

EXECUTIVE

Tuesday 8 October 2019

Present:

Councillor Bialyk (Chair)
Councillors Foale, Ghusain, Harvey, Morse, Pearson and Wright

Councillors in attendance under Standing Order 44

Councillor D Moore speaking on items 5, 7 and 13 (minutes 92, 94 and 100 below)
Councillor Hannaford speaking on item 13 (minutes 100 below)

Apologies:

Councillors Sutton, Leadbetter and Mitchell, K

Also present:

Chief Executive & Growth Director, Director (BA), Director (DB), Director (J-PH), Chief Finance Officer, City Solicitor & Head of HR, Cleansing & Fleet Manager, Corporate Manager Democratic and Civic Support and Democratic Services Officer (MD)

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MINUTES

The minutes of the meeting held on 10 September 2019, were taken as read, approved and signed by the Chair as a correct record.

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DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

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COUNCIL HOUSE BUILDING PROGRAMME

The Executive received the report on the Council House Building Programme which informed Members that following the lifting of the Housing Revenue Account (HRA) borrowing cap, an opportunity had arisen to increase the number of properties held within the Housing Revenue Account to help meet the City's' housing needs. The programme included the acquisition of properties in a scheme being developed by Exeter City Living, with three additional schemes to deliver 100 new homes by 2022.

Particular reference was made to the sites identified for use for Council Housing and that it was proposed that 500 new homes could be developed over a 10 year period, which would be funded through HRA borrowing. A housing needs and viability survey on Council stock would be undertaken and work to address retrofitting low energy properties was also underway.

Councillor D Moore, having given notice under Standing Order No.44, spoke on this item, commenting on the likely impact the Exeter City Living business plan would have by moving sites to the HRA and the proportion of the £18 million that would be funded from borrowing.

During discussion, Members welcomed the scheme and the following points were raised:-

- Working with Exeter City Living to build housing and borrowing through HRA was beneficial in continuing to develop new properties;
- The right to buy scheme had led to a loss of 95% of houses to private landowners;
- The development of 100 new homes was considered to be a good start and would increase Council stock, with more work and consultations being undertaken, with levels of borrowing being monitored.

RECOMMENDED that Council:-

- (1) Note the sites referred to in the report presented to the meeting, together with the timescales for delivery and the costs to complete each of the schemes;
- (2) Approve a budget totalling £18million to deliver the sites detailed in this Report, which will deliver 100 new homes into the Housing Revenue Account (HRA); and
- (3) Note that approval of future years' development activity will be via an Annual Council House Building Development Plan and the annual capital programme budget report.

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OPTIONS FOR INVESTMENT IN EXETER KERB SIDE RECYCLING SERVICE

The Executive considered a report, which had already been presented to Place Scrutiny Committee on 12 September 2019 (Min. No. 48 refers) setting out investment options for the Council's Materials Reclamation Facility (MRF) and kerbside recycling service. The scheme would ensure that food waste and glass was collected as part of the kerbside recycling service, meeting the expectations of both the Government and City residents, whilst reducing carbon emissions.

Particular reference was made to the ongoing Government consultation on a new waste strategy and its findings would be included in the scheme. Emphasis on the work undertaken by officers was made and that Members had been given the opportunity to inspect one of the potential new recycling vehicles and consider potential issues before the fleet was rolled out. Other authorities had also been consulted to learn from their experiences of adopting a similar style service.

During discussion, the following points were raised:-

- The new recycling vehicles contained food waste storage, which during inspection contained four day old waste, with very little odour;
- The work for the recycling scheme had faced several obstacles, but challenges had been overcome and the work of all staff involved was acknowledged;
- The work of the MRF team had been recognised at the recent staff awards;
- The Ocean Recovery Project (a partnership between Keep Britain Tidy, Exeter City Council and Odyssey Innovations) had produced a series of kayaks using recycled plastics and contributed to the building of the Shangri-La stage from entirely recycled marine plastic at the Glastonbury Festival, earlier this year;
- Following the roll out of the new recycling bins, the previous bins could be recycled into the Council's new bins or offered to allotment holders for storing water and this would be suggested to the Allotment Forum.

RECOMMENDED that Council approve:-

- (1) The adoption of Option 4 (weekly kerbside-sort recycling collection, incorporating glass and food waste collection, with three weekly rubbish collection) and associated investment in the Materials Reclamations Facility; and
- (2) To implement the chosen service Option 4, Council approve budgets of:-
 - £200,000 is set aside from General Fund revenue reserves to provide the project management and assistance with roll out;
 - A capital budget of £2,105,000 is provided for the improved recycling containers; and
 - A capital budget of £1,500,000 to enhance the MRF.

