

COUNCIL
(HELD AS A VIRTUAL MEETING)

Tuesday 27 April 2021

Present:-

The Right Worshipful the Lord Mayor Councillor Peter Holland
Councillors Atkinson, Begley, Bialyk, Branston, Buswell, Foale, Foggin, Ghusain, Hannaford, Harvey, Henson, D, Mrs Henson, Leadbetter, Lyons, Mitchell, K, Mitchell, M, Moore, D, Moore, J, Morse, Newby, Oliver, Owen, Packham, Pearson, Quance, Sheldon, Sills, Sparkes, Sutton, Vizard, Wardle, Williams, Wood and Wright

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MINUTES SILENCE - HIS LATE ROYAL HIGHNESS, THE DUKE OF EDINBURGH

The Council observed a minute's silence as a mark of respect following the death of His Late Royal Highness, the Duke of Edinburgh.

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MINUTES

The minutes of the Extraordinary and Ordinary meetings of the Council held on 23 February 2021 were moved by the Deputy Leader, Councillor Sutton and seconded by the Leader Councillor Bialyk, taken as read and approved for signing as correct at the earliest possible convenience.

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OFFICIAL COMMUNICATIONS

The Lord Mayor reported the following:-

- his participation by virtual means in a varied programme of events from the "Big Sleep Out" on 5 March; the Exeter College Awards Ceremony on 25 March, and hosting a virtual coffee morning and quiz on the 8 April with all proceeds going to his chosen charity of the Exeter City Community Trust.
- his attendance in person to plant a memorial tree – a Dove Tree- with the Leader, Councillor Bialyk in Northernhay Gardens on the National Day of Reflection on 23 March, in memory of all of those who sadly lost their lives during the Coronavirus pandemic. The Guildhall had also been lit up for this occasion along with other prominent landmarks and buildings around the country;
- the retirement of Shirley Clarke, a valuable member of the Guildhall support team after 15 year's dedicated service; and
- his attendance in person on Monday 19 April 2021 in the opening of Shropody in its newly relocated premises in the High Street and which, with other shops, was helping revitalise the City Centre and supporting Exeter's economy as it recovers from the challenges of the Covid 19 Pandemic.

The Lord Mayor paid tribute to the people of Exeter who had followed the message of staying at home, keeping safe and supporting the NHS during the Pandemic.

The Lord Mayor announced that the following four councillors would stand down at the forthcoming local government elections on 6 May, Councillors David Henson, Rachel Lyons, Robert Lamb and Keith Owen. He thanked them all on behalf of his fellow Members for their achievements and many years of public service to the people of Exeter. He wished them health and happiness for the future.

Councillors David Henson, Rachel Lyons and Keith Owen responded, thanking all Councillors and Officers for their help and support over the years and wishing the Council well for the future.

PUBLIC QUESTIONS

The Lord Mayor reported the receipt of a question from a member of the public.

Mr P. Cleasby to the Leader of the Council.

Mr Cleasby was unable to be present and his question was read out by the Corporate Manager Democratic and Civic Support.

Question

Since the Council has failed to respond to repeated questioning from the Exeter Observer on the topic, will the Leader of the Council now please explain why the Church of England has two representatives on the Liveable Exeter Place Board while other faiths and Churches have none?

Response

Over the course of the year, the Chair of the Liveable Exeter Place Board has invited a number of people to join the Board in part, as a consequence of the issues that have emerged during this Pandemic. This has been an extraordinary year and our leading institutions have been able to have frank conversations about the impact that Covid has had on their sectors and organisations. It has also raised issues that have highlighted gaps on the Board and, no doubt, this will continue to be the case.

The Cathedral is a major institution in the city, at the heart of the tourism and visitor economy and probably the biggest visitor draw to the city centre. In a very practical way Covid-19 and the production of a recovery plan highlighted the value of having the Very Reverend Jonathan Greener, Dean of the Cathedral as a member of the Board. Bishop Robert is also a significant figure in the spiritual life of the city and brings an unique insight and sensitivity to issues such as wellbeing, and provides a linkage to the wider Devon community and the role of the city in the region.

