

CUSTOMER FOCUS SCRUTINY COMMITTEE

1 December 2022

Present:

Councillor Matthew Vizard (Chair)
Councillors Mitchell, M, Bennett, Ellis-Jones, Holland, Newby, Oliver, Snow, Sparling,
Wardle and Warwick

Apologies:

Councillors Harvey, Sutton and Williams

Also present:

Director Net Zero Exeter & City Management, Interim Service Lead Public and Green
Space and Democratic Services Officer (HB)

In attendance:

Councillor Bialyk	Leader
Councillor Denning	Portfolio Holder Customer Services and Housing
Councillor Ghusain	Portfolio Holder City Management and Environmental Services
Councillor Pearce	Portfolio Holder Communities and Homelessness Prevention

28 **Minutes**

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 6 October 2022 were taken as read, approved and signed by the Chair as correct.

29 **Portfolio Holder Reports**

In response to Councillor Sparling's enquiry regarding a request at the previous meeting of this Committee that, in addition to the selected Portfolio Holder reporting in detail to the respective Committee meeting, brief updates from the other three Portfolio Holders could also be provided at each meeting, the Chair advised that the Scrutiny Programme Board on 21 October 2022 had felt that the existing format of one Portfolio Holder updating Scrutiny Committees worked well and that the Board would be keep the matter under review. The suggestion was also under consideration as part of the Governance Review.

30 **Declarations of Interest**

No declarations of interest were made by Members.

31 **Questions from the Public under Standing Order No 19**

In accordance with Standing Order No.19, the following question had been submitted by a member of the public, Mr Spurr and was circulated in advance to Members of the Committee. Councillor Ghusain, Portfolio Holder for City Management and Environmental Services attended the meeting and gave the following response as set out in italics below:-

Question to the Portfolio Holder for City Management and Environmental Services - Councillor Ghusain from Mr Roger Spurr

Is glyphosate or any similar herbicide still being used on residential streets in Exeter? If so, why? Whereas usage of glyphosate for 2022 stood at 120 litres, this was an increase from the 2020 figure of 90 litres.

Response

Currently there is a residential weed control programme, commissioned by Devon County Council as the Highways Authority. This carries out two sprays per annum. The regime continues to take place because there remains no cost-effective alternatives to glyphosate based products on the market. Alternatives are either substantially more expensive at the procurement stage, or require significant additional labour at a cost that is financially unsustainable due to ongoing budget constraints. Therefore, operationally, the decision faced by the Highways Authority is continuing with the current regime, or no weed control at all within Exeter. This would leave wide spread footpath weed growth and its associated impacts.

To date, treatment has already been reduced from three and half sprays a year down to two. In the last two years residents have also been offered the opportunity to opt out of the spray to further reduce glyphosate use, with a limited uptake. The City Council also contributes to ensuring that weed control across Public Highway remains an integrated approach. This is in line with the Pesticide Action Network advice, BASIS professional standards as the independent standards advisory charity for agriculture and the amenity sector, and through amenity sector best practice. The public and green spaces team operate deep clean teams to achieve this. Their primary duty is to remove both the growth material that builds in curb lines, and the weeds themselves. Despite recruitment constraints, this service continues to augment the reduced Highways treatment schedule, ensuring that weed control across the residential road network comply with industry and independent best practice. The service also continues to investigate alternatives and will advise colleagues in Devon County if a cost-effective alternative arrives on the market. Until such time, the public and green spaces team, and its sub-contractors, only use amenity licensed plant protection products of which glyphosate is a constituent part. glyphosate remains licenced for use within the UK until 2025.

Supplementary question and answer.

What plans does the City Council have to engage the public more directly by explaining the alternatives to the use of glyphosate for keeping the streets clean and removing the weeds themselves?

Answer

Over the last three years the public have been encouraged to look after their own streets or parts of streets with over 20 streets taking up this offer. Although the Government has not placed restrictions on the use of glyphosate at least until 2025, the City Council has examined potential different products and different ways of spraying. If this Devon County Highways Authority function is to continue consideration will be given to a more intensive campaign to encourage the public to look after their own streets.

Questions from Members of the Council under Standing Order No. 20

In accordance with Standing Order No. 20, the following questions had been submitted by Councillors Vizard and D. Moore and had been circulated in advance to Members of the Committee. The responses of the Portfolio Holders are set out in italics.

Question to the Portfolio Holder for Recycling, Waste Management and Waterways – Councillor Williams**Councillor D. Moore**

Please can the Portfolio Holder provide a briefing on the work to prepare for the roll out of food waste collection in the city centre wards in general, and flats (including purpose built student accommodation) in particular?