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CARBON 2030 ROADMAP

The Executive considered the report on the Carbon 2030 Roadmap which sought funding to support the delivery of a series of events and engagement activities to address the challenges and provide solutions, ensuring that the Council could deliver its aspiration to become carbon neutral by 2030. There had been a vast amount of progress made, but the next step would be to consult and engage with organisations, communities and individuals across the city to ensure the best chance of success to achieve this goal.

Particular reference was made for additional funding to support Exeter City Council in producing activities and meaningful engagement across the city to address the challenges and aspirations for achieving the carbon neutral goal. The Council could not achieve this goal on its own and the more engagement it received the better the chance of success.

Councillor D Moore, having given notice under Standing Order No.44, spoke on this item. She wanted to ensure that the purpose of the engagement was explained to participants, maximising participation in the consultation and she also referred to the potential risk of Exeter City Futures CIC or other partners not supporting the road map.

During discussion, the following points were raised:-

- The events and engagement activities would include highlighting the realities of the climate change emergency to a wider audience, looking at the work undertaken in other areas and receiving ideas through the consultation;
- The need to look at the city infrastructure and build more cycling routes to tackle congestion issues;
- Following the issue of the first tenders the consultation could also look at previous steps taken to support the roadmap;
- The subject of climate change was important, and the Council was working to be carbon neutral, ahead of the 2030 deadline. More work was still required to effect change in the city and getting additional information, promoting active lifestyles and green travel from across the city was vital.

RECOMMENDED that Council approve a budget of up to £30,000 for the project to be completed.

ANNUAL HEALTH AND SAFETY REPORT

The Executive considered a report, which had already been presented to Corporate Services Scrutiny Committee on 26 September 2019 (Min. No. 35 refers) and set out the Council's activities and performance in relation to health and safety at work during 2018. Particular reference was made to the 50% reduction of reportable accidents since 2017. During discussion, the following points were raised:-

- There had been a greater emphasis on health and safety made between 2017 and 2018, with the inclusion of the Health and Safety Committee and the focus on job safety;
- Staff going through the agile and flexible working scheme were being supported through workshops and managers working to reduce potential of work place stress. Although there was no confirmed connection to work place stress from the agile and flexible working, work place stress had increased. The Chief Finance Officer had detailed information which would be provided to Members.

RESOLVED that:-

- (1)The Executive notes the content of the Annual Health and Safety report; and
- (2)The Chief Executive & Growth Director and the Leader of the Council be named as the joint owners of the report.

OVERVIEW OF THE GENERAL FUND REVENUE BUDGET

The Executive considered a report, which had already been presented to Corporate Services Scrutiny Committee on 26 September 2019 (Min. No. 32 refers) which advised Members of the overall projected financial position of the General Fund Revenue Budgets for the 2019/20 financial year after three months.

Particular reference was made on the budget being on target, with no significant issues to report during the first quarter. Reference was made to the request for the supplementary budget of £493,930, which £78,500 would be financed General Fund working balance and the remainder financed from the Neighbourhood CIL and earmarked reserves.

RECOMMENDED that Council approve:-

- (1)The General Fund forecast financial position for the 2019/20 financial year;
- (2)The supplementary budgets of £493,930 and budget virements as detailed in paragraph 9.10 of the report presented to the meeting;
- (3)The outstanding Sundry Debt position as at June 2019;
- (4)The creditors' payments performance;
- (5)Consideration to be made in relation to paragraph 9.7 of the report, subject to consultation with Human Resources and the Trade Union; and
- (6)To remove the shop attached to the Guildhall in relation to paragraph 9.5 of the report.

GENERAL FUND CAPITAL MONITORING

The Executive considered a report, which had already been presented to Corporate Services Scrutiny Committee on 26 September 2019 (Min. No. 33 refers) which

reported on the current position of the Council's revised annual capital programme and the expected level of deferred expenditure into future years.

Particular reference was made to the £42.5 million budget of the General Fund Capital Programme, of which, £5.5million had been spent in first quarter. Although significant projects were being delivered there was a further funding request for £600,000 for the agile and flexible working programme, funded from the Transformation fund, which required Council approval.

RECOMMENDED that Council approve:-

(1)The revision of the annual capital programme to reflect the reported variations detailed in paragraph 9.1 and Appendix 1 of the report presented to the meeting; and

(2)The additional budget request detailed in paragraph 9.7 of the report.

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HRA BUDGET MONITORING REPORT – QUARTER 1

The Executive considered a report, which had already been presented to People Scrutiny Committee on 5 September 2019 (Min. No. 32 refers) and to Corporate Services Scrutiny Committee on 26 September 2019 (Min. No. 34 refers). The report advised Members of the overall financial position of the HRA Revenue and Capital Budgets for the 2019/20 financial year after three months.

