

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Wednesday 15 October 2014

The Right Worshipful the Lord Mayor (Cllr Prowse)
The Deputy Lord Mayor (Cllr Newby)
Councillors Baldwin, Bialyk, Branston, Brimble, Brock, Bull, Choules, Clark, Dawson, Denham, Donovan, Edwards, Foggin, Fullam, George, Hannaford, Henson, Holland, Laws, Leadbetter, Lyons, Mitchell, Mottram, Owen, Pearson, Raybould, Sheldon, Shiel, Spackman, Sutton, Tippins, Wardle, Williams and Winterbottom

39 **APOLOGIES**

Apologies for absence were received from Councillors Bowkett, Crew, Morris and Robson.

40 **MINUTES**

The minutes of the Meeting held on 29 June 2014 were taken as read and signed as correct.

41 **PLANNING COMMITTEE - 21 JULY 2014**

The minutes of the Planning Committee of 21 July 2014 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Planning Committee held on 21 July 2014 be received.

42 **PLANNING COMMITTEE - 1 SEPTEMBER 2014**

The minutes of the Planning Committee of 1 September 2014 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Planning Committee held on 1 September 2014 be received.

43 **PLANNING COMMITTEE - 29 SEPTEMBER 2014**

The minutes of the Planning Committee of 29 September 2014 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Planning Committee held on 29 September 2014 be received.

44 **LICENSING COMMITTEE - 22 JULY 2014**

The minutes of the Licensing Committee of 22 July 2014 were presented by the Chair, Councillor Dawson and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 22 July 2014 be received.

45

LICENSING COMMITTEE - 23 SEPTEMBER 2014

The minutes of the Licensing Committee of 23 September 2014 were presented by the Chair, Councillor Dawson and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 23 September 2014 be received.

46

SCRUTINY COMMITTEE - COMMUNITY - 9 SEPTEMBER 2014

The minutes of the Scrutiny Committee - Community of 9 September 2014 were presented by the Chair, Councillor Shiel and taken as read.

In respect of Minute 36 (Allotment Service Review) Councillor Shiel advised that Councillor Raybould had declared a Discloseable Pecuniary Interest on this item and left the meeting for consideration of the item.

RESOLVED that the minutes of the Scrutiny Committee - Community held on 9 September 2014 be received.

47

SCRUTINY COMMITTEE - ECONOMY - 11 SEPTEMBER 2014

The minutes of the Scrutiny Committee - Economy of 11 September 2014 were presented by the Chair, Councillor Henson and taken as read.

In respect of Minute 46 (Business Improvement Presentation) and in response to a Member's question, Councillor Henson confirmed he would clarify the point in relation to the Christmas lights.

In respect of Minute 49 (City Centre Night-Time Economy) Councillor Newby commented that the 'Help Zone' had eased the pressure on the Police and the Ambulance Service and thanked all those involved.

RESOLVED that the minutes of the Scrutiny Committee - Economy held on 11 September 2014 be received.

48

SCRUTINY COMMITTEE - RESOURCES - 17 OCTOBER 2014

The minutes of the Scrutiny Committee - Resources of 17 October 2014 were presented by the Chair, Councillor Baldwin and taken as read.

RESOLVED that the minutes of the Scrutiny Committee - Resources held on 17 October 2014 be received.

49

SCRUTINY COMMITTEE - RESOURCES - SPECIAL - 2 OCTOBER 2014

The minutes of the Scrutiny Committee - Resources of 2 October 2014 were presented by the Chair, Councillor Baldwin and taken as read.

RESOLVED that the minutes of the Scrutiny Committee - Resources held on 2 October 2014 be received.

50

AUDIT AND GOVERNANCE COMMITTEE - 24 SEPTEMBER 2014

The minutes of the Audit and Governance Committee of 24 September 2014 were presented by the Chair, Councillor Sheldon and taken as read.

The Lord Mayor thanked officers and Members for the effort and hard work on the production of an excellent set of Accounts.

RESOLVED that the minutes of the Audit and Governance Committee held on 24 September 2014 be received.

51

EXECUTIVE - 16 SEPTEMBER 2014

The minutes of the Executive of 16 September 2014 were presented by the Leader, Councillor Edwards and taken as read.

