

REPORT TO EXECUTIVE

Date of Meeting: 7 July 2020

Report of: Director Jon-Paul Hedge

Title: Review of the General Buller Statue

Is this a Key Decision?

No

Is this an Executive or Council Function?

Executive

1. What is the report about?

- 1.1 This report is presented in context of the Black Lives Matters movement against systemic racism and discrimination. It asks the council's Scrutiny Programme Board to investigate the continued appropriateness of the statue of General Buller and his horse Biffen on the junction of Hele and New North Road in Exeter.

2. Recommendations:

- 2.1 That Scrutiny Programme Board agree that work be undertaken by the relevant committee to investigate the continued appropriateness of the statue of General Buller and his horse Biffen, and to act accordingly of its findings.

3. Reasons for the recommendation:

- 3.1 Black Lives Matter (BLM) calls for a level playing field for everyone in society – free from prejudice and inequality - regardless of skin colour.
- 3.2 BLM's #WhatMatters2020 campaign focuses on issues concerning racial injustice, police brutality, criminal justice reform, Black immigration, economic injustice, LGBTQIA+ and human rights, environmental injustice, access to healthcare, access to quality education, and voting rights and suppression.
- 3.3 The civil rights movement was founded in America and is designed to inspire and motivate communities and their representatives to ask if they are addressing 'What *Matters* in 2020'.

- 3.4 Following the outrage surrounding the death of George Floyd on March 25 2020 at the hands of a white police officer, activism and outrage over all aspect of inequality has increased on a global scale rarely seen in modern times. In the UK and in Exeter, there has been significant focus around the relevance of prominent statues on public land that personify racism and the glorification of a colonial past. Exeter has six statues of prominent white men who played a part in the city's history. The Buller statue is the most conspicuous by way of location and controversy.
- 3.5 The statue was originally funded by the people of Exeter. The purpose of the recommendation is to ascertain if its prominence is still appropriate to the people of Exeter today.
- 3.6 Communications from residents to elected representatives since George Floyd's death have largely supported Black Lives Matter. However there are differing views as to what should now happen to this statue. Of the opinions received so far, there is significant strength of feeling within our communities to remove the statue. However, there have also been strong opinions to instead relocate the statue as a cultural reference, redefine it by way of narrative through something like a sign, or leave it alone altogether and focus on education and inequality around the city's colonial standing. This reports asks the Scrutiny Programme Board to be the central point for correspondence and opinion already submitted and to provide an open and transparent, accessible and representative consultation into the matter as part of their assessment.
- 3.7 Explicit mapping of both ownership and critical pathways of any actions arising from the board's report also needs to be drawn together from the outset, so to avoid expectations being dashed and conclusions not being enacted on.
- 3.8 Given that the statue itself is Grade II listed – any conclusion centred on its removal would be subject to considerations including a rigorous formal planning procedure involving further mandatory consultation.

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

- 4.1 There are no resource implications other than officer and Member time in producing recommendations.

5. Section 151 Officer comments:

5.1 There are no financial implications contained in this report.

6. What are the legal aspects?

Please refer to paragraphs 3.7 and 3.8 set out above which identifies the legal considerations.

7. Monitoring Officer's comments:

Provided the issues surrounding planning and ownership are taken into consideration, this report raises no issues for the Monitoring Officer.

8. Report details:

- 8.1 Crediton born and Eton educated Rifleman General Sir Redvers Henry Buller, VC, GCB, GCMG, was the son of Exeter MP James Buller, and awarded a Victoria Cross for 'gallant conduct'
- 8.2 Despite his credentials and widespread public support and public funding, the statue itself was considered controversial even at the turn of the 1900s.
- 8.3 Dr Todd Gray MBE, one of Exeter's most prominent historians, states that: "The statue was created because of a public controversy in the early 1900s over questions of Buller's competency, public indignation regarding his dismissal from the military and party politics between the national Conservative government and the Liberal Exeter City Council.
- 8.4 "It was paid for through public subscription and erected on 'Buller Day'. The general was then widely perceived amongst Devonians as one of the county's greatest heroes and in 1900 was praised as 'a mechanical engine of war'."
- 8.5 Records indicate that the statue was acquired with funding received from around 50,000 members of the public and unveiled in 1905. The adult population of Exeter in 1901 was 47,185.
- 8.6 It was dedicated to the (then) City Council.
- 8.7 Up until 1974 Exeter City Council's predecessor authority held responsibility for it.
- 8.8 Legal advice provided by ECC officers says that following reorganisation under the Local Government Act 1972, the highway function passed to Devon County Council (this actually took place on 1st April 1974) and, as such, ownership of the highway and all attached to it should have passed on to Devon County Council.

8.9 However in writing this report officers at Devon County Council have submitted that the monument does not belong to them.

8.10 It is advised that reproduction of original documentation is sought and further explored by the committee.

8.11 In 2017 the statue was at the centre of a tragic accident involving 18 year old Tom Callaway. Now a separate petition regarding sensitives of the statue and its meaning to those who knew Tom is also underway, and under the spotlight of national media.

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

9.1 The report will help meet community aspirations and build great neighbourhoods

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

10.1 From 1861 to 1905 six individuals were honoured with statues in Exeter. According to Dr Gray, none of Exeter's six statues would meet widely held views around equality and diversity should, they be proposed and publicly funded today.

10.2 The review has been sparked by this statue, but Exeter has a deep and detailed colonial past that have reference in many walks of life today.

10.3 There is a risk that no further action is taken from scrutiny's conclusions.

10.4 There is a risk that this statue is viewed in isolation.

10.5 Recommending more widespread and comprehensive rolling assessment would reduce this risk.

10.6 There is also a risk that hard to reach community voices will not be heard as part of the review. This could be reduced by comprehensive community consultation.

11. Equality Act 2010 (The Act)

11.1 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

13.1 Members could seek to widen the remit of the review and seek to bind the resolutions.

13.2 Members could not carry out the review.

Director

Jon-Paul Hedge

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

Background papers used in compiling this report:-

None

Contact for enquiries:

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