

EXECUTIVE

Tuesday 6 September 2022

Present:

Councillor Bialyk (Chair)

Councillors Wright, Denning, Morse, Parkhouse, Pearce, Williams and Wood

Apologies:

Councillors Ghusain

Councillor K. Mitchell (as an opposition group Leader)

Also present:

Councillor Jobson (as an opposition group Leader)

Councillor D. Moore (as an opposition group Leader)

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Director Net Zero Exeter & City Management, Director of City Development, Director of Culture, Leisure and Tourism, Corporate Manager Democratic and Civic Support, Managing Director, Exeter City Living Ltd, Service Lead - Environmental Health & Community Safety, Programme Manager - Communities, Assistant Service Lead – Local Plan and Democratic Services Team Leader

79

MINUTES

The minutes of the meeting held on 5 July 2022, were taken as read, approved and signed by the Chair as a correct record.

80

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

81

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

A member of the public, Mr Cleasby submitted the following question, related to Minute No. 88:-

- The draft consultation document states that members of the Liveable Exeter Place Board “engage communities and stakeholders to address the challenges in achieving the vision”. How do Board members engage those communities not represented by Board members, and will the Council please provide a recent example of them doing so?

The Council Leader in responding, explained that the Liveable Exeter Place Board brought together a variety of leaders and individuals that had a responsibility for their own organisations or were influential people in their own right, such as the local MPs. The leaders of the city’s institutions and individual businesses or charities were rooted in the locality, and were able to inform on discussion and shape issues based on a wealth of information attained from their staff and customers. Those organisations for example had asset management plans, and would be thinking of their long investment plans and how their organisations conducted their business to ensure cross institutional co-operation to further the vision of the city.

Aspects of the city's vision related to outcomes that required co-ordination of the city's infrastructure or organisation of activity aligned with strategic goals such as delivering the most active city in the country or delivering world class education. No one organisation had the ability to achieve the goals, organisations needed to work together over a sustained period of time and work on aligning physical infrastructure with funding and wrap around packages of support involving revenue expenditure and various bids into government departments. Co-ordinating infrastructure and collaboration was assisted by the existence of a place based board.

The Place Board brought together the elected leaders of Devon County Council and Exeter City Council, the elected local MPs for Exeter, and the elected Police & Crime Commissioner, all of whom had their own processes and procedures for continually engaging with their constituents. This was complemented by the presence of the CEO of the Chamber of Commerce, and the CEO of the Business Improvement District. Those organisations spoke for a wide range of companies and had established ways of connecting with businesses. Further, educational institutions through the University of Exeter and Exeter College had a strong working relationship with all the educational organisations in the city.

An example was Professor Lee Elliot Major, who sat on the Place Board, had led the work on social mobility in the south west, levelling up through education. The Chair of the Place Board, Sir Steve Smith was one of the people mentioned in the report in providing oversight, feedback and advice throughout the project. The proposals of the commission directly addressed the requirements in the Levelling Up White Paper and its 2030 mission on education, skills and ultimately on living standards. The commission showed how not all young people in Devon were enjoying the opportunities and benefits of prosperity. The Chair of the Devon Community Foundation worked with the community and wellbeing support infrastructure, which was developed in conjunction with the two local authorities and GPs. Whether through sport, culture, transport, development or health work on the Covid recovery plan, this demonstrated the ability of the Place Board to reach out to stakeholders in an agile fashion to reflect the long term vision of the city and to translate it into short term action. The city should be proud of the work it had done to work in a collaborative fashion and the focus on delivering the vision.

Mr Cleasby on putting a supplementary question, commented on the impressive list of local leaders, and enquired about the position of the High Sheriff of Devon having a seat on the Place Board and about representation for those not aligned with the group.

The Council Leader responded that the previous High Sheriff of Devon (Lady Studholme) was no longer on the board and indeed had not been a member of the Board in that capacity. He also stated that the Place Board members would respond to the consultation on behalf of their various organisations. The consultation would seek to engage with all groups and individuals in the city, to ensure that their views were heard.

URGENT ITEM - HOUSEHOLD SUPPORT FUND EXTENSION - GENERAL SCHEME

The Executive noted the urgent decision for the Household Support Fund extension and that Exeter City Council has been allocated up to £122,838 to support low-income families for commencement by the end of September 2022.