Response from the Director Net Zero Exeter and City Management on behalf of the Portfolio Holder.

Work is ongoing across the whole of the city as we continue to roll out food waste to ensure that the roll out is successful and secondary issues are minimised. This includes officer's conducting site visits where needed, to look at the practicalities involved in certain areas. Those areas where there are transient populations will present additional challenges, not least with the resource required to ensure ongoing compliance. Each of these areas are being carefully looked at prior to roll out being conducted in these areas. With regard to purpose built accommodation, the service will be seeking to work with accommodation providers in the same way that the service works with them on residual and recycling collections at present.

Supplementary question and answer.

Can a guarantee be given that food waste collection will be rolled out to all areas of the city centre and what will be the timetable?

Answer

A guaranteed timescale cannot be given because some areas of the city, including the city centre, have properties such which have complex arrangements for waste collection and storage. These may need a bespoke solution and will need prior examination by the cleansing staff to plan the collection regime. A further complication is the current limited food waste storage capacity at the Exton Road depot. New facilities are planned but will require planning approval and consent from the Environment Agency. The design and procurement of this work is underway. A update report on food waste collection will be made to the next meeting of this Committee on 2 February 2023.

A further supplementary question raised by Councillor Sparling on behalf of Councillor Bennett and answer.

With a number of glass recycling igloos overflowing across the city what measures are being taken to maintain a regular collection and is there a contingency plan when the collection vehicle is out of action and/or under repair.

Answer

The Director Net Zero Exeter and City Management, responding on behalf of the Portfolio Holder, advised that, as some residents left a large number of bottles in boxes outside the igloos, other residents would erroneously conclude that the igloos were full, leading to the further accumulation of bottles. The collection system was working well, but with the ongoing difficulty in recruiting and retaining drivers it was sometimes necessary to redeploy the glass collecting drivers to prioritise residual waste and recycling collection. Once the Government provides guidance on glass collection, a review of the city's glass collection system would be undertaken.

Questions to the Portfolio Holder for City Management and Environmental Services - Councillor Ghusain

Councillor D. Moore

1. With the upgrade of the CCTV facility, is there any agreement with the Police that they will respond more quickly/as a priority to live incidents that are identified?

Response

The Police are responsible for their own response and will prioritise their available resources based on an assessment of the threat, risk and harm posed by the incident. It would be inappropriate of us to ask for our calls to be prioritised above those received by all the other channels they have which may carry greater threats of risk or harm to the public.

Supplementary question and answer.

Can an explanation of what the City Council expects of the Police in responding to incidents be produced?

Answer

It is not for the City Council to determine for the Police how they prioritise their response to incidents.

2. With two recent incidents in the city centre where buses have collided with pedestrians, one fatally, what measures will the Portfolio Holder be pursuing to improve road safety in the city centre?

Response

It is not appropriate for us to comment on these incidents which are the subject of Police and Coroners' investigations. However, as I'm sure you are aware the City Council is neither the Transport Authority nor the Highway Authority. The responsibility for road safety falls within the remit of the highway authority which is Devon County Council.

Supplementary question and answer.

With a significant number of recent incidents of collisions involving cyclists, including one fatality, what measures can be taken to take forward road safety matters including consideration to be given to removing cars from the High Street?

Answer

Although Highway matters are not the City Council responsibility there is on-going dialogue with County Council colleagues. The matter is one that should be raised with the Exeter Highways and Traffic Orders Committee.

3. Has the Portfolio Holder received a response yet from Devon County Council on the Air Quality Status report, and if so please can an update be provided?

Response

The County Council response was received on 29 November 2022 and circulated to all Councillors.

Supplementary question and answer.

With recent figures showing that traffic is increasing again in the city, what measures are being taken to address associated air quality problems in the city?

Answer

A written answer will be provided.

Questions to the Portfolio Holder for Communities and Homelessness Prevention - Councillor Pearce

Councillor Sparling

Can the Portfolio Holder please confirm what progress has been made on the General Buller Statue Review recommendations resolved by Council on 23rd February 2021 to a) create a working group to establish a Council Anti-Racism Strategy led by the Portfolio Holder for Culture and Communities and b) develop a training and awareness raising programme for staff and councillors on equality impact assessments and their role in the Council's decision making process through the Corporate Equality and Diversity Group?