Particular reference was made to the revenue position and HRA Capital Programme which were on target for the first quarter. The only significant variances were the increase to the capital charges and that money had been set aside for spending as Capital expenditure for enhancing existing properties. There was an additional request for tree planting, following the appointment of a tree officer in the HRA and work was being undertaken with public realm to action this.

RECOMMENDED that Council approve:-

- (1) The HRA forecast financial position for 2019/20 financial year;
- (2) The revision of the HRA Capital Programme to reflect the reported variations detailed in Appendix 4 of the report presented to the meeting; and
- (3) The HRA Budget recognise the importance of re-planting trees and an allocation for tree planting be included in the budget.

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STATUTORY REVIEW OF POLLING DISTRICTS AND PLACES

The Executive considered the report which informed that the last statutory review in the City had been undertaken in 2014 and it was a statutory requirement to review the polling districts and places every four years ensuring the population density across city corresponded with the number of available polling areas and that there was enough polling stations available.

Particular reference was made to the consultation undertaken, which had received two responses as detailed in the report. Although the use of schools' for polling stations was avoided if possible, if there were no alternative locations available, then the use of schools could not be avoided. It was noted that it was the schools decision to close on polling day, however 85% of schools chose to remain open.

RECOMMENDED that Council:-

- (1) Adopt the proposals as set out at paragraphs 8.4 – 8.13 of the report presented to the meeting, for implementation from a revised register of electors to be published on 1 December 2019;
- (2) Formally publish its final report on the Review of Parliamentary Polling Districts and Places within the Exeter Constituency by 1 November 2019, as required by the Representation of the People Act 1983 (RPA 1983); and
- (3) Complete a further review by 31 January 2025, as required by the RPA1983; or as necessary, in relation to the 2018 Review of Parliamentary Constituencies.

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UPDATE ON THE REVIEW OF THE GOVERNANCE ARRANGEMENTS

The Executive considered the report on the review of the Council's Governance Arrangements, which set out the recommendations from the cross party Working Group established at the Executive Committee meeting in June 2019 (Min. No. 56 refers). The cross party working group had proposed changes to the Constitution and the Committee process, as outlined in the report. The changes would make improvements to and accelerate the decision making process, enhance transparency and encourage more public engagement and participation at committee meetings.

Councillor D Moore, having given notice under Standing Order No.44, spoke on this item. She enquired about the effectiveness of the new governance arrangements in holding the Executive to account, partner bodies for scrutiny and the 50 word limitation for questions.

Councillor R Hannaford, having given notice under Standing Order No.44, spoke on this item as the Chair of the Governance Review Group. Reference was made to the changes to Executive Committee becoming a one party committee but allowed leaders from opposition groups to speak, enabling a more focussed approach to Scrutiny arrangements and bringing value to the Council. The new Scrutiny arrangements would ensure that the role of Deputy Chair would be more active and allow for policies to be reviewed and scrutinised and making processes more robust. Particular reference was made to the improvements to public engagement which would be reviewed again in six months. He highlighted that the process would be Member led and improve the balance between Members and the Council.

During the discussion, the following points were raised:-

- The Executive would move to a single party committee with up to 10 Members;
- All reports would go directly to the Executive, removing the pre scrutiny system;
- The changes would enhance public engagement at meetings;
- The Independent Remuneration Panel had convened and made recommendations which were included in the recommendations to Council;
- The new arrangements would come into effect from 16 October 2019, and would be reviewed again in September 2020;
- The agreed budget for additional responsibility allowance was £14,000;
- A draft revised calendar of meetings would be provided to Members ahead of the Council meeting on 15 October 2019;
- Questions within 50 words was normal procedure and consistent with processes at other local authorities. The process would be supportive and inclusive for all members of the public.

The Leader of the Council commented on the important work that had been undertaken, noting the Council would want to help and support the public and

prevent any form of exclusion. He expressed his thanks for the support from group leaders to help ensure the Council continued to be a professional and well run authority.

RECOMMENDED that Council approve the following changes to Exeter City Council's constitution with effect from the 16 October 2019:-

In relation to the Executive Council to agree:

- (1) The deletion of the Exeter convention requiring the Leader to allocate a seat on the Executive to a member from each political group;
- (2) That the opposition group leaders shall not be required to give notice under Standing Order 44 to speak on any item on the Executive Agenda;

In relation to the Council's Scrutiny arrangements, Council to agree:

