

## COUNCIL

Tuesday 16 April 2019

### Present:-

Councillor Hannaford (Lord Mayor)  
Councillor Lyons (Deputy Lord Mayor)  
Councillors Bialyk, Branston, Denham, Edwards, Foale, Foggin, Gottschalk, Harvey, Henson, D, Mrs Henson, Holland, Leadbetter, Mitchell, K, Musgrave, Newby, Owen, Pattison, Pearson, Pierce, Prowse, Robson, Sheldon, Sills, Sutton, Thompson, Vizard M, Vizard N, Wardle, Warwick and Wright

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### APOLOGIES

Apologies for absence were received from Councillors Keen, Lamb, Morse, Packham and Wood.

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### MINUTES

The minutes of the Extraordinary and Ordinary meetings of the Council held on 26 February 2019 were moved by the Leader, seconded by Councillor Sutton, taken as read, approved and signed as correct.

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### OFFICIAL COMMUNICATIONS

As part of his commitment to have a multi faith approach, the Lord Mayor invited Richard Halsey, President of the Exeter Synagogue, to lead the prayers. Mr Halsey thanked the Lord Mayor for this honour. The Lord Mayor made a presentation to Mr Halsey of the city's coat of arms.

The Lord Mayor congratulated the following Exeter City Council staff and paid tribute to all the individuals and team members who continued to deliver first class service to the residents of Exeter and beyond, as well as enhancing the reputation of the City Council as a whole, including:-

- the RAMM for having won the Leisure and Tourism category at the recent Exeter Living awards, as well as the platinum award which was given to the overall winner.
- the Local Land Charges team for being highly commended in the most improved National Information Service category at the 2019 Land Data Local Land Charges awards for Excellence in recognition of considerably reducing the time taken to complete local searches.
- the Lord Mayoralty team for being runner up in the National Civic Office of the year award at their National Association Conference.
- the Material Reclamation Facility (MRF) receiving the runners up award in the Best Team Category at this year's Recycle Devon Awards for the second year running, and Matt Hulland, the MRF Manager also recognised for his influential work in recycling ocean plastics by winning the Your Recycling Hero category and being a runner up as the Community Hero Champion.

The Lord Mayor announced that Councillor Kate Hannan had stood down in March, and that the following six councillors would stand down at the forthcoming local government elections on 2 May, Councillors Rosie Denham, Daniel Gottschalk,

Lewis Keen, Chris Musgrave and Natalie Vizard and the Leader, Councillor Peter Edwards. He thanked them all on behalf of his fellow Members for their achievements and service to the people of Exeter.

The Lord Mayor mentioned the following events he had recently attended which included:-

- the Chinese New Year celebrations at Exeter University.
- the launch of a new book by the author Stewart Brown on the 'Medieval Exe Bridge, St Edmund's Church, and Excavation of Waterfront Houses, Exeter'.
- an event associated with a book written by Todd Gray, 'Not One of Us', which was about individuals set apart by choice, circumstances, crowds or the mob from 1451 to 1952.
- as part of the International Women's Day celebrations, a new skills event, had been launched in the city, with the emphasis on women in engineering.

The Lord Mayor also referred to the success at Sandy Park of the English woman's rugby team, the English Roses when they had triumphed over a team from Italy, 55 to 0.

The Lord Mayor invited John Street, the Council's Returning Officer, to update Members on the arrangements for the anticipated EU Election on 23 May, the actual Count to take place on 26 May to mirror the procedures in the rest of Europe.

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### **COUNCILLOR PETER EDWARDS**

The Lord Mayor announced that this would be the last Council meeting of Councillor Peter Edwards, both as a Member and as Council Leader, prior to his retirement at the May Elections, having served on the City Council for 26 years, representing Mincinglake and Whipton.

On behalf of the Council, the Lord Mayor thanked Councillor Edwards for his long and distinguished service and his outstanding contribution to the City Council and the life of the city during his period of service. Councillor Edwards was presented with a number of gifts, including a reproduction print of a favoured painting from the RAMM, the Fair Toxopolites. The Lord Mayor referred to his legacy which would be hard to match, and his contribution to the transformation of Exeter into a dynamic and regional powerhouse. He referred to the Leader's successful civic career and campaigns on local issues, and listed amongst his many notable achievements being lead councillor for Housing, which had remained an enduring priority for him. The Lord Mayor invited other Councillors to contribute.

