

STRATEGIC SCRUTINY COMMITTEE

10 June 2021

Present:

Councillor Luke Sills (Chair)

Councillors Allcock, Atkinson, Hannaford, Jobson, Moore, J, Pearce and Vizard

Apologies:

Councillors Newby, Branston, Buswell, Denning and Mitchell, K

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Corporate Manager Democratic and Civic Support, Growth & Commercialisation Manager, Democratic Services Officer (SLS) and Democratic Services Officer (MD)

In attendance:

Councillor Philip Bialyk	- Exeter City Council
Councillor Emma Morse	- Portfolio Holder for City Development
Councillor Rachel Sutton	- Portfolio Holder for Net Zero Exeter 2030

In attendance:

Glenn Woodcock	- Co-Founder South West Food Hub
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12 **Minutes**

The minutes of the meeting held on 18 March 2021 were taken as read, approved and signed by the Chair as correct.

13 **Declaration of Interest**

No declarations of pecuniary interest were made by Members.

14 **Questions from the Public Under Standing Order 19**

In accordance with Standing Order 19, a member of the public, Mr P Cleasby submitted the following question:-

Will the relevant Portfolio Holder please explain the extent to which assessments of the *embodied* carbon emissions from new development, including emissions from demolition of properties on the development site, are taken into account when determining planning applications?

Councillor Emma Morse, Portfolio Holder City Development attended the meeting and gave the following response, stating that at present, no assessment was made of embodied carbon emissions when determining planning applications. The Council does not have Development Plan policies relating to this area of assessment and there is no National Planning Policy requirement to do so. There is also no national planning policy guidance relating to this type of assessment.

However, other Councils were also beginning work to consider such assessments and we will also explore what is possible through the development of our forthcoming Local Plan, learning from other Councils emerging work. The Council is committed to

achieving net zero and will therefore strive to develop the most appropriate and robust policy through which to assess and determine future applications and their compatibility with the city, ambitious net zero commitment.

Mr Cleasby asked a supplementary question that “bearing in mind that embodied carbon can consume up to 75% of a building’s life time carbon emissions, and accepting that this cannot be taken into account until 2024 in the new Local Plan, was there any recognition that this absence of assessment will make it difficult to achieve the Net Zero Exeter 2030 target?”

Councillor Morse agreed to send a written reply in response to Mr Cleasby.

15 **Questions from Members of the Council Under Standing Order 20**

In accordance with Standing Order No 20 the following questions, which had been circulated in advance to Members of the Committee, were submitted by Councillors J Moore and Vizard respectively.

- 1) Can the Portfolio Holder please update us on the progress of the Exeter City Living Clifton Hill Development?
 - Please can we be informed of the reasons for the delays to the planned timescale.
 - In particular, when is it likely that the removal of the sports centre will now commence.
 - The presence of the building which is now dilapidated and covered in graffiti, is creating a hidden area which is being utilised for drug use, drug dealing and other anti-social behaviour. There’s also a very real risk of someone coming to harm with reports from residents that people are entering the building and climbing up on to the roof.

Councillor Bialyk, Leader and Portfolio Holder Exeter City Living responded to Councillor Moore’s question and advised that the programme for Clifton Hill indicates an anticipated start on site in December 2021 / January 2022 which is when the demolition works will commence. Our development programme for the site has slipped as a consequence of a number of factors predominantly as a result of the delayed planning application for the development. The original timeline for development indicated the application going to Planning Committee in September 2020 but this was not possible until December 2020 due to last minute consultation issues and amendments to the application drawings to reflect this. This included providing access from the rear gardens of Portland Street onto the new development, securing as many existing trees on site for retention and increasing the garden sizes on some of the new homes and as a consequence reducing the number of overall homes on the site from 43 to 41.

We had hoped to have started demolition works last autumn 2020 but this was not possible due to planning and the consequential impact this had on our procurement timetable for appointing a contractor. Whilst we are currently in the process of tendering the works, this has been delayed due to the impact of Covid 19 and in any case we would not be able to commence development until outside the bird nesting period (post September). We are procuring the works through a two stage tender which means that our preferred contractor will be determined by July 2021 and they will have four months to reach an acceptable contract sum ahead of entering into contract. Current price uncertainties and the lack of available materials in the UK as a consequence of Brexit and Covid 19 is causing a challenge for all new development in the UK at the present time and this places further pressure on project timelines.

