

## **COUNCIL**

Tuesday 12 December 2023

### **Present:-**

The Right Worshipful the Lord Mayor Councillor Kevin Mitchell (Chair)

Councillors Asvachin, Allcock, Atkinson, Begley, Bennett, Bialyk, Branston, Denning, Ellis-Jones, Fullam, Hannaford, Harvey, Holland, Jobson, Ketchin, Knott, Leadbetter, Miller, Mitchell, M, Moore, D, Parkhouse, Pearce, Read, Rees, Sheridan, Snow, Sparling, Vizard, Wardle, Warwick, Williams, M, Williams, R, Wood and Wright

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### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Foale, Lights, Morse and Parkhouse.

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### **MINUTES**

The minutes of the Ordinary meeting of the Council held on 17 October 2023 were moved by the Leader, Councillor Bialyk and seconded by Councillor Wright taken as read, approved and signed as correct.

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### **LEADER'S STATEMENT**

The Leader sought the Lord Mayor's permission to make the following statement:-

"Lord Mayor and colleagues; our thoughts continue to be with all those who are suffering as a result of the ongoing conflict in Palestine and Israel, and the many people in our city with connections to Israel or Palestine who are watching the situation with horror and distress following the collapse of the recent truce.

Our city is - and must continue to be - a safe, welcoming and diverse community of residents, visitors, students and workers. People of many different nationalities, faiths and beliefs have made their home here - including and alongside - people who have grown up here and may have generations of Exeter-based family around them. We are proud of our diversity and it is one of the many things that make our city so special.

As Councillors, we are elected representatives for our ward communities and for the city as a whole. As such, we will support individuals, families and communities wherever we can and in which-ever way is most appropriate to them and to our collective endeavour to keep Exeter a place for everyone to feel safe and supported.

It is important to recognise that many people including ourselves, will be wanting to express their feelings but must do this without causing harm or distress to others.

These are incredibly challenging times and we are all deeply affected by the brutality and suffering that we are witnessing. I am sure you will agree that it is vital we continue to stand together, to treat each other with respect and care, and keep our city and community a safe and welcoming place for all whilst hoping and perhaps praying for a fast and peaceful end to this conflict".

**OFFICIAL COMMUNICATIONS**

The Lord Mayor advised that he had attended 56 events in 56 days which included the following:-

- various Remembrance services during November including the GWR Poppies for Paddington service, Armistice Day service of Remembrance for Exeter Veterans at Higher Cemetery, Exeter Chiefs and Exeter City Football Club Remembrance Services; Festival of Remembrance and Dedication of the Field of Remembrance at the Cathedral and the City's Remembrance, which marked the 100<sup>th</sup> Anniversary of the City War Memorial;
- the Navratri and Diwali celebrations;
- the 307 Squadron Polish Flag Raising Ceremony on 15 November, which included a visit from the Polish Consul General;
- the Personal Wellbeing Service & visit at Exeter Prison on 20 November;
- a visit to the London Guildhall for the Rifles Biennial Military Awards on 30 November, in presence of HM, the Queen Camilla and the Duke of Gloucester;
- the Carol Service at Exeter Cathedral on 4 December, which featured the Exeter Railway Band and Maynard Middle School and Chamber Choir; and
- presenting Alderman Yolonda Henson with her scroll at her Aldermanship Ceremony, making her the only person in Exeter's history to have ever stood in the roles of Mayor, Deputy Mayor, Lord Mayor; Deputy Lord Mayor, Freeman of the City and now Honorary Alderman;

The Lord Mayor reminded Members of the forthcoming coffee morning and Christmas with the Lord Mayor at the Guildhall in aid of the Lord Mayor's chosen charity Force, as well as an invitation to the Lord Mayor's Parlour after the present meeting to celebrate his 15<sup>th</sup> wedding anniversary.

**PUBLIC QUESTIONS**

The Lord Mayor reported the receipt of questions from members of the public.