Councillor Leadbetter offered his good wishes for a long and happy future. Councillor Mrs Henson referred to their mutual commitment and respect for the city and to the time when they worked together as opposition leaders, as well as the efforts, albeit in vain for Exeter to become a unitary authority. Councillor Mrs Thompson spoke about Councillor Edwards being able to trace his roots back to Exeter's West Quarter and felt he had been able to reap the benefits from that period of good communication, old fashioned recycling and green travel. Councillor Mitchell referred to his professionalism and support, and also to the close and cooperative working in the efforts to achieve a unitary authority for Exeter. He spoke of his notable record of serving this city and also wished him all the best for the future.

Councillor Sills commented on Councillor Edward's support of five newly elected Councillors under the age of 25 in 2016, and his empathy with the next generation.

Councillor Sutton also reiterated the encouragement and support shown to her by Councillor Edwards, particularly as one of a number of Portfolio Holders that he had appointed. She felt he should be justifiably proud of his achievement to introduce the Exeter Living Wage and also wished him a long and happy retirement.

Councillor Edwards thanked his fellow Councillors for their kind wishes, and gifts and the shared experiences together over the years. He spoke of the achievements for the city and cited the Rugby World Cup coming to Exeter, and cooperation with colleagues in Teignbridge to bring the Radio 1 Big Weekend event to Powderham. He also wished to pay tribute to the Chief Executive & Growth Director, Karime Hassan for the many benefits gained for the city from their good working relationship.

Members were unanimous in wishing Councillor Edwards well for the future.

23 **PLANNING COMMITTEE - 18 MARCH 2019**

The minutes of the Planning Committee of 18 March 2019 were presented by the Chair, Councillor Sutton, and taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 18 March 2019 be received.

24 **LICENSING COMMITTEE - 26 MARCH 2019**

The minutes of the Licensing Committee of 26 March 2019 were presented by the Chair, Councillor Owen, and taken as read.

**RESOLVED** that the minutes of the Licensing Committee held on 26 March 2019 be received.

25 **PEOPLE SCRUTINY COMMITTEE - 7 MARCH 2019**

The minutes of the People Scrutiny Committee of 7 March 2019 were presented by the Chair, Councillor Wardle, and taken as read.

**RESOLVED** that the minutes of the People Scrutiny Committee held on 7 March 2019 be received.

26 **PLACE SCRUTINY COMMITTEE - 14 MARCH 2019**

The minutes of the Place Scrutiny Committee of 14 March 2019 were presented by the Chair, Councillor Sills, and taken as read.

**RESOLVED** that the minutes of the Place Scrutiny Committee held on 14 March 2019 be received.

27 **CORPORATE SERVICES SCRUTINY COMMITTEE - 28 MARCH 2019**

The minutes of the Corporate Services Scrutiny Committee of 28 March 2019 were presented by the Chair, Councillor Sheldon, and taken as read.

**RESOLVED** that the minutes of the Corporate Services Scrutiny Committee held on 28 March 2019 be received.

**AUDIT AND GOVERNANCE COMMITTEE - 13 MARCH 2019**

The minutes of the Audit and Governance Committee of 13 March 2019 were presented by the Chair, Councillor N Vizard, and taken as read.

**RESOLVED** that the minutes of the Audit and Governance Committee held on 13 March 2019 be received and, where appropriate, adopted.

**EXECUTIVE - 12 MARCH 2019**

The minutes of the Executive of 12 March 2019 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of **Minute No. 33 (Report on the City Wide Transformation Programme Known as Exeter City Futures)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 34 (Communities Programme)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 35 (Gender Pay Gap Report)**, the Leader referred to the data showing a higher average rate of pay for females than males at Exeter City Council, which bucked the national trend, where only 1% of employers were in the same category.

The Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 36 (Lord Mayor)** the Leader moved and the Deputy Leader seconded the recommendation and it was carried.

**RESOLVED** that the minutes of Executive held on 12 March 2019 be received and, where appropriate, adopted.

**EXECUTIVE - 9 APRIL 2019**

The minutes of the Executive of 9 April 2019 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of **Minute No. 41 (Exeter City Council Cleaning Tender Award Report)** the Portfolio Holder Support Services referred to the Living Wage milestone having been reached, in respect of both employees of the City Council, those staff employed as part of the new cleaning contract at the Civic Centre, as well to a number of employers across Exeter all of whom paid the living wage. The Leader agreed with the Portfolio Holder Support Services that the City Council had led by example and remarked that wages had risen in the city, with a number of employers now paying higher wages to their staff.

In respect of **Minute No. 42 (Overview of Revenue Budget)**, Councillor Prowse sought clarity on the contract procurement process by the City Council, in particular the recommendation for a supplementary budget of £30,000 for the Housing Needs Survey and the reliance on external consultants for this. The Leader confirmed that this was an important piece of work and external consultants would be used to carry out the survey to establish the need, rather than rely on the information from the waiting list.