Response

Following the change in Portfolio Holder responsibilities the question is one to be addressed by both the Portfolio Holder for Communities and Homelessness and the Portfolio Holder for Arts and Culture and Corporate Services. The latter will respond in writing to the second part of the question.

The anti-racism working group has met on a number of occasions which led to the drafting of an anti-racism strategy and the group will continue to pick up the issues raised by the initial Spotlight Review. This will include a training programme for Members, the details of which are still to be determined. An Information Board explaining matters associated with this issue has been erected in Northernhay Gardens.

Questions to the Portfolio Holder for Customer Services and Council Housing - Councillor Denning

Councillor Vizard

1. In the light of the tragic death of Aawab Ishak in Rochdale after exposure to mould in his family's housing association property and the changes proposed in the Social Housing Regulation Bill, would the Portfolio Holder for Customer Services and Council Housing please provide the Scrutiny Committee with a brief summary of Exeter City Council's tenant complaints policy, and of what work is being undertaken to meet the Regulator of Social Housing's call for evidence to demonstrate that systems are in place to deal with issues with damp and mould that may arise.

Response

Point 1 - Tenants can make complaints in writing by letter, email, or via our Housing complaints form. People can also call us, visit us in person or arrange a visit to their home.

Stage One - Investigation of the complaint: acknowledgement within five working days, followed by an investigation by a Department Lead-response within 10 working days. Normally, responses are provided within 48 hours.

Stage Two – Independent review of the complaint: if they remain dissatisfied they can request an escalation where a new senior officer will conduct an independent review. This will be completed within 20 working days and a final response will be sent.

If the complaint remains unresolved, tenants have the following options available:

- *Use the Housing Ombudsman's Early Resolution Service. This is an alternative process to formal investigation where they will work with the tenant and us to resolve the dispute as fairly and quickly as possible;*
- *Refer the complaint to the Housing Ombudsman to be formally investigated.*

The Housing Ombudsman

The Housing Ombudsman Service is available to our tenants and leaseholders. They provide a free, independent and impartial dispute resolution service.

Point 2 - Well over 12 months ago, the Council's Housing Service adopted new response protocols to ensure the best possible service for all our tenants including the following specific actions:-

- *Re-visiting every home that has reported damp and mould after six months of initial works.*
- *Running reports on all existing reported cases of condensation, damp and mould and assessment of what additional interventions can be made to address and resolve the issues.*
- *Increased investment in humidity and ventilation monitoring devices, to enable early identification of problems.*
- *Referring cases to specialist surveyors if there is a repeat, or complicated, instance of damp and mould.*
- *Enhanced training for all colleagues and new reporting systems.*

- *Using our 'Report for Action' tool on the Surveyors mobile devices to ensure that condensation damp and mould are reported immediately along with other serious issues if identified in a property.*
- *Offering up damp and mould experts at our tenant events, such as coffee mornings and repairs drop in surgeries, to offer support and guidance.*

In addition, we are also continuing to provide our residents with support and advice on how to combat the early sign of damp and mould in their property, whilst being clear that ultimate responsibility for addressing serious issues lies with us as the landlord. All the actions mentioned will be included in the reply to the Regulator of Social Housing's call for evidence by the 19 December 2022 submission date and a briefing note has been sent to all Councillors providing a full update on how the Council's Housing Service is dealing with damp and mould cases.

2. The work being undertaken to retrofit Council properties in Exeter is exemplary and being a responsible landlord is at the heart of what we do. How are these standards and best practice shared with other social housing providers in Exeter and through the Devon Home Choice system?

Response

The Council's Housing Service promotes its retrofit work through a variety of routes.

- *There has been publicity via media channels - TV and social media;*
- *Contributions have been made to a number of conferences – most recently I (the Portfolio Holder) made a presentation to a conference via video, and last week the Assistant Director of Housing sat on a Discussion Group at the Homes UK 2022 conference at the Excel in London.*
- *A Members' briefing has been prepared and will be distributed as a Scrutiny Bulletin in January 2023.*
- *The Council's Housing Service is a member of a Devon-wide housing procurement framework consortium and briefings have been provided to all consortium members by the Council's Housing Service Officers.*
- *Devon Home Choice primarily ensures there is a consistency and fairness in the allocation of properties to those in housing need. It is not a forum where housing management or maintenance matters are discussed in detail. However, policies in relation to the priority awarded for those seeking alternative accommodation due to poor health such as respiratory issues form part of the policy which is regularly reviewed to ensure a uniform approach across all landlords and local authorities.*

3. Does the Portfolio Holder think the Government is doing enough to help social housing providers to modernise housing stock, build more homes for social rent, and meet the standards for energy efficient, warm, safe homes that should be the norm? If not, what would she like to see change?