**Question from Mr Ian Frankum to the Leader**

**Four Exeter City Council councillors voted for and advocated the current Low Traffic Neighbourhood (LTN) trial. Recent Freedom of Information requests indicate response times from some Emergency Service vehicles have lengthened when compared to July (pre LTN). Does the Council share my concern at this and what steps can they take to monitor this and keep Exeter citizens safe?**

**Response from the Leader, Councillor Bialyk**

*Members of the Exeter Highways and Traffic Orders Committee (HATOC) made their decision to support the LTN pilot schemes based on the best available information supplied to them. None of the Members of the Committee were 'whipped' by their political parties to vote in a particular way. ECC is neither the Highway Authority nor the Transport Authority and therefore does not have any*

*statutory powers or remit over these matters. However, should we become aware of issues concerning the LTN schemes we will report them to the County Council.*

Mr Frankum asked a supplementary question and referred to 11 recorded occasions of Emergency Service vehicles blocked and therefore rerouted. He asked if, in the event of a critical incident or even a fatality resulting from this, the Council believed that some Members would have to share responsibility.

The Leader responded that he did not share that view and it would be wrong to lay any blame on members of the Council, reminding Mr Frankum that Members had had a free vote on the matter. He further advised that the consultation was underway and that changes to the scheme may occur as a result of the findings.

**Question from Mr James Banyard provided the following response:-**

**It is great to see the gradual roll out of food waste collection from resident's homes. There are still parts of Exeter where this is not happening. When will everyone in the city have the opportunity to leave their food waste outside their door, and have it collected by the Council?**

**Response from the Portfolio Holder for Place and City Management, Councillor R Williams**

*Thank you for the opportunity to update on the food waste collection. The Food waste rollout for the city has reached its maximum capacity under the term of our Environment Agency Operating Licence for our Exton Road depot. To enable further expansion, we require dedicated food waste bays and several environmental enhancements, including dedicated food waste bays with sealed surface drainage and enhanced fire suppression systems. The funding for these works has been approved, estimates and designs progressed, and the works will shortly be tendered. Once construction is complete and the operating permit revised, we will be able to continue our food waste roll out to the remainder of the city. We expect this to take at least 18 months.*

Mr Banyard asked a supplementary question about the temporary measures which would be put in place for the 18-month period to bring forward the universal food waste collection.

The Portfolio Holder for Place and City Management responded that every effort had been made to get more out of the system and that a further 600 collections had been rolled out in the present week alone. There were no plans other than the current course of action and ensuring the rollout happens in the shortest possible timescale.

**Question from Mr Clive Hutchings**

Mr Clive Hutchings was unable to attend the meeting to present his question on air quality and, in accordance with Standing Order 19(4) (B) in the Council's Constitution, both question and answer would be published on the City Council website and appended to the minutes.

The minutes of the Planning Committee of 13 November 2023 were presented by the Chair, Councillor Knott and taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 13 November 2023 be received.

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**STRATEGIC SCRUTINY COMMITTEE - 16 NOVEMBER 2023**

The minutes of the Strategic Scrutiny Committee of 16 November 2023 were presented by the Chair, Councillor Atkinson, and taken as read.

In respect of **Minute No. 68 (Scrutiny Work Plan and Forward Plan of Business)** the Chair referred to discussion at the previous Council meeting on the accuracy of the Minute, and she was able to confirm that the Minute had been agreed, along with a way forward working with external agencies.

In respect of **Minute No. 71 Questions from Members of the Council Under Standing Order 20**, the Leader responded to a Member's question in relation to the status of the emerging Southgate Liveable Exeter development and advised that he would contact the Director City Development about the appropriate time to talk to the Ward Members.

**RESOLVED** that the minutes of the Strategic Scrutiny Committee held on 16 November 2023 be received.

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**STRATA JOINT EXECUTIVE COMMITTEE - 5 OCTOBER 2023**

The minutes of the Strata Joint Executive Committee of 5 October 2023 were presented by the Chair, Councillor Bialyk, and taken as read.