In respect of **Minute No. 43 (Capital Monitoring)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 44 (Updates to the Scheme of Delegation)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 45 (Results of the Consultation on Public Toilets)**, Referring to the Public Spaces Protection Order (PSPO) Councillor Musgrave raised the issue of the impact of the closure of public toilets such as Musgrave Row on residents as well as the homeless and street attached. He referred to the lack of toilet facilities and expressed his disappointment in the change in commitment to keep the toilets open beyond 7pm. He had asked the Section 151 Officer for information on the cost of keeping Musgrave Row open which was £4,886, with £4,500 of ongoing costs. He believed that the Musgrave Row toilets should remain open and the funding to be found from the budget, possibly utilising money earmarked for consultation. The Leader confirmed that the matter had gone out to public consultation, the proposal identified as vital to help save £60,000. He undertook to seek from officers, options for ensuring the homeless community were not disadvantaged by the toilet closures.

Councillor Mrs Henson asked about the impact on sports facilities across the city and urged reconsideration of the proposals. The Leader stated that toilets would remain in the sports parks.

Councillor Newby also expressed concern regarding the intended closure of the public toilets in Fore Street, Topsham, which would impact particularly on the elderly, suggesting that the closure so close to the Bank Holiday weekend was a miscalculation. The toilets in Topsham required little maintenance and had not been the target for any vandalism and he asked the Leader to look at this closure again. Councillor Leadbetter suggested Topsham's toilets could be operated by the community as a community asset. The Leader stated that he would look at the comments and referred to schemes in other parts of the country where people tended to use shops rather than public toilets.

Councillor Mitchell referred to previous meetings of a Community Toilets Group which had been set up which had included visits to other cities to look at their community toilet schemes. He asked the Leader to look at the work that had already been done in those cities across the country as well as best practice. The Leader felt it would be important to encourage community groups and businesses to advertise use of their toilets.

In respect of **Minute No. 48 (Democratic and Civic Support Staffing)**, Councillor Sills referred to the support given by staff in his role as a Scrutiny Committee Chair and he hoped that this support could be continued in spite of the current financial challenge. The Leader responded and referred to the £2.5 million savings that would have to be made, as well as ensuring that all services continued to meet the needs of the Council.

**RESOLVED** that the minutes of Executive held on 9 April 2019 be received and where appropriate, adopted.

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

Councillor Sutton, seconded by Councillor Denham, moved a Notice of Motion in the following terms:-

- That analysis of the 2018 Local Election results by the Fawcett Society found that only 34% of councillors in England are women, up 1% since 2017;
- That across England, Labour has improved its representation since seats were last up for grabs, with 45% women compared with 40% in 2014, Liberal Democrat representation up from 34% to 36% whilst the Conservative Party saw a fall from 31% to 29% in the share of its councillors who are female;
- That as of the 2018 local elections, only 26 out of 119 Labour councils and only 33 out of 130 opposition Labour Groups are led by women;
- As of summer 2017, only 4% of councils in England and Wales have parental leave policies, according to research by the Fawcett Society;
- That the equalities section of the Labour Party Democracy Review mandates all Labour councils and Labour Groups to introduce a parental leave policy to cover their group and their council as applicable;
- That the role of a councillor should be open to all, regardless of their background, and that introducing a parental leave policy is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may want to start a family to remain as councillors;
- That parental leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.

This Council resolves:

- To adopt the parental leave policy (attached) to give all councillors an entitlement to parental leave after giving birth or adopting;
- To ensure that councillors with children and other caring commitments are supported as appropriate;
- To notify the LGA that this council has passed a motion at full council to adopt the parental leave policy.

In presenting the Notice of Motion, Councillor Sutton stated that it was important that Exeter City Council decision making was representative of the wider population. She reiterated the support for Councillors in their child bearing years and also for those parents who wished to adopt. She felt the same rights afforded by the Council's parental policy, which included maternity leave, should be offered to Councillors. It was important to ensure that parents were able to carry out their jobs with the appropriate support.

She sought the support of her fellow Councillors.

In seconding the Notice of Motion, Councillor Denham thanked Councillor Sutton for bringing forward this Motion. She referred to a number of Councils around the country who had expanded their maternity provision. She referred to her own experience as a new mother and although this was also a personal matter, she hoped that all Members would be in favour. The lack of maternity leave particularly over a four year commitment could discourage those seeking to become a Council Member. She felt the public had a right to expect that their elected representatives would be able to carry out their role, and enjoy the same benefits of maternity leave.