Exeter City Living (ECL) are taking all the measures they can to mitigate these challenges but there are limitations to what ECL can do given that this is an industry problem.

Once we commence on site, the former leisure centre will be demolished and construction work will start in earnest. Our current programme indicates that the development will be completed by summer 2024. It was appreciated that it was not ideal that development is delayed, as this impacts many stakeholders including the local community. We have checked the site security and the current temporary fencing arrangement as arranged by the Council, gives adequate security, however, should any residents witness unauthorised entry to the Sports Centre we hope they will report the incident to the Police. The Council do have a private security company engaged to patrol the site on a regular basis and it is hoped that this will act as a deterrent to prevent ongoing unlawful entry to the site. He assured the Member that he, too was concerned about the delay and he had been discussing such matters with the Directors on a regular basis.

Councillor Moore thanked Councillor Bialyk and asked whether there was anything that could be done to make the site look less inhospitable, as it did not make the community of Newtown feel a welcoming safe place. She suggested some hoarding or something similar to improve the outlook. In reply Councillor Bialyk confirmed that he would discuss this with Directors and the team responsible to improve the appearance of the site in this interim period. He reminded Members that the Council had forgone a large capital receipt in order to make the most of the space at the rear of the site for the use of the community and their enjoyment. The last thing he wanted to see was that it was not being used so he assured Councillor Moore that we would do whatever we could within our power to make some improvements.

Councillor Morse, the Portfolio Holder City Development responded to Councillor Vizard's following two questions:-

- 1) Please could the appropriate portfolio holder, director or officer provide some information on how regularly the council identifies cases and applies the Article 4 direction which restricts permitted development rights to convert properties into Houses of Multiple Occupation (HMOs) in areas that fall within this zone?

Councillor Morse stated that for clarity; she understood the question to be asking how often the Council identifies cases where the necessary permissions have not been secured in order to permit conversion to a HMO within the Article 4 area. Owing to limited resources, the Council was not able to undertake regular or proactive compliance monitoring in relation with the Article 4 Directive area. However, the Council has historically received enquiries from members of the public regarding HMO's within the Article 4 area – including situations where members of the public suspect that a property is being used as a HMO without the necessary permissions. The number of such complaints was however very low – there being two in 2017, one in 2018 and none since then. Such complaints would then be investigated.

Councillor Vizard asked if there was any public information available on our web site or if there was an option to report such concerns. In reply Councillor Morse said that officers were already looking into that suggestion.

- 2) What is the likelihood of HMO conversions in the Article 4 area 'slipping through the net', and how is the success of this restriction being measured in terms of preventing a further loss of residential character and of family homes to HMOs?

Councillor Morse advised that we measure the success of the Article 4 Direction based on the number of HMOs within the Article 4 area. Specifically, we look at changes to the overall number and percentage of HMO's in the Article 4 Area since it was last amended in 2013. However, due to our reliance on complaints to know about breaches of the restrictive policy and the limited capacity for additional monitoring and enforcement of the Article 4 restrictions, we do not have any data on the impact on residential character. Further work is underway on this at the moment and more information will be available in due course.

16 **South West Food Hub**

Councillor Sutton as Portfolio Holder Net Zero 2030 introduced Glenn Woodcock, Co-Founder of the South West Food Hub. She reminded Members that the City Council could not deliver the ambitions of Net Zero on its own, and the support of others was needed from within the city. Glenn would be able to show how the South West Food Hub directly relates to Goal 6 of the Net Zero Exeter Plan and the importance of the city's relationship to the land and wider Devon rural economy. It would also help inform retailing on the High Street celebrating regional and local distinctiveness with an aspiration to include national brands, local crafts and produce with our high street shops, hotels, hospitals, local military bases, and prisons, buying food grown within Devon. The Hub would be able to take the initiative to effectively challenge the traditional way food was procured across the public sector to reduce the carbon impact, and to support the green economy.