The elected representatives that sit on the Board are the Leaders of Devon County Council and Exeter City Council. The Board therefore gives both Council leaders an opportunity to discuss and hear from the key stakeholders in the city, and an opportunity to inform others about the work of our Councils. The agenda is set by the Chair of the Board.

SUSPENSION OF STANDING ORDERS

Consideration of the suspension of Standing Order was deemed necessary in view of the return to physical meetings following the Government's phased lifting of the

Lockdown restrictions and a consequent requirement to identify alternative venues for Council meetings if necessary.

The Leader moved and the Deputy Leader seconded the following motion which was carried unanimously.

RESOLVED that, in accordance with Standing Order number 48 (Suspension of Standing Orders by Council), Standing Order number 47 (Variation and Revocation of Standing Orders by Council) be suspended to allow for consideration of the following item.

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RETURN TO PHYSICAL MEETINGS - VENUES

The Lord Mayor reported that, in light of the possibility that Councils will, after 7 May 2021, not be able to hold meetings via virtual means, and therefore return to physical meetings, there was a need for the Council to consider what requirements it would need to put in place to ensure its future meetings are held in a COVID secure way. It was therefore necessary to amend Standing Order 1 (1) to enable Council meetings to be held at alternative venues.

The Leader undertook to consult the Leaders of the Opposition groups in deciding on appropriate alternative venues to ensure that correct social distancing would be put in place.

The Leader moved and the Deputy Leader seconded the following motion to amend Standing Order 1 (1) which was carried.

RESOLVED to amend Standing Order 1(1) to allow all meetings of the Council (including the Annual General Meeting) and its Committees to be held at any venue considered suitable by the Corporate Manager, Democratic and Civic Support in consultation with the Leader of the Council.

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PLANNING COMMITTEE - 22 FEBRUARY 2021

The minutes of the Planning Committee of 22 February 2021 were presented by the Chair, Councillor Morse, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 22 February 2021 be received.

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PLANNING COMMITTEE - 29 MARCH 2021

The minutes of the Planning Committee of 29 March 2021 were presented by the Chair, Councillor Morse, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 29 March 2021 be received.

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STRATEGIC SCRUTINY COMMITTEE - 18 MARCH 2021

The minutes of the Strategic Scrutiny Committee of 18 March 2021 were presented by the Chair, Councillor Sills and taken as read.

In respect of **Minute No. 11 (Presentation on Community Safety Partnership)**, and in response to a query from a Member, the Leader reassured Members that the Community Safety Partnership would continue to consider the serious issues of sexual violence and people's experience of racism on the streets in the coming year. The work of the Partnership would be further publicised to increase its profile and the seriousness of the issues it was addressing.

RESOLVED that the minutes of the Strategic Scrutiny Committee held on 18 March 2021 be received.

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CUSTOMER FOCUS COMMITTEE - 1 APRIL 2021

The minutes of the Customer Focus Scrutiny Committee of 1 April 2021 were presented by the Chair, Councillor Vizard and taken as read.

In respect of **Minute No. 11 (Presentation on Wellbeing Exeter)**, and in response to a query from a Member, the Portfolio Holder for Supporting People undertook to provide a written answer about how the Council was reviewing its way of working in light of the recent High Court ruling in respect of the housing needs of people sleeping rough who are not usually eligible for accommodation because of their immigration status.

RESOLVED that the minutes of the Customer Focus Scrutiny Committee held on 1 April 2021 be received.

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AUDIT AND GOVERNANCE COMMITTEE - 10 MARCH 2021

The minutes of the Audit and Governance Committee of 10 March 2021 were presented by the Chair, Councillor Wardle, and taken as read.