Members were advised that, due to the timescales involved it would not be possible to convene a meeting of the Council in advance of the implementation date. In accordance with the Council's Constitution, the matter was discussed by the Portfolio Holder for Customer Services and Council Housing and the Chair of the Customer Focus Scrutiny Committee who agreed that this was an urgent decision. Full details of the scheme would be made available through the Scrutiny Bulletin.

The Chair welcomed the scheme which provided support to residents and highlighted the support available from the Council.

The Support Scheme statistical data for the various schemes are appended to the minutes.

RESOLVED that the urgent decision be noted.

83 **URGENT ITEM - COUNCIL TAX ENERGY REBATE DISCRETIONARY SCHEME POLICY**

The Executive noted the urgent decision for the Council Tax Energy Rebate allocation of £188,700 for Exeter City Council households.

Members were advised that, due to the timescales involved it would not be possible to convene a meeting of the Council in advance of the implementation of the rebate. In accordance with the Council's Constitution, the matter was discussed by the Portfolio Holder for Customer Services and Council Housing and the Chair of the Customer Focus Scrutiny Committee who agreed that this was an urgent decision. Full details of the scheme would be made available through the Scrutiny Bulletin.

The Portfolio Holder for Customer Services and Council Housing expressed her thanks to the team for timely action of the work to ensure funding was available for residents during the cost-of-living crisis.

The Support Scheme statistical data for the various schemes are appended to the minutes.

RESOLVED that the urgent decision be noted.

84 **COST OF LIVING AND ENERGY CRISIS**

The Portfolio Holder for Communities & Homelessness Prevention raised the cost of living and energy crisis and highlighted the focus of what the Council could do to support residents in the city. Ahead of the next Executive Committee meeting in October, opposition leaders would be contacted to provide contributions as to ways to support addressing the situation.

The Council was limited in what it could do, but this did not limit the Council's ambition to provide support, security and solace to residents as the crisis likely continued. The Council would also be coordinating with the community voluntary sector who had already commenced meetings and undertaken a work plan to address the situation and explore all available options.

The Chair advised that the Council would be monitoring announcements from the Government and would look to address what the Council could do to help resident's in-line with resources in October 2022.

85 **PROPOSED ADOPTION OF COMMUNITY ASSET TRANSFER POLICY**

The Executive received the report which provided Members with an overview of the proposed purpose, procedure and resource implications of adopting the Community Asset Transfer policy. An eight-week consultation with stakeholders was undertaken in June 2021, as well as two workshops held in July 2021. The feedback from the consultation had fed into the final policy proposal, to help ensure that it was fit for purpose, clear and delivered benefits to the communities of Exeter.

The report provided a definition of Community Asset Transfer (CAT), and details of the rationale behind Exeter City Council creating a transparent and consistent policy for organisations wanting to progress an application.

Particular reference was made to the existing practice for long leases and asset transfers which were already implemented by the Council, with a notable example being the transfer of the Valley Parks to Devon Wildlife Trust. There was clear value in developing partnerships with community groups and organisations as this helped to increase the resources that could be made available to residents in the city

Councillor D. Moore, as an opposition group leader, spoke on this item. She welcomed the policy and responses from the community sector and proposed a technical amendment to the Policy for the Portfolio Holder to consider:-

- Section 8.2 of the policy did not include Community Benefit Societies, which were created alongside the formal legal structures of the Co-operative and Community Benefit Societies Act 2014, and suggested that they also be included in this section.

Councillor D. Moore also commented that she hoped that the building transfers would include environmental improvements and that there would be flexibility from the Council in offering leases ahead of any investment made.

The Chair welcomed the amendment but advised that amendments could only be made by a member of the Executive committee. Given that there were technical details to be addressed, he advised that the Portfolio Holder for Communities & Homelessness Prevention would address the technical detail outside of the meeting and make the amendment as part of the recommendations to Council on 18 October.

Councillor Jobson, as an opposition group leader, spoke on this item. She welcomed the report and highlighted that the Exeter St James Community Association referred to in the report, needed to be changed to the Exeter and St James Community Trust Ltd as they were a corporate body to enable the transfer.

The Chair advised that the Portfolio Holder for Communities & Homelessness Prevention would address the detail outside of the meeting and make the amendment as part of the recommendations to Council on 18 October.

The Director of Culture, Leisure and Tourism in response to the suggestions stated, that there were no issues of including the Community Benefit Societies in the section 8.2, which listed various organisations and wasn't specifically including or excluding organisations. In regards to the title to Exeter and St James Community Trust Ltd, it was important that this was correct.