She also referred to the importance of ensuring additional leave for those mothers with premature babies.

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

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

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

*Question - Has the City Council considered providing a new access to the Ski Slope together with a suitable parking area, which could enable this facility to be retained along with the allotments and some public open space, even if the rest of the site is to be redeveloped?*

The Leader responded that the valuation report advised on the indicative values for all parts of the site separately and concluded that a combined disposal generated the best value in financial terms.

*Question - Could the Leader please confirm if monies spent from City Council funds for The Pinhoe Hub are merely a grant to an outside body and if so what checks and balances do the City Council follow to ascertain that any contracts are progressed with accountability and with the correct procedures and do such procedures follow the City Council's own procurement regulations?*

The Leader responded that the Council had provided a grant of £100,000 to the Pinhoe Community Hub, which was approved by Council on 18 October 2016. The Council had provided an initial sum of £10,000 to enable payments to be made. A drawdown claim was then completed by the Hub to reclaim payments made and sent to the Council along with copies of the invoices paid. The Council would then reimburse the expenditure incurred.

*Question 3 – Could the Leader please explain why invoices relating to The Pinhoe Hub held by officers within the City Council require the Authority of the Legal Services before disclosure can be made to Elected City Councillors?*

The Leader responded that the Section 151 Officer was seeking a Legal opinion on whether he could legally supply the information requested. The invoices were a contract between the Hub and the third party providing services to the Hub and that they did not involve the City Council. If the Head of Legal advised there was no issue, then the Section 151 Officer would immediately share the information requested.

*Question - Following a resolution by Council for funding to be made available from the sale of the Clifton Hill Sports Centre site, it was agreed at Audit and Governance Committee an entry would be considered for inclusion on the Corporate Risk Register, noting there are no guarantees the repairs and improvements for The Riverside and other leisure facilities will be met from the sale should the sale be delayed or fail to proceed; so has the Leader made alternative financial provision to ensure funding is made available for The Riverside and other leisure facilities repairs and improvements?*

The Leader responded that the Council had sufficient space within its Capital Financing Requirement to cover this eventuality. A prudent sum had been added to the budget for repayment of debt to finance any shortfall. Clearly when the funds

were realised, this amount would be removed from the budget as a contribution towards the £2.4 million reductions required.

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

*Question - The Budget book shows that next year repayments on corporate debt will increase to over 20% of income. Please would the Leader tell me - what the current repayment figure is for this financial year in monetary terms (i.e. Actual amount paid) and what this will increase to for the year 2020/21?*

The Leader stated that a written response will be provided to all Members as quickly as possible following the Council Meeting.

*Question - And for the same years what the actual debt is?*

A written response will be provided to all Members as quickly as possible following the Council Meeting.

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

*Question - Is the Leader able to state the breakdown of the funding sources for the bus station site?*

- *How much is CIL funded?*
- *How much borrowed?*
- *How much is from the New Homes Bonus?*
- *Any other sources?*

The Leader responded that the financing for the Leisure Complex and Bus Station was set aside as follows:

• CIL	-	£ 8	million
• NHB	-	£ 18	million
• Capital Receipts	-	£ 6.25	million
• S106	-	£1.4	million
• Borrowing	-	£18.15	million
TOTAL	-	£51.8	million

*Question - What positive steps are we currently taking to encourage and promote the existing street markets and any other sites that could be ear marked as potential locations?*

The Leader responded that the Exeter Farmer's Market was a firm favourite with both those that sell their local supplies and their loyal customers. The Council would continue to help promote things that were important to the city, including the market.

With regards to any new markets or expansions, officers and the Deputy Leader of the Council had met with representatives from Food Exeter last week to hear their vision for additional markets in the city. He recalled St Georges Hall Market and it was important that the city had a good market.

Councillor Prowse requested that the comment by the Leader be recorded in the minutes. The Lord Mayor agreed that this matter could be included in the future Committee work plan.

*Question - What single memorable event or occasion will the Leader cherish during his loyal service to this Council and the Citizens of this great City?*

The Leader responded that there had been many events and occasions and so it had been difficult for him to recall just one particular occasion. He did comment on the devastation of the fire at the Royal Clarence Hotel, and recalled an interview at the time and that the introduction of the Exeter Living Wage had been notable events.

He did feel that the Councillors came in for a degree of criticism and he thanked Members for their support and considered that at times whilst their role could be very challenging it was an honour to serve the population of Exeter. In his time as a Councillor and as Leader, he certainly would not have given up one moment of it.

(The meeting commenced at 6.00 pm and closed at 7.40 pm)

Chair