Response

No - more can always be done as, at present, there are many competing priorities for the funding that is available.

- *The modernisation of the housing stock needs clearer direction in Policy terms – the revised Decent Homes Standard that the Government intends to implement has been delayed which makes setting long-term programmes of work and agreeing budgets very challenging.*

- *In terms of more social rented homes, grant rates from Homes England need to rise to reflect current market pressures and the increasing costs of construction – the Council is in dialogue with Homes England officers to make this representation.*
- *Ensuring that energy efficient, warm, safe homes become the norm needs greater policy direction – such as the revised Decent Homes Standard. Also, access to grant funding (such as Social Housing Decarbonisation Funding) needs to be less complex and funding programmes need to be longer term to allow continuity.*
- *with the loss of approximately 40 properties a year through Right To Buy, occupiers of those properties are no longer covered by the support the Council can give to its own residents in this matter*

Supplementary question and answer.

With the City Council in discussion with Homes England on the problem, are similar conversations being held with the Department for Levelling Up, Housing and Communities with a view to sharing City Council best practice?

Answer

Yes this has occurred and was also raised at a recent Webinar with Homes UK.

A Member moved that the City's MP's and Bishop Robert Atwell, Bishop of Exeter, a Member of the House of Lords, be appraised of the concerns raised and requested to raise the issue with the Secretary of State.

The motion was moved, seconded and carried.

RECOMMENDED that the City's MP's and Bishop Robert Atwell, Bishop of Exeter, a Member of the House of Lords, be appraised of the concerns raised and requested to raise the issue with the Secretary of State for Levelling Up, Housing and Communities.

33 Update from the Portfolio Holder for Communities and Homelessness Prevention - Councillor Pearce

Councillor Pearce reported on the Communities and Homelessness Prevention areas of his Portfolio, detailing the issues relating to achieving the Council's published priorities, major ongoing programmes of work, issues impacting delivery, financial performance and budget requirements and potential changes being considered.

The following responses were given to Members' queries:-

- the severe weather protocol encompasses all conditions including heat waves as with the recent summer and wet and windy periods as well as cold winter spells. Eighteen beds are available to accommodate rough sleepers this winter and the two rough sleeping pods, following repair and insulation provision, are to be relocated from the King William Street Car Park to a location in St. David's;
- the Exeter Homelessness Prevention Strategy 2023-27 would be reported to Executive in February informed by the work of the Homelessness Task and Finish Working Group. The City Council had won Government funding for the Rough Sleepers Initiative and was securing additional units through the purchase of new properties, securing long term leases on others and buying back properties previously sold under Right To Buy. Fifteen units, primarily flats, were

now available and a further five would come on line. With an expanding University, Exeter suffered from higher than average house prices and lower than average wages;

- it was anticipated that the impact of budget cost savings on the housing service as well support given to those on Housing Benefit and the housing element of Universal Credit from the General Fund would be minimal;
- the Council and its partners including St. Petrock's, CoLab and Julian House through the Assertive Homeless Outreach Team and in liaison with the Police undertook constant engagement with rough sleepers and the street attached to monitor the position and ensure that the data base was up to date;
- 22 rough sleepers in Exeter had been recorded at the recent National Count compared with eight in 2021;
- informal discussions had been undertaken with partners and the voluntary sector on the introduction of the Exeter Community Lottery prior to report to Executive on 29 November 2022. The proposals would be considered at Council on 13 December 2022, after which it was anticipated that a formal consultation process would be undertaken;
- some 115 local authorities had introduced very successful lotteries, for example the Bedfordshire Lottery raised £200,000 a year. A conservative target for the Exeter Community Lottery of raising between £40,000-£80,000 was anticipated, based on 2.5% of the city's population contributing through this incentivised giving scheme;
- the Exeter Community Lottery would supplement and add value to the existing Exeter Grants Programme and was a sustainable way of supporting communities and enabling good causes to help themselves. It could benefit a number of smaller organisations which did not possess the resources to seek support from funding sources;
- faith groups who played an important part in community life but were opposed to the principle of lotteries could benefit from applying for support through the Exeter Grants programme which would be supplemented by the money raised through the lottery. Similarly, those hit hardest by the cost of living crisis, could also be supported and there were robust mechanisms embedded within the scheme;
- no additional cost would be involved other than the anticipated three hours a week by Council officers in helping the administration. The scheme would be run by an established lottery manager; and
- Exeter had a tradition of hosting asylum seekers such as those from Syria, Afghanistan and now Ukraine. The Government was meeting the accommodation costs for the latter, but a review of the system was needed to broaden support for all asylum seeking groups.