**RESOLVED** that the minutes of the Strata Joint Executive Committee held on 5 October 2023 be received.

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**EXECUTIVE - 7 NOVEMBER 2023**

The minutes of the Executive of 7 November 2023 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 103 (Digital Customer Strategy 2023-2025)**, the Leader moved and Councillor Wright seconded the recommendations and, following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 104 (Annual Scrutiny Report 2022-23)**, the Leader moved and Councillor Wright seconded the recommendation and, following a vote, the recommendation was carried unanimously.

In respect of **Minute No. 105 (Amendments to the Scheme of Delegation and minor updates to the Constitution)**, the Leader, in response to a Member's question on being consulted about changes to the Constitution, reiterated his commitment to the Opposition Leaders, that he would discuss any major changes at their regular monthly meetings. A report on a number of governance matters raised at the Governance Review Board would be the subject of a report to the Executive with the opportunity for a full discussion.

The Leader moved and Councillor Wright seconded the recommendation and, following a vote, the recommendation was carried.

In respect of **Minute No. 106 (Request to repatriate a sacred bundle - a Motokiks ceremonial headdress to the Blackfoot (Siksika), Alberta, Canada)**, the Leader acknowledged the importance of returning these artefacts. In response to a Member's question, the Portfolio Holder for Culture and City Centre Strategy confirmed that the repatriation would take place in the Spring.

**RESOLVED** that the minutes of the Executive held on 7 November 2023 be received and, where appropriate, adopted.

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### **EXECUTIVE - 28 NOVEMBER 2023**

The minutes of the Executive of 28 November 2023 were presented by the Leader, Councillor Bialyk, and taken as read.

**Min 110 (Development Land Disposal Programme)**, Councillor Atkinson declared an interest, due to the proximity of her residence to the Clifton Hill site and withdrew from the meeting during discussion of the matter.

In respect of **Min 110 (Development Land Disposal Programme)**, the Leader advised that the following recommendations were amended by Members at (1) and (2) had been approved at the Executive:-

- (1) the disposal of land of the Mary Arches Street car park as shown on the site boundary plans as set out in Appendix 1 and the multi storey car park site for co living use, and the surface car park for residential use;
- (2) the disposal of land at Clifton Hill as shown on the site boundary plans in Appendix 2, for use as residential homes on the existing site (shaded blue), retaining the green shaded area for existing use as an open space, and retaining the yellow and purple shaded areas for existing uses.

Recommendations (3) and (4) were agreed as presented at the Executive.

The Leader moved and Councillor Wright seconded the amendments.

Councillor Bialyk in speaking to the amendments made the following points:-

- the report was understandably of great public interest and every effort had been made to ensure that the matter was discussed in the public domain, despite there being significant commercially sensitive information;
- the amended recommendations offered the opportunity for the Mary Arches Street multi story car park site to be available for both Co-living and other residential use. It would not be Purpose Built Student Accommodation (PBSA), and the Clifton Hill site was designated for residential homes with the existing green space and areas used by the golf driving range and dry ski slope site to be retained; and
- the amended recommendations also offered a greater opportunity for disposal of the sites and a clear direction of travel for future development with a further report to be presented to the Executive.

Councillor Moore indicated that she wished to move an amendment to Recommendation (1), and seconded by Councillor M Mitchell to the following:-

- (1) the disposal of land at Mary Arches Street car park as shown on the site boundary plans in Appendix 1, the multi-storey car park site for mixed development, and the surface car park for residential use.

The Lord Mayor clarified that as there has been an amendment to recommendations (1) and (2) which was contrary to the officer recommendations and as agreed at the Executive, a Council decision to formally make those amendments was required. The amendments, from the Leader would be debated and voted upon. If carried, they would become the substantive recommendation and further amendments could then be made at that stage.

Councillor Wright seconded the amendment in respect of recommendations (1) and (2).