In respect of **Minute No. 45 (Model Code of Conduct)**, the Chair moved and Councillor Atkinson seconded the recommendations and they were carried unanimously.

In respect of **Minute No. 46 (Code of Corporate Governance 2021/22)**, the Chair moved and Councillor Hannaford seconded the recommendation and it was carried unanimously.

In respect of **Minute No. 48 (Review of Corporate Governance Risk Register)**, and in response to a query from a Member on the increased risk level in respect of the Council's ability to meet its target of becoming a Net Zero Carbon city by 2030, the Leader reassured Members that all areas of concern relating to the Council's Risk Register were closely monitored and that, if there was a specific concern in respect of this matter, a report would be submitted to the Executive as a priority.

RESOLVED that the minutes of the Audit and Governance Committee held on 10 March 2021 be received and, where appropriate, adopted.

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EXECUTIVE - 9 MARCH 2021

The minutes of the Executive of the 9 March 2021 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 32 (Council Housing and Development Resident Involvement Strategy 2021-2025)**, the Leader moved and the Deputy Leader seconded the recommendation and it was carried unanimously.

In respect of **Minute No. 34 (Amendment to Section 3D of the Council's Constitution relating to delegation to the Service Lead – Environmental Health and Community Safety)**, the Leader moved and the Deputy Leader seconded the recommendation and it was carried unanimously.

RESOLVED that the minutes of the Executive held on 9 March 2021 be received and, where appropriate, adopted

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EXECUTIVE - 6 APRIL 2021

The minutes of the Executive of the 6 April 2021 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 41 (Lord Mayoralty)** the Leader moved and the Deputy Leader seconded the recommendation and it was carried.

In respect of **Minute No. 42 (Overview of General Fund Revenue Budget 2020/21 - Quarter 3)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried unanimously.

In respect of **Minute No. 43 (2020/21 General Fund Capital Monitoring Statement - Quarter 3)**, in response to a query from a Member, the Leader stated that a detailed written response would be provided on the increased costs of the current processing of recyclates at alternative sites to the Materials Re-cycling Facility (MRF) and the anticipated timetable for this process to be returned to the MRF.

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

In respect of **Minute No. 44 (2020/21 HRA Budget Monitoring Report - Quarter 3)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried unanimously.

RESOLVED that the minutes of the Executive held on 6 April 2021 be received and, where appropriate, adopted.

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NOTICE OF MOTION BY COUNCILLOR HARVEY UNDER STANDING ORDER NO. 6

Councillor Harvey, seconded by Councillor Branston, moved a Notice of Motion in the following terms:-

Climate and Ecological Emergency

This Council notes that:

1. Exeter City Council (ECC) declared a Climate Emergency in July 2019 and committed to becoming Net Zero Carbon by 2030, recognising the scale and urgency of the global challenge from climate change following the IPPC report published in October 2018. To contribute to achieving its net zero objectives ECC has:-
 - Adopted a Net Zero Carbon Roadmap in conjunction with Exeter City Futures to achieve net zero carbon targets.

- Secured £1.6 million of European Development Funding to install a solar farm and battery storage on waste ground close to the Council's depot.
 - In the past year, delivered the following carbon saving measures:-
 - Financial savings of £630,000
 - Energy savings of 2,300,050 kWh
 - Carbon savings of 550 tonnes
 - Added 21 new 3- and 4- bedroomed homes built to Passivhaus standards.
 - Commissioned the building of St Sidwell's Point – the UK's first leisure centre to be built to Passivhaus standards.
 - Started the roll-out of the retrofitting of all 4000+ council housing to our super energy efficient standards.
2. Demonstrated its commitment to protecting the environment and greening the city by:-
- Consulting residents on the creation of a city-wide Tree Strategy.
 - Implementing an ambitious tree-planting programme including 2,000 trees on the Monkerton Ridgeline, and a new woodland of 300 trees off Lancelot Road.
 - Encouraging biodiversity through wildflower planting and naturalising grass areas, and a phased reduction in the use of glyphosate weed-killer.