34 **Tackling the Ecological Emergency**

The Interim Service Lead Public and Green Space and the Director Net Zero Exeter and City Management presented the update report on the current position of Biodiversity practices in light of the Ecological Emergency declared by the Council in April 2021.

Particular reference was made to:-

- at the commencement of the partnership with the Devon Wildlife Trust, biodiversity development had operated with a focus on project development but this had come to an end when the post of an officer with the appropriate

experience to identify funding, plan, and deliver on projects ceased. However, the ethos and collaborative working with the Trust continued;

- the focus is now on delivering acceptable and sustainable programmes in frontline maintenance such as: wild flowers across Exeter, the meadow grass programme, and tailored planting programmes that look to use phytosensors (carbon absorbing shrubs). Such small scale operational changes should deliver benefits on aggregate;
- discussions on regeneration are likely to stem from the Exeter Local Plan and planning policy development, as will the new habitat map. There remains a place for large and impactful projects, such as the Northbrook arboretum, again through the partnership with Devon Wildlife Trust. However, this will be on a case-by-case basis as resources allows;
- with regard to Arboriculture, species diversity and planting diversity is standard practice to help create a resilient tree stock with planting targeted to areas of low canopy;
- ongoing investigations were continuing into reducing glyphosate use further. To date, there were no new systems on the market and the constraints to both cost and efficacy still apply for current alternatives. As a result, there have been no additional savings reductions this year, but the service continues to explore possibilities for further reductions each year; and
- biodiversity development and glyphosate reductions remain active priorities for the service.

The following responses were given to Members' queries:-

- the figure of 120 litres of glyphosate usage in 2022 was that of the City Council alone. Devon County Council would be requested to provide their figures. The increase in the level of glyphosate use reflected the spraying of hard surface areas across Council housing stock;
- in offering the public the opportunity to maintain their own streets or areas outside their properties, regard to operational requirements was necessary, for example, it would not be logical for one individual to maintain the whole of Topsham Road but it was also operationally unachievable for opt outs to only encompass the area in front of a property;
- the City and County Councils were unable to influence weed clearance practices within private housing developments;
- the city's valley parks were maintained ostensibly by the Devon Wildlife Trust under lease, although the City Council retains some duties as part of that lease. Hoopern Valley is not a Council site and it is owned and maintained by the University of Exeter;
- a baseline on biodiversity was not currently available within the Council, however national habitat and species registers were accessible online. It was hoped to create a new updated habitat map, but this would be subject to available resources within the planning policy team;
- it was hoped that further work could be undertaken in the future on tree cover in the city in line with the I-Tree Canopy Cover report;
- the cost of re-seeding areas of the city such as Northernhay Gardens following events such as the Food and Drink Festival was met by the organisers within an agreed timescale;
- public response to the grass cutting of verges and grassed areas varied, but it was clear that there was a much greater understanding of the rationale behind the meadow grass programme and its goal of sustainability; and
- the Devon Wildlife Trust were to shortly commence monitoring of the swift tower, It was noted that swifts took time to adopt a new home.

A Member moved that the Local Plan team be requested to lead on the production of a Biodiversity Status Report, a Nature Recovery Plan and a Tree Canopy Cover Action Plan for inclusion within the Local Plan, with specific and measurable targets for Exeter. Members noted the budgetary and resource implications this would entail.

The motion was moved, seconded and carried.

RECOMMENDED that:-

- (1) the report be noted; and
- (2) the Local Plan team be requested to lead on the production of a Biodiversity Status Report, a Nature Recovery Plan and a Tree Canopy Cover Action Plan for inclusion within the Local Plan, with specific and measurable targets for Exeter.

35 **Homelessness Task and Finish Working Group**

The Deputy Chair and Chair of the Homelessness Task and Finish Working Group updated Members on the work of the Group, further meetings having been held on 11 and 19 October and 10 November 2022. A further meeting would be held on 7 November 2022 to consider recommendations to this Committee, the report to include the evidence provided by a number of organisations who had attended the meetings.

The Committee noted the update.

36 **Forward Plan of Business and Scrutiny Work Plan**

Members noted the Forward Plan and the Scrutiny Work Plan.

The meeting commenced at 5.30 pm and closed at 7.18 pm

Chair