The Director of Culture, Leisure and Tourism and the Programme Manager - Communities, in responding to a Members' question stated that safeguarding assets was a risk outlined in the report and that if a property was transferred

through a leasehold, it would enable the Council to maintain partnership working and support for the relevant group. Members would address each application during the processing stage to ensure financial resilience and stability with the applicant.

The Portfolio Holder for Communities & Homelessness Prevention in summarising the report highlighted that the policy was a framework for the whole process and each application was addressed on a case-by-case basis. He thanked the officers for the time and effort in bringing the report and policy together to support community groups in the city.

RECOMMENDED that Council adopt the Community Asset Transfer Policy.

86 **FOOD LAW AND HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2022
- 2023**

The Executive received the report which sought approval to adopt the Food Law and Health and Safety Service Plan 2022-23, which set out the Council's regulatory function in respect of food safety and health and safety over the forthcoming year. The Food Law Enforcement Plan highlighted how the Council would meet its regulatory obligations in respect of food safety and the Health and Safety Services Plan demonstrated the arrangements for enforcing health and safety.

Members noted that the Environmental Health team had been disrupted during the Pandemic, and had been assisting on the national track and trace system, assessing Covid compliance for businesses and there had been periods where businesses were closed and food inspections could not take place.

Particular reference was made to the focus on the national framework for recovery by the Food Standards Agency, which Exeter was in a very good position. There were 150 more food businesses in operation now, than before the Pandemic, which further highlighted the impact of resources on a small team.

The Service Lead - Environmental Health & Community Safety, in responding to a Members' question explained that any changes to the food hygiene legislation would require a change to the Council's constitution and a report would be presented to the Executive for Council approval accordingly.

RECOMMENDED that Council:-

- (1) approve the Food Law and Health and Safety Service Plan 2022/23;
and
- (2) authorise the Service Lead – Environmental Health and Community Safety to change the plan in the light of national guidance and/or to meet operational needs.

87 **AIR QUALITY ANNUAL STATUS REPORT**

The Executive received the report on the statutory Air Quality Annual Status, which contained monitoring data from 2021 and the summary of the actions taken in that year to improve local air quality. The Council had a statutory duty to monitor and report on air quality and had submitted the report to the Department of Environment, Food and Rural Affairs (DEFRA).

Particular reference was made to the five high points raised in the DEFRA appraisal letter, included with the agenda, which highlighted the high standard and accuracy

of work undertaken. The Service Lead - Environmental Health & Community Safety expressed his thanks to the staff involved in writing the report.

Councillor D. Moore, as an opposition group leader, spoke on this item. She welcomed the report and highlighted the importance of seeing the status of air quality in the city. She enquired on the evidence for the actions for improving air quality and had concerns that air pollution was rising. She further enquired if the Portfolio Holder would be minded to send the report to Devon County Council and ask for their response to the report and comment on what actions they were undertaking to improve the city's air quality.

The Portfolio Holder for Climate Change commented that it was a statutory report produced to a specific standard. The Council's role was to measure and report on air quality, but worked with various partners on measures to improve the air quality, whilst being mindful of the Council's resources. The report presented was for noting but the Council would be engaging with Devon County Council on means to improve air quality measures.

The Service Lead - Environmental Health & Community Safety explained that the report had been shared with the Director of Public Health at Devon County Council, who had commented on the findings. He also highlighted that the Air Quality Action Plan required an update due to the figures for 2020 being discounted and 49 of the 50 locations within the air quality management area were below the legal objective.

Members welcomed the report and expressed thanks to the team for an informative and well-presented report.

RECOMMENDED that Council note the statutory annual status report.

88

NORTHBROOK WILD ARBORETUM: PROJECT INITIATION AND FUNDING

The Executive received the report which provided the detail for commencing the development of the wild arboretum project and the funding required. A report had been previously presented to the Executive in October 2021, which highlighted the details of the 2021 consultation and the 96% support for the wild arboretum. The report now set out the next steps required in delivering the green space.

Particular reference was made to the work that had been undertaken with the Devon Wildlife Trust, the Parks and Engineering teams and with Devon County Council for green transport aspects to progress the project. Discussions were also underway with the Environment Agency for additional contributions.

Councillor D. Moore, as an opposition group leader, welcomed the report.

Councillor Jobson, as an opposition group leader, spoke on this item and welcomed the report. She enquired about CIL allocation funding and whether the 85% allocation would be focussed on infrastructure. The Leader confirmed that the 85% allocation was correct.