This Council believes that:

1. Exeter City Council has shown, through its net zero carbon achievements, tree-planting and green-spaces activities, its commitment to contributing to achieving its net zero carbon and ecological objectives.
2. We all have a responsibility, both individually and collectively, to mitigate the harmful effects of climate change and ecological decline.
3. Local Authorities are well-placed to initiate the changes that can contribute to the mitigation of the harm caused, by continuing to set ambitious targets to address the Climate and Ecological emergency.
4. The Climate and Ecological Emergency Bill provides a timely evaluation and summary of the actions required by Government in order to achieve climate and ecology objectives.

The Council resolves:

1. To declare an Ecological Emergency to supplement and strengthen the Climate Change Emergency declaration of July 2019 by this Council.
2. To continue to work with partners, both locally and regionally, including DCC, to achieve net zero carbon objectives, and to conserve and support the recovery of the natural environment.
3. To support community consultation with respect to identifying solutions to address both climate and ecological emergencies.
4. To request that our two MPs support the Climate and Ecological Emergency Bill.

Councillor Diana Moore moved and Councillor Kevin Mitchell seconded the following amendments:-

Amend resolution 2 to read:

"To continue to work with partners, both locally and regionally, including Devon County Council, to:-

- A achieve net zero carbon objectives, and publish a carbon budget and annual audit for both the City and the Council to demonstrate progress towards the net zero 2030 target;
- B to conserve and support the recovery of the natural environment, in particular by supporting the work of the Devon Local Nature Recovery Strategy and use this strategy to inform the development of the new local plan."

And to delete resolution 3 and replace with:-

"To set up an Exeter Citizens Assembly to deliberate on solutions, and engage communities to deliver initiatives to tackle the climate and ecological emergencies."

Cllr Kevin Mitchell in seconding the amendment made the following points:-

- the amendments were aimed at strengthening the Motion and to support existing Council initiatives in combatting the Climate and Ecological Emergency; and
- auditing and scrutiny were vital to review progress of the roadmap towards the 2030 target.

Councillor Diana Moore spoke on her amendments:-

- the Council should reflect the ambitions of the Climate and Ecological Emergency Bill, which seeks to ensure that the UK becomes a carbon neutral economy and which had received the support of over 100 MP's across eight political parties across England, Scotland, Wales and Northern Ireland;
- the Bill also seeks to restore and regenerate habitats and protect biodiversity, issues which are also of concern to many Exeter residents;
- engagement with Devon County Council and all local Districts as part of the Devon Local Nature Recovery Strategy is vital;
- the amendments seek a range of actions to progress issues at a local level through comprehensive public engagement; and
- a Citizen's Assembly will help bring forward the aspirations of the Bill in Exeter as engaging the people of Exeter is crucial given the enormity of this crises and the need for full support on difficult decisions. The County Council has already established a Citizen's Assembly.
- Councillor Diana Moore urged the Council to take on board the suggested additions to the Motion to reflect a robust commitment to the measures set out in the Climate and Ecological Emergency Bill and to ensure communities play a real part in the decisions effecting the climate and the natural environment.

Members made the following comments:-

- the Council is continuing to progress many initiatives in support of its green agenda ambitions but it is considered that the production of an annual audit would only divert resources at a time when the Council is under severe financial pressures in addressing a shortfall of £6 million. It is felt that an audit would be unlikely to deliver sufficiently useful detail and that the emphasis should be on

progressing projects rather than detailed monitoring. Annual carbon footprint reports are being produced, however, the most recent has been delayed because of the Covid 19 Pandemic;

- the formation of a Citizen's Assembly is only one form of engagement as consultation can take many different types to tackle the climate and ecological emergency.