In respect of Minute 85 (Allotment Service Review) and in response a Member, the Portfolio Holder for Environment, Health and Wellbeing stated that officers were liaising with Allotment Associations and individual allotment holders to take forward a Partnership approach to the future management of the allotments. It was anticipated that the Allotment Holders Forum would be established by March 2015.

In respect of Minute 88 (Corporate Plan Update 2014), the Leader stated that the Corporate Plan set out the future direction for the Council. Exeter was now one of the top ten places to live in the country and that there were currently surplus job vacancies in the city.

RESOLVED that the minutes of the Executive held on 16 September 2014 be received and, where appropriate, adopted.

52

EXECUTIVE - 7 OCTOBER 2014

The minutes of the Executive of 7 October 2014 were presented by the Leader, Councillor Edwards and taken as read.

In respect of Minute 98 (Overview of Revenue Budget) and in response to a Member, the Leader commented that whilst he did not dispute the Member's financial summary of the position over the past few years this Council was investing in the future of the city. The New Homes Bonus monies are being used to fund the development of a new fit for purpose swimming complex to serve the residents of Exeter. The Council borrowed to invest and to provide savings in the medium to long term, part of this was the installation of LED lighting in the Civic Centre and solar panels on council owned buildings which would help the Council to achieve the status of an Energy Neutral Council.

In respect of Minute 101 (Arrangements for the Provision for the Joint Management of Strata) and in response to a Member, the Leader stated that the Council would have equal shares with East Devon District Council and Teignbridge District Council in Strata and the employees would have the same benefits as council employees. The Strata report was considered by Teignbridge District Council on Monday and an amendment was proposed to some make minor changes to the Joint Scrutiny Committee's Terms of Reference and Rules of Procedure. To ensure that all Councils agree the same way forward it is proposed to resolve to delegate this function to the Chief Executive.

RESOLVED to:

- (1) delegate to the Chief Executive authority to finalise the Joint Scrutiny Committee's Terms of Reference and Rules of Procedure; and
- (2) delegate authority to appoint a Director to the Strata Management Board to the Chief Executive (so that the Council has in place a formal mechanism for appointing the Director to the Strata Board).

RESOLVED that the minutes of the Executive held on 7 October 2014 be received. and, where appropriate, adopted.

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QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 8

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

Question - Ref Lengthy Delays carrying out Property Searches

Cllr Edwards is aware of this problem - it is seriously affecting property sales and harming the City's Property Market and therefore propriety! Some weeks ago he stated that the problem was sorted however the Chairman of the Exeter Estate Agents Association wrote to the City Council last week to say the matter was getting worse. I raised this with Cllr Edwards by way of an email on Thursday 9th October, to which I am still awaiting a reply!

Please would Cllr Edwards detail what he is doing to alleviate the problem, the timescale and how is he communicating this to the Business Community and Councillors?

The Leader stated that the Portfolio Holder for City Development would respond to this question.

The Portfolio Holder for City Development responded that the Council was aware of the situation and would like to apologise to anyone who has been inconvenienced by the delays, which are unacceptable. This matter had been raised by the local estate agents and a meeting had been arranged with local agents and solicitors to discuss their concerns. To put the issues into context the Council is carrying out more land searches now than in recent years, there were 1,990 in 2012/13 compared to 2,660 in 2013/14 and because of this, extra resources have been deployed to cope with the workload. This is a specialist area of work, and it takes time for those extra resources to acquire the necessary local knowledge and expertise. Council employees were working long hours and the Council has also seconded a member of staff from Teignbridge District Council to help deal with the workload.

The Council has received an unprecedented demand, for example on one day 52 requests were received compared to an average of 12 to 15 per day and the recent transfer of Princesshay to Henderson Estates generated a series of time-consuming searches. Progress was starting to be made and it was expected that turnaround times would come down, the overall turnaround was now 36 days down from 45 days at its peak. Local agents and solicitors were kept up-to-date with progress via a weekly e-mail and in response to your e-mail dated 9 October, the Leader has instructed officers to convene a meeting with the Chair of the Exeter Estate Agents Association to which you will be invited.

In response to a supplementary question the Portfolio Holder for City Development confirmed that the turnaround was 36 working days.

Question - In view of the recent changes to Youth Club provision in the City - what can Cllr Edwards and the City Council do in order to help to continue to provide services and/or alternate provision (especially bearing in mind two of the City's premises belong to the City Council)?