During the discussion on the amended recommendations, the following points were made:-

- the amended recommendation in respect of the Clifton Hill site was welcomed as it had been a worrying time for the residents of Newtown and Clifton Hill and tribute was paid to the individuals and groups who used the outside space. Thanks were also made to the Save the Green Space Campaign for their efforts. It was important that the Council was able to take opportunities to maximise any receipt from the sale of assets and it would have been an easy business decision to sell the whole site to include Purpose Built Student accommodation. the ongoing pledge not to sell such sites for this purpose was welcomed and the amendments were supported; officers had the discretion to consider the best investment consideration for the Council and Members had a discretion to propose a different opportunity;
- there was full support for the amended recommendations from the Executive, which was an entirely appropriate decision for the future of the city. Given the many pressures on the housing stock, any such development would ensure the delivery of houses for local people first;
- there would still be development of purpose student accommodation in the private sector in sustainable locations near to the University campus and the Member supported the amended recommendations to help deliver housing for local people;
- the Council was waiting to attract a developer for the site.

The Leader, responding to Members' comments, advised that :-

- the amendments to the recommendation was not a criticism of the officer advice received and he had absolute trust in the Directors to bring forward their honest view on what developments could be realised; and
- he hoped that Members would wait until a further report was made available where there would be a full debate at Executive and Council.

The amended recommendations were put forward by the Leader, put to the vote and carried.

Councillor Moore was formally invited to move her proposed amendment and seconded by Councillor M Mitchell to read:-

- 1) the disposal of land at Mary Arches Street car park as shown on the site boundary plans in Appendix 1, the multi-storey car park site for mixed development, and the surface car park for residential use.

Councillor Moore in speaking to the amendment made the following points:-

- she had concerns for the community around the Mary Arches site, as it was a difficult area of the city centre and bringing forward a mixed development would help maintain a cohesive community and improve the dynamic in this area. She suggested the amendment to remove the Co living restriction would offer more flexibility to create a liveable neighbourhood and would offer more options for disposal; and
- she noted the commitment made in managing the level of student accommodation in the city, but there were now more Co living development applications coming forward on Council owned sites and did not accept the enthusiasm for Co living arrangements and suggested that some may not be able to afford the rents charged.

During the discussion on the amended recommendations, a Member advised that whilst homes for communities were needed, Co-living was more short-term and may not necessarily provide homes or be a place to raise a family in Exeter.

The Leader referred to the last meeting of the Executive and the debate that had ensued on Co living in relation to this matter. He advised that he did not wish to regulate or pre-empt any views on Co living and that he would not be supporting the amendment.

The amendment was put to the vote and LOST.

Councillor M Mitchell proposed a further amendment:-

- 1) that a report be brought back to the Executive and Council within eight months setting out the proposed disposal options.

The Leader replied that he would not support the eight months' timeframe and that a report would be brought back to the Executive on these sites in due course and would convene a Special Council meeting if required.

The amendment was put to the vote and LOST.

The Leader moved the substantive recommendations and following a vote, the recommendations were carried.

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#### **NOTICE OF MOTION BY COUNCILLOR ATKINSON UNDER STANDING ORDER NO. 6**

Councillor Atkinson, seconded by Councillor Miller, moved a Notice of Motion in the following terms:-

The Chancellor's Autumn statement had set the country on course for a "more painful" austerity drive after the next general election and after more than a Decade of austerity starting under David Cameron and George Osborne.

The £20billion package of tax cuts was almost entirely funded by swinging real-term reductions to public spending planned from 2025 according to the Institute for Fiscal Studies

It was estimated that the NHS received 20% of its funding from National Insurance. The plan to cut National Insurance meant that some funding for social care and the NHS would have to come from other budgets or general taxation.

This implied a 1.8% cut for unprotected budgets each year from 2024-25 to 2028-29 – including for prisons, the courts system, local government and further education. After taking into account funding settlements for Scotland, Wales and Northern Ireland, the plan implied cuts of 3.4% in England.

This Council has had more than 50% of its budget cut since 2010 and was still having to make difficult decisions in planning to achieve a legally balanced budget for 2024-25.

Economists doubt efficiency gains on such a scale could be achieved and Councils in the Southwest and throughout the County were on the verge of bankruptcy, with many having already issued S114 notices.