The Leader made the following comments:-

- the Council seeks to play a positive role in support of the Devon Local Nature Recovery Strategy and will engage with neighbouring District Councils in developing projects which will play a role in Net Zero plans. This will be reflected in the emerging Local Exeter Plan and when formulating the Local Plan Policy Framework as the Council is committed to a co-ordinated approach with these Districts to bring forward the Plan;
- an invitation has been made to the North Devon UNESCO Biosphere Reserve Partnership, which seeks to connect people to nature, with a view to an appropriate briefing;
- re-wilding projects across the city are being progressed to improve land management and support local nature recovery and the Council's partnership with the Devon Wildlife Trust is key in this;
- the Council has made a commitment to retain Northbrook as open space working with the Devon Wildlife Trust, with decisions relating to Bull Meadow and Clifton Hill being further evidence of the commitment to protect existing green space; and
- the work of the City Council, with its partners, should be recognised and supported, the Net Zero Carbon Plan being one of the best in the County if not the South West and many Councils have followed Exeter in announcing a Climate Emergency.

The amendment was put to the vote and LOST.

In presenting his Motion, and in relation to the four recommendations, Councillor Harvey made the following points:-

- the Motion to declare a Climate and Ecological Emergency demonstrates the Council's green credentials, complements a previous Council Motion in October 2019 to eliminate glyphosate use and strengthens the Council's Climate Change Emergency Declaration of July 2019;
- the role of partners was vital, including the Liveable Exeter Place Board and the Devon Wildlife Trust who manage the Valley Parks on the Council's behalf and develop wild flower projects;
- community engagement was a key element reflected in consultation on the Play, Tree and Woodlands and Parks and Green Spaces Strategies and supporting community groups such as the Friends of Exhibition Fields and rewilding and litter picking projects; and
- welcome the support of Ben Bradshaw MP for the Bill.

Councillor Harvey thanked opposition Members for supporting the principle behind the Motion given the depth of challenges being faced world-wide and not just in Exeter.

Councillor Branston, in seconding the Motion, stated that the Motion would make a positive contribution to achieving this Council's commitment to Exeter becoming Zero Carbon neutral by 2030.

Councillor Leadbetter, as Leader of the Opposition Group, advised that his Group would be supporting the Motion and that he would contact Simon Jupp MP to seek further support for the Bill.

Members, in supporting the Motion, referred to the following initiatives which highlighted the Council's commitment to Net Zero and to meeting the significant challenges faced by the city:-

- retrofitting of the Council housing stock which also helps address fuel poverty and building to Passivhaus standard in new accommodation;
- support for active travel;
- provision of solar panels in Council buildings and the construction of a solar array and battery storage facility close to the new Marsh Barton railway, the power generated at this city solar farm to be effectively managed through a battery storage system. This farm will eventually power refuse vehicles;
- the provision of electric car charging points around the city including multi storey car parks to provide free charging for electric vehicles;
- investigating the potential of building a power turbine at Trews Weir to increase renewable energy generation;
- waste statistics produced by Defra show that the amount of waste per person that the city's residents produce was now the 7th lowest in the country, a figure which could improve with the introduction of the kerb side food waste and glass collection service;
- building on the success of the Millennium Wood launching a replacement tree programme across the city;
- many biodiversity measures across the city such as wild flower planting at Clyst Heath, Exwick and St Thomas and encouraging bat habitats in Ludwell Valley and Pinces Gardens; and
- reports are being produced on the progress in reducing glyphosate use which will contribute towards enhancing pollination and protect the environment. This is a joint approach with communities.

Councillor Harvey commended the Motion to Council.

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

The meeting adjourned at 7.58 and re-convened at 8.03.

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

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

1. ***As the benefits to health and well-being of green space are well documented, including in Council strategies, please can you confirm if any green space between the Exeter Ship Canal and the River Exe or Bonhay Meadows, near Exe Bridges, is under any consideration for development (including infrastructure) as part of the Liveable Exeter programme?***

The Leader responded that the Liveable Exeter Vision had been presented to Council and to a Members' Briefing with potential development sites identified but that no decisions had been made as it was a vision document. Where appropriate, sites would be identified in the forthcoming Exeter Local Plan.