Glenn Woodcock referred to the sum of over £1.2 billion, spent from the public purse on food supply within public sector establishments with the challenge now, being to address the buying habitats of individual procurement officers. The Food Hub have been working in partnership with the Crown Commercial Service, (CCS) the Government's commercial buying arm to make that change and support the delivery of a new approach to public sector food procurement. As part of pilot, to be launched in spring 2022, with roll out nationally in 2023, the Food Hub will albeit on a small scale contribute towards developing a more sustainable local food industry. The aims include:-

- a sophisticated online platform and dynamic purchasing system for local food supply from small and medium sized businesses to sell directly to public sector institutions.
- positive buying of seasonal food from local farmers offering a more sustainable food supply.
- the buying power of Exeter's institutions having a tangible and measurable impact on the local rural economy and foster a useful relationship between city and country, with every pound generating £3 of value.

Glenn made the following responses to Members' questions:-

- the Food Hub had not tendered for the pilot through any contractual arrangement, but had received limited funding.
- most small and medium enterprises (SMEs) did not have the scale to access large food supply contracts, but the new procurement platform will even out supply and offer an aggregated buying platform to create more certainty of sale for smaller producers.
- he welcomed elected representatives using their influence to promote food sustainability as widely as possible.
- he also welcomed the contribution the Council could exert and the offer of further engagement and dialogue.

The Chief Executive & Growth Director thanked Glenn for his presentation and referred to the opportunity to progress initiatives under the Net Zero 2030 Plan and engagement with Government on behalf of Exeter and the wider sub region in relation to the procurement platform. Part of the work should include working with businesses in Exeter from the supermarkets to the independent shops. There were challenges in ensuring informed choices and making the connection with retail and the provenance of locally grown food as well as ensuring a reduced carbon footprint.

Members also thanked Glenn for the presentation.

17 **Presentation on the Role of Scrutiny**

The Corporate Manager Democratic and Civic Support referred to the Council's review of Scrutiny in October 2019, which had agreed that a report back on its operation would take place after a year of operation. As Members were aware, the pandemic had resulted in a different approach to scrutiny, meaning it had concentrated on the Council's prioritisation of Covid related issues. He was now able to confirm that the review would resume, with a report to be made back to the Executive in the autumn. Members were reminded of the important role of scrutiny within the democratic process, which included:-

- responding to public questions.
- Member questions to Portfolio Holders on their particular spheres of responsibility within the Council.
- initiating a call-in of decisions by the Executive, adopting a more proactive approach which included members of scrutiny bringing matters published on the Council's Forward Plan to the two Scrutiny Committees for further investigation before consideration by the Executive, and
- more in depth studies of topics of interest through task and finish groups or a spotlight review.

Throughout the last year the Scrutiny Programme Board had continued to meet to inform the scrutiny agendas and has been working on a way which would encourage Members to take a more proactive approach by formally seeking suggestions for future topics of business. A pro-forma with guidance notes would be sent to those Members which would help frame their requests against certain criteria and which were mindful of the Council's resource commitments. The Programme Board would in time be able to form a work plan of future items of business for scrutiny.

A Member commented on a reduction in agenda topics and agreed that scrutiny should have a multi layered approach of regular items of business, consider items from the Council's Forward Plan as well as have some flexibility to respond to pertinent issues, as well as continue to offer support for the Council in the role of critical friend.

The Corporate Manager Democratic Services and Civic Support responded to a number of comments by Members: -

- another authority in Devon who had taken a similar approach to their scrutiny process, had taken a period of time to adjust and re-establish that role as a critical friend.
- the former pre-scrutiny approach led to a more protracted decision making process and was not always a benefit.

- more Members could now be involved in the scrutiny process and ensure that policy and budgets were scrutinised and managed as they should be to hold the Executive to account.
- the greater public participation was now embedded in the scrutiny process, but also at the Executive and Council, and
- the Council's financial challenges were spread across the organisation and it was necessary to be mindful of any suggestion of additional resources for scrutiny.

A Member suggested future business should also be on the Scrutiny agenda, as a way of being more transparent and to further engage Members. The Corporate Manager Democratic and Civic Support reminded the Member that there was already the opportunity to request an item on the scrutiny agenda provided that there was sufficient time before the meeting. The inclusion of the Scrutiny work plan, in time, would ensure Members were actively engaged. Councillor Sills and also Councillor Vizard as Chair of the Customer Focus Scrutiny Committee welcomed any suggestions made by Members to take back to the Board.

Members noted the update.

The meeting commenced at 5.30 pm and closed at 7.00 pm

Chair