The Leader stated that the Portfolio Holder for Enabling Services would respond to this question.

The Portfolio Holder for Enabling Services responded that the Council is working with county colleagues, members and potential new providers of youth/community services via the Exeter Board to identify any sources of possible funding either from within the city, such as Exeter Board or external funding. Whilst the provision of youth services were not a City Council responsibility council officers are supporting potential new providers to look at networking opportunities within communities directly affected by Devon County Council youth club closures.

Two of the youth centres at Phoenix and Westside are city council buildings on long leases to Devon County Council and the Council would be happy to discuss the future of these facilities with Devon County Council or any other potential service providers. The City Council continues to support the nine community centres in the city that are leased to community groups to deliver community provision.

Question - I am sure Cllr Edwards would agree that, in the words of a famous wartime Leader, it is better to Jaw Jaw than War War?

What would he suggest he can do to foster better working relationships between the County and City Councils as after all we should all be working for the benefits of the residents of Exeter.

The Leader responded that he could not agree more that the County Council should work together with the City Council for the greater good of the city. The City Council have instigated meetings with opposition Leaders and the Leader of Devon County Council on issues such as its budget consultation exercise and proposed leisure complex. However, Devon County Council had initiated cuts within its services such as warden control housing, day care services for the elderly, youth facilities in the city and weed spraying which affected Exeter residents, without any previous discussions with the City Council. The City Council was still waiting to hear about signage for Topsham car parks.

As Leader I am happy to instigate another meeting should you wish to discuss the matters I have raised.

Councillor Leadbetter raised a supplementary comment that Devon County Council had provided the city with a new Library and excellent new secondary schools. He stated he would meet with the Leader and the Chief Executive to discuss the way forward for the city.

EXETER BOARD MEMBERSHIP

RESOLVED to agree that Councillors Edwards and Owen replace Councillors Branston and Robson on the Exeter Board.

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

Councillor Shiel, seconded by Councillor Baldwin, moved the following Notice of Motion:-

'While fully accepting the role of any trades union to negotiate over pay for its Members and support them through any grievance procedure, this Council utterly condemns the use of strike action'.

In presenting the Notice of Motion, Councillor Shiel stated that he had been in the past a Member of Trade Union and whilst Trade Unions had a place in dealing with grievances, pay and conditions he did not believe in strike action. Strike action was a way of Trade Unions making demands in a menacing way and was the first step towards anarchy. He had no problem with employees wanting better pay but he had an issue with the use of strike action being used as a weapon. Councillors should look back at the winter of discontent and ask what Trade Unions were striking for and what had been achieved. He asked Councillors to support this motion.

In opposing the motion the majority of Councillors felt that whilst strike action was a last resort it was the democratic right of employees to strike. In recent years council employees had only received a pay rise of 1% whilst pensioners had received a rise of 2.5%. The Trade Union needed to stand up to the Government. It was a fundamental human right to belong to a Trade Union and take strike action. This was a democratic country and low paid workers such as nurses and care workers should have the right to strike for better pay. This Council had introduced the living wage and this had helped lower paid council employees to reduce their reliance on benefits.

A Member questioned the introduction of the living wage and how much better off these employees are, as an increase in wage means a cut in benefits therefore these employees have no additional monies. Tax cuts would better help the low paid.

In response Councillor Shiel was glad that the notice of motion had sparked such an interesting debate although he felt the point of the motion had not been addressed.

In accordance with Standing Order 27(1), a named vote on the Motion was called for, as follows:-

Voting for:

Councillors Baldwin, Henson, Holland, Leadbetter and Shiel

(5 Members)

Voting against:

Councillors Bialyk, Branston, Brimble, Brock, Bull, Choules, Clark, Dawson, Denham, Edwards, Foggin, Fullam, George, Hannaford, Laws, Lyons, Mitchell, Owen, Pearson, Raybould, Sheldon, Spackman, Sutton, Tippins, Wardle, Williams and Winterbottom.

(27 Members)

Abstain:

Councillors Donovan, the Deputy Lord Mayor, Mottram and the Lord Mayor.

(4 Members)

The Notice of Motion was defeated.

(The meeting commenced at 6.00 pm and closed at 7.30 pm)

Chair