### **This Council resolves to**

- 1) write to the Government to ask them to make no real time cuts to local government until it has undertaken a spending review; and
- 2) seek the support of the Local MPs and the LGA to oppose the Chancellor's Budget for Local Government.

In presenting her Motion, Councillor Atkinson, made the following comments:-

- media reports had indicated that there were more Councils in England being at financial risk;
- the Autumn Statement had increased the likelihood of more local authorities facing bankruptcy;
- years of underfunding and cuts had resulted in risks to the economy and local services;
- many local councils were facing bankruptcy and could only afford to provide statutory services;
- the prudence of Exeter City Council over many decades combined with the excellent support and guidance from the Finance Director and the Senior Management Board had ensured the Council was not facing such a predicament;
- Leaders of some of the 33 largest councils across the political spectrum had written to the Local Government Commission and to the Government Minister, Michael Gove, warning of "painful" cuts to front-line services;
- various Councils and the Local Government Association (LGA), had warned about a precarious financial picture for some time;
- Devon County Council was facing the same crisis in funding;
- the move by Government to increase the local housing allowance in the Autumn Statement was welcomed, but this would have to be funded from existing budgets;
- a County Councils Network's survey showed that many Councils' financial positions were significantly worse than before the Autumn Statement;
- a three-to-five year funding plan was needed, so services could be planned more efficiently; and
- District Councils were required to explain to residents why they were unable to provide the same level of service, despite Council tax having gone up.

Councillor Miller seconded the Motion and made the following additional points:-

- the Autumn statement had again failed to provide the necessary funding for local Councils to deliver on commitments to protect key services on which people relied;



- across the country, Councils were being forced to make extremely difficult decisions;
- lack of funding to keep services running would have the most significant impact on those most vulnerable in our society;
- the Women's Budget Group had also indicated that austerity was likely to have a greater impact on women than on men;
- across the political spectrum, Councillors were calling for action.

During the discussion the following points were made:-

- there was clear support for the Motion and local government was an ideal place to respond to people's needs, but Government should not mandate local governments with a series of responsibilities, without the required resources;
- there was support for the role of local government, the community and local environment but with a long term investment in the services and more investment and support was needed for local government;
- the reference to the reduction of National insurance contributions was welcomed;
- Exeter had seen some big benefits from Community Infrastructure Levy, New Homes Bonus, business rate relief which had provided funding over the years but while the Council was £163 million in debt, the Member could not support the Motion;
- a reduction in the funding of local government was an easy option for Governments to take;
- the voluntary sector had struggled with cuts since 2010 as well as with local government impacts. There were still many innovative ways of working to improve and maintain the services that Exeter provided despite national cuts;
- a Member thanked Councillor Atkinson for bringing forward the Motion and supported the service choices made by Exeter City Council.

Councillor Atkinson, in concluding, welcomed the contributions and the cross party support. She was not against the cuts in national insurance, but against those cuts impacting the public sector and local government which would effect funding their non statutory services, as well as tackling important issues effecting the community. Councillor Atkinson reiterated that a complete spending review should be undertaken, and commended the Motion to Council.

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

**The meeting adjourned at 8.30 pm and re-convened at 8.38 pm.**

80 **NOTICE OF MOTION BY COUNCILLOR READ UNDER STANDING ORDER NO.**

**6**

Councillor Read, seconded by Councillor Rees, moved a Notice of Motion in the following terms:-

She expressed deep sympathy for all those affected by the conflict in Israel and Palestine and offered support to those in the Exeter area who had been affected by this conflict.

The Council:-

Condemns the murder of Israeli civilians, the taking of hostages by Hamas and subsequent death and destruction in Gaza. Believes that the urgent priority must be

to stop the deaths and suffering of any more civilians in Gaza, Israel and the rest of Palestine.

Hopes for an immediate further release of all hostages and release of Palestinian prisoners held without charge and an immediate permanent ceasefire to allow more aid and the possibility of a peaceful resolution.