The Director Net Zero Exeter & City Management in response to a Members' question, explained that the longer term use of the building on site was being discussed with the Devon Wildlife Trust and an option for transferring the property as a lease agreement was still to be decided. The Car Park would likely stay under the Council's control, and maintenance of the green space would be undertaken by the Devon Wildlife Trust.

During the discussion, the following points were made:-

- This was a good example of the positivity for asset transfers, which would ensure the safety and future enhancements for the green space. The report embraced biodiversity and offsetting carbon emissions by encouraging active travel and the planting of trees; and
- The project would also encourage physical activity and promote active travel in the city.

The Chair welcomed the report and welcomed the consultation with the community and the positive response received.

RESOLVED that the stages required to develop the Northbrook Wild Arboretum in partnership with Devon Wildlife Trust be approved in principle.

RECOMMENDED that Council approve the allocation of £288,583 in total towards the project made up of £222,615 from a mixture of the Community Infrastructure Levy funding or Section 106 if available, and contributions of £65,968 from partners.

89

EXETER PLAN: OUTLINE DRAFT CONSULTATION

The Executive received the report on the progress made on the new Exeter Plan (Local Plan) which sought approval for undertaking a public consultation on the 'Outline Draft' plan which set out the city vision, spatial strategy, draft strategic policies and potential development sites for comment.

A previous public consultation had been held in Autumn 2021 and additional work had been undertaken based on the evidence and issues identified to prepare the outline Draft Plan for consultation. Exeter City Council had a statutory responsibility to prepare planning policy for the city, and the new Exeter Local Plan would replace the Core Strategy and the Local Plan First Review documents. Consultation was an important part of the process for preparing the Exeter Plan and fulfilled the statutory requirements and the adopted Statement of Community Involvement

Members were provided a presentation on the draft Exeter Plan, (appended to the minutes), and particular points raised in the presentation included:-

- The Exeter Plan was the new name for the Local Plan, and would become a statutory planning policy for the city, once adopted;
- The Exeter Plan was the first new local plan in 10 years and looked ahead to 2040 and also included the Councils Exeter Vision 2040;
- The consultation and plan would be available in a digital format, both online and on a new digital platform to be more interactive and accessible;
- Consultation and engagement would also be available in hard copy, available at public events with available questions on each section of the document;
- To ensure more residents could make their voices heard, a variety of engagement and events were planned;
- The plan would include the spatial strategy to encompass net zero, health and wellbeing and city centre vitality;
- There would be a focus on development of brownfield sites and good access to green infrastructure;
- Liveable Exeter was an anchor of the plan with the intent to build homes, to reinvigorate existing communities and create sustainable neighbourhoods;
- Details of the evidence, policies, and various development sites were highlighted; and

- The consultation would run between 26 September and 21 November 2022 with another consultation to be held in 2023. A final draft of the document will be published for comment ahead of submission to the Planning Inspectorate for examination.

Councillor Jobson, as an opposition group leader, spoke on this item. She thanked the officers for the hard work that been put into the plan, and enquired when a list of dates and venues will be made available to start informing local residents.

Councillor D. Moore, as an opposition group leader, spoke on this item. She welcomed the presentation and the work that had been undertaken. She enquired on the following:-

- would there be a list for community facilities and health services included as part of the evidence base?
- What was the contribution from Exeter University, who made a large contribution to the city and would their new plan contribute or form part of the Exeter Plan for public consultation?
- Could the Liveable Exeter Place Board include co-creative input from community organisations who are not represented on the Place Board and could a community panel be established to contribute to the strategic direction of the city.

Councillor D. Moore welcomed the inclusion of supporting Gypsies and Travellers needs in the Exeter Plan.

The Chair highlighted that the Liveable Exeter Place Board would not be making decisions on the consultation. The Council would be working closely with its delivery partners and would be reaching out to other groups and organisations to include them. All submissions to the consultation would be welcome, whether from an individual or from a group. The consultation would aim to reach out to as many people as possible.

In response to a Members' question, the Chair advised that there were national organisations who represented Gypsies and Travellers, who would be contacted to notify travellers of the consultation, to enable them to participate in the consultation.

During the discussion, a Member welcomed the focus on the brownfield first strategy, which would protect the green city ridgeline. Members should, now reach out to residents to encourage them to take part in the consultation.