- (3) The reduction to the number of scrutiny committees from three in number to two to be known as Strategic Scrutiny Committee and Customer Focus Scrutiny Committee;
- (4) To agree the terms of reference for these two Scrutiny Committees as set out in the appendix attached to the report presented to the meeting;
- (5) To increase the membership of both scrutiny committees from 10 to 14 members;
- (6) For the avoidance of doubt, members of the Executive may not serve on either the Scrutiny Committees or the Scrutiny Programme Board;
- (7) To set up a Scrutiny Programme Board ("SPB") to be made up of one member appointed by the Leader together with the Chairs and Deputy Chairs of each of the two Scrutiny Committees;
- (8) To agree the terms of reference for the Scrutiny Programme Board as set out in the appendix to the report;
- (9) To cease the current practice of pre-scrutinising reports destined for the Executive;

In relation to enhancing public participation at Council meetings, Council agrees

- (10) To encourage public participation in city council meetings by agreeing public questions at Council meetings, the Executive and Scrutiny Committees as set out in the terms of reference attached In the Appendix to this report;
- (11) For the avoidance of doubt members of the public may not ask questions at Annual Council or special meetings;
- (12) The Monitoring officer be authorised to amend Exeter City Council's constitution to give effect to these recommendations.

In relation to Members allowances as a result of these changes, following consideration from the Independent Remuneration Panel, the Council agrees that:

- (13) A new allowance be payable to Opposition Group Leaders as follows:-
 - A Group of two to receive an allowance equivalent to 20% of the basic allowance;
 - A Group of between three and five to receive an allowance equivalent to 50% of the basic allowance; and

- A Group of six or more, to receive an allowance equivalent to 60% of the basic allowance;
- (14) The Leader of the largest political group will be appointed as the Leader of the Council;
 - (15) The Deputy Chairs of the two Scrutiny Committees and of the Planning Committee, to receive a Special Responsibility Allowance equivalent to 50% of the basic allowance;
 - (16) To note that if all of the posts eligible for the payment of a Special Responsibility Allowance (SRA) were paid to individuals, then this would amount to a total of 23 SRAs being payable, which is above the 50% threshold as being good practice. A review of the SRA and the operation of the new governance system, to be undertaken in September 2020, and include interviews with a cross-section of councillors and SRA recipients;
 - (17) To welcome the adoption of the parental leave scheme;
 - (18) That as a consequence of the above, to agree a budget of up to £14,000 for the additional responsibility allowances created as a result of these changes.

In the event that recommendations above are agreed, that Council agrees;

- (19) The appointment of 14 members to each of the two Scrutiny Committees;
- (20) The appointment of the Chair and Deputy Chair for the Strategic Scrutiny Committee;
- (21) The Appointment of the Chair and Deputy Chair for the Customer Focus Scrutiny Committee;
- (22) The appointment of Members to the Scrutiny Programme Board; and
- (23) The appointment of the Chair and Deputy Chair of the Scrutiny Programme Board.

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HOTSW JOINT COMMITTEE GOVERNANCE ARRANGEMENTS

The Executive considered the report on the Heart of the South West (HoTSW) Joint Committee Governance arrangements which updated Members on the Joint Committee's governance arrangements and budgetary position for 2019/20. The Joint Committee had undertaken a review to update its governance arrangements, for the first time, since it was established in 2018 and in response to Government policy changes and local circumstances.

Particular reference was made to the proposal outlined in the report which showed the status of the joint committee and the local enterprise partnership submission to the Whitehall Local Investor Strategy. If successful it would put Councils in a better position to move projects forward and respond to Government proposals. There would also be an increase to the costs of Membership of the joint committee, increasing Exeter City Councils contribution to £2,800 which would be shown in this year's budget.

RESOLVED that Members:-

- (1) Approve the proposed amendments to the Joint Committee's list of functions;
and
- (2) Note the updated budget position for 2019/20.

TREASURY MANAGEMENT STRATEGY AMENDMENT

The Chief Finance Officer presented the report which sought Member approval to amend the Treasury Management Strategy to increase the monetary limit that can be invested in the money market funds from £5 million each to £10 million each and to increase the money that can be invested in Lower Tier Local Authorities from £3 million to £5million.

Particular reference was made to the decision to borrow £49.45 million from the Public Works Loans Board (PWLB), to take advantage of the current low borrowing rates. The borrowed money would be invested in the short term and that it had been proposed that the Treasury Management Strategy required amending.

During the discussion, it was explained that an Upper Tier authority was a Unitary or County Council, which included social care where a Lower Tier was District or City Council level.

RECOMMENDED that Council approve the revision of the Treasury Management Strategy.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of the Act.

RAMM LIFT - PART 2

The Executive considered the report for additional funding for the Queen Street lift at Royal Albert Memorial Museum (RAMM), following a recent procurement process. The replacement of the lift would support residents with mobility issues and for pushchairs to gain access to the museum.

RECOMMENDED that Council approve the budget as indicated at the meeting for the project to be completed. The budget and associated work will be overseen by the Corporate Property Assets team.

(The meeting commenced at 5.30 pm and closed at 7.00 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on