may choose to take our data and include it any format they so wish. However, it is not for South West Water to do this on behalf of others. We have robustly reviewed your request internally and won't be adopting the process as set out in your motion as it would complicate our existing regulatory processes. We will communicate our plans, provide updates on our investments and maintain regular engagement through our new dedicated Local Government Affairs team.

We are committed to further engagement with you and your members. We have agreed to meet with Cllr Tess Read and representatives of the Friends of the River Exe to provide relevant information including investment plans for the River Exe Catchment. This meeting date is to be confirmed by Cllr Read, and we extend the invitation to you should you wish to attend. We will also accept your invitation to appear before the Strategic Scrutiny Committee, once a date has been confirmed.

Yours sincerely,

A handwritten signature in black ink that reads "Alan Burrows".

Alan Burrows  
Head of Local Government Affairs

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**WORK PLAN FOR SCRUTINY ITEMS 2025/26***Working Draft*

<b>Strategic Scrutiny Committee</b>	<b>Item</b>	<b>Strategic Director</b>	<b>Portfolio Holder</b>	<b>Origin of Business</b>	<b>Status</b>
15 January 2026	Portfolio Holder Update – The Leader of the Council, Cllr Bialyk	Chief Executive	Leader (Cllr Bialyk)		
15 January 2026	Unauthorised encampments	Strategic Director for Operations (AP)	City Management (Cllr R Williams)	Proforma from Cllr Pole	
15 January 2026	Rivers Transparency Template	Strategic Director for Operations (AP)	City Management (Cllr R Williams)	Motion referred from Council 2 September 2025	Invite South West Water to attend and give evidence.
15 January 2026	Petition – To extend Article 4 direction to include all of Hillcrest Park & Doriam Close	Strategic Director for Place (IC)	Portfolio Holder for City Development (Cllr Patrick)	Petition - online	
12 March 2026	Portfolio Holder Update (Cllr Wood)	Strategic Director for Place	Portfolio Holder for Leisure Services & Healthy Living (Cllr Wood)		
12 March 2026	City Wide Net Zero - Programme of work and update on delivery	Strategic Director for Place (IC) Service Lead Net Zero & Business (VH)	Portfolio Holder Climate, Ecological Change and Communities (Cllr Vizard)		
12 March 2026	Live and Move Programme Update	Chief Executive	Portfolio Holder Leisure Services & Healthy Living (Cllr Wood)	Report from Strategic Scrutiny Committee 16 March 2023 half yearly	

Strategic Scrutiny Committee	Item	Strategic Director	Portfolio Holder	Origin of Business	Status
2 April 2026	Portfolio Holder Update (Cllr Foale)	Strategic Director for Place	Portfolio Holder for Arts, Culture and Tourism (Cllr Foale)		
2 April 2026	Progress Report Shared Prosperity Fund - Update	Strategic Director for Place (IC) Service Lead Net Zero & Business (VH)	Portfolio Holder Climate & Ecological Crisis (Cllr Vizard)	Report from Strategic Scrutiny Committee 29 September 2022 half yearly report	
2 April 2026	Performance and Service Provided to Customers and Stakeholders of Stagecoach South West in Exeter	Strategic Director for Place (IC)	Communities (Cllr Vizard)	Scrutiny proposal Cllrs Snow, Parkhouse and Hughes	

*Items to be considered 15 January 2026:*

*Items to be timetabled 15 January 2026:*

Portfolio Holder Update – City Development	Cllr Patrick		

*Items to be scoped 15 January 2026*

Bike Parking	Proforma from Cllr Wetenhall		Poss April

*Items to be added to forward plan in new municipal year*

Air Quality			Result of Air Quality item in

DRAFT

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