Exeter City Living, the development arm of the City Council, is examining, and will continue to examine, the suitability of land for development in accordance with the vision for Liveable Exeter - including sites such as Bonhay Meadows. You may recall from the Liveable Exeter vision document images of buildings alongside the river. It never pays to take literally images in visioning documents, but the concept of fronting development onto the River instead of turning its back on the River is a key principle in Liveable Exeter - it offers opportunities for enhanced waterside amenity and to allow residents to connect with the riverside environment.

That said, there are existing planning policies that would need to be considered should any scheme come forward and there are flood risk considerations whenever there is building close to a river. There are also likely to be requirements for new transport infrastructure to improve linkages across the River for cyclists and pedestrians. Given that we are in the early days of addressing the practical delivery challenges of a shift in housing strategy, and the consequential infrastructure requirements to service 12,000 homes, I cannot be more precise about the specific future interventions which will be required at this time.

Councillor Diana Moore sought confirmation as to whether any land between Exeter Ship Canal and the River Exe was being considered for development, including any infrastructure?

The Leader responded that the same principle as stated in his initial answer above applied and that no decision had been made in respect of individual areas. It remained the priority to deliver 12,000 homes and that, rather than build on green fields on the periphery of the city, building at density close to the city centre and on the riverside was the intention to enable residents to walk and cycle to work and to facilities and to help meet the Council's active travel and net zero ambitions. Solutions, such as higher rise buildings would also be advantageous to limit use of valuable green open space.

2. We will soon reach the second anniversary of the Council's declaration of a climate emergency and biodiversity crisis and that Exeter should reach Net Zero carbon by 2030. Will an annual carbon budget, the planned carbon reduction trajectory for the next nine years, and the progress towards Net Zero 2030 commitment over the last year be published for both the City Council and the city itself?

The Leader responded that clear and transparent ways in which we can report progress on carbon reduction targets were yet to be finalised and the focus of the resources we have remains on making practical interventions which have real impact. Measuring the City Council's progress against a proposed trajectory should be relatively straight forward once the carbon action plan is complete.

This work is being completed by the Centre for Energy and the Environment at Exeter University with housing being the first service to contribute to the carbon plan. This will identify the opportunities available and a plan of action for each service. In addition to this, our annual carbon baseline is reported to Scrutiny. Measuring the progress of the city is a hugely complex process and with the resources we have available will not be possible at any level of significant

detail. The city has great support from its major institutions via Exeter City Futures and the Place Board, who have ambitious carbon reduction plans and are keen to feed in their progress. Monitoring progress of smaller business and our residents is not realistically achievable but we will look to best practice from other cities to help us, as well as any new and emerging technologies to achieve this.

Councillor D. Moore asked a supplementary question as to what body was responsible for ensuring progress towards a Net Zero city and how that progress would be scrutinised and by whom?

The Leader responded that progress would be scrutinised within the existing scrutiny framework of the Council, emphasising that, whilst Council resources were under considerable pressure, it remained the ambition of the Council and all Members to achieve a Net Zero Exeter.

3. ***Last year the Council approved, in principle, to set up a market rent housing company to purchase property from Exeter City Living (or on the private sector market) and provide property for market rent to the public. Please can the Portfolio Holder confirm:***
 - a) ***if the feasibility study on this market rent company has been concluded, resulting in the company been set up or other arrangements put in place to progress this, and***
 - b) ***what proportion of market rent to affordable housing underpins the business model assumptions?***

The Leader, as the relevant Portfolio Holder, responded that a feasibility study and Business Case for the company were being developed. It was the Council's aspiration to bring forward a residential property company in order to disrupt the private rental market in Exeter to offer people decent, accessible homes, to provide security of tenure and to combat landlord evictions of tenants.

(The meeting commenced at 6.00 pm and closed at 8.16 pm)

Chair