The Portfolio Holder for City Development & Planning welcomed the plan and expressed her thanks to the team and those involved, for the work that had been undertaken on the first draft and advised, that everyone in the city was welcome to engage with the consultation. Members were further advised that there had been legislative changes relating to Travellers, but there were organisations who represented them who would be contacted.

RESOLVED that

- (1) the Outline Draft Exeter Plan (content included in Appendix A of the report) be approved as the basis for public consultation for eight weeks commencing on 26 September 2022; and
- (2) delegated authority be granted to the Director of City Development, in consultation with the Council Leader and Portfolio Holder for City Development,

to agree minor changes to the Outline Draft Plan content before it is published for consultation.

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

In accordance with Regulation 5, Paragraph 5, Part 2 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 concerning the procedures prior to private meetings, the details of the representations received had been included on the agenda with the statement of response to the representations.

The reason for the exemption for Minute No. 91, was that the report was an informative update report, which contained information relating to the financial or business affairs of the company and it was in the public interest to maintain the confidentiality of the company's financial or business affairs. The recommendation that Minute No. 91 be taken under Part 2 would be maintained.

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 items on the grounds that they involved the likely disclosure of exempt information as defined in paragraph's 1,2 and 3 of Part 1, Schedule 12A of the Act.

91 **MEMBER TRAINING**

The Executive received the report which provided a quarterly update on the progress of work on the Members' training programme and also included Members' attendance records and feedback on the various training sessions held since May 2022 to present.

Particular reference was made to the new online training platform which would soon be made available to Members. The system would enable Members to undertake an array of training sessions including GDPR and Safeguarding. Attendance and completion of the training would also be included in the training indicators.

Councillor D. Moore, as an opposition group leader, welcomed the quality of the training provided.

During the discussion, the following points were made:-

- The new training package will have mandatory training requirements for all Members to undertake;
- New carbon literacy training would be provided to Members later in the year, which was highly recommended;
- Shadowing and site visit sessions from various teams had been very beneficial and Members were encouraged to attend for their own development.

The Deputy Leader & Portfolio Holder for Arts & Culture and Corporate Services suggested that the report be presented publically for future meetings, with any relevant redactions, to highlight the training and development that elected Members had undertaken.

RESOLVED that the Executive note the Members' Training report.

92 **EXETER CITY LIVING SIX MONTH UPDATE - FINANCIAL YEAR 2022/2023**

The Executive received the report on the mid-term update on the Exeter City Living business plan covering the period March 2022 to 31st July 2022. The report was an informative update which provided an overview of the market conditions affecting the company over the last six months, including the challenges it faced in an unprecedented volatile construction sector, along with an update on Company activity. The Report did not propose any changes to the agreed Business Plan for 2022-2023.

The Managing Director, Exeter City Living Ltd made particular reference to:-

- The challenges faced by procurement issues in the South West, which had caused delays to the start of construction on various sites;
- The report provided a financial overview for the year to date, with an explanation for the key variations against the Budget for 2022-2023.,
- The potential for an addition to the Company's development pipeline strategy with the conversion and remodelling of existing stock. This potential strategy was being explored as a means of increasing the housing stock in the City ahead of new build developments commencing and as a means of reducing carbon by remodelling and re-using existing buildings.
- There had been some notable progress including new homes commencing on sites at Hamlin Gardens, demolition works commencing at Clifton Hill and good progress with the Development Work stages for a number of new developments which had the potential to deliver over 600 new homes.
- New staff had been appointed to Exeter City Living and the Company had also been providing consultancy services to Teignbridge District Council to assist them with their own ambitions to build new homes; and
- The board structure for Exeter City Living was being addressed along with its governance arrangements and changes would be presented to the Executive and Council in due course.

Councillor D. Moore, as an opposition group leader, spoke on this item. She enquired as to whether the Company were in a position to repay its loan interest liabilities and further enquired on whether any new homes modelled from existing buildings would meet national space standards.

The Managing Director, Exeter City Living Ltd explained that the interest rate the Company paid on their loans varied as to when the loan was taken out by the Council for each development, but that the rate that the Council charged the Company was fixed, which was reflected in the Company's budget and cash flow. The Managing Director confirmed that the size of homes created by ECL whether new build or from conversion would conform to the National Space Standards and Exeter City Council's Residential Design Standards.

The Chair thanked the Managing Director, Exeter City Living Ltd for the update and acknowledged the issues faced by the company.

RESOLVED that the Executive note the midterm update report.

(The meeting commenced at 5.30 pm and closed at 7.33 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 18 October 2022.