Believes the tragic recent events in Israel, Gaza and Palestine must not be allowed to divide our communities in Exeter.

Believes Jews, Muslims and people of all faiths and none should feel safe in our city.

Condemns the increase in anti-Semitic and Islamophobia violence and abuse in the UK and believes all forms of racism have no place in our city.

**The Council resolves to:**

- (1) explore how the Council can better support and facilitate events for people of all faiths and none, where they can come together and express solidarity and sadness in response to these events.
- (2) offer appropriate support to any local resident who needs our assistance as a result of these violent events.
- (3) stand ready to provide support and open our arms to innocent people displaced and affected by these events.

The Council also calls on the UK Government to press all parties to agree:

- (1) to an urgent permanent ceasefire in Gaza, Israel and the rest of Palestine and to make every effort to resume the peace process;
- (2) to guarantee that international humanitarian law is upheld and that civilians are protected in accordance with those laws;
- (3) to ensure that civilians have access to humanitarian support, including unfettered access of medical supplies, food, electricity, other fuel and water.

The Council requests the Chief Executive of the Council to submit this motion to the UK Government.

In presenting her Motion, Councillor Read, highlighted that emotions were running high and the suffering was beyond imagining. The taking of Israeli hostages followed by the mass killing of innocent people and the unprecedented levels of destruction seen in Gaza were completely unacceptable to witness. She hoped that there would be an end to the terrible scenes seen daily and to ensure that the remaining hostages would be returned safely with a call for an immediate and permanent ceasefire. Ending the violence would create a space for an international arbitrary settlement for the Israeli and Palestinian citizens to ensure their rights, safety and security were protected.

Councillor Vizard who had previously discussed the matter with Councillor Read moved and Councillor Parkhouse seconded the following amendment:-

To add to the section "The Council also calls on the UK Government to press all parties to agree:" point (1):

"To an immediate further release of all hostages and Palestinian prisoners held without charge, and..."

So it now reads: "(1) To an immediate further release of all hostages and Palestinian prisoners held without charge, and an urgent permanent ceasefire in Gaza, Israel and the rest of Palestine and to make every effort to resume the peace process"

The amendment was voted on and CARRIED.

Members made the following comments:-

- the conflict had resulted in over 18,000 people killed and 2 million people had been displaced with over 70,00 children injured. The World Health Organisation in Gaza had referred to the catastrophe as a hell on earth. Save the Children in Gaza and Israel were working to help the children caught up in the conflict. It was important to understand what could be done to help to bring peace back with a permanent ceasefire needed;
- the level of displaced people numbered at 3.2 million, representing 80% of the population with 40% being children;
- it was important for people to see the support of the Palestine Solidarity Campaign;
- a Member suggested that the Council as a political body and internal power could have an effect in countering any hatred or division and reaffirm the Council's 2040 vision of an inclusive city for all of Exeter's residents;
- a Member was horrified by the attacks on 7 October and the reports of sexual violence being used as a weapon of war. She had attended a vigil for 250 healthcare workers and had heard the stories of those in Gaza and the West Bank who had suffered;
- there were concerns that the hatred could escalate and an immediate ceasefire should be in place;
- of the reflections from Members and the wider public since the 7 October attacks which had left many feeling helpless and the Motion would provide support to communities; and
- Members were elected leaders in the community who had a responsibility to their communities and should support the Motion.

Councillor Rees in seconding the Motion, made the following points:-

- she endorsed the heartfelt comments from all parties;
- the conditions in Gaza were very bad and the relief operations were no longer tenable and an immediate ceasefire was needed; and
- she also shared the deep concerns and grief experienced by residents and urged as elected members to do all that they could to support and bring an end to the fighting.

Councillor Read, in concluding, commended the motion and welcomed the views of those Members who had spoken. She reflected on the role of the UK and US Governments in calling for a permanent ceasefire. the Motion would send a message of the Council's support in calling for a ceasefire. She urged Members to vote in support for this Motion.

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

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

No questions were received by Members in respect of Standing Order No 8.

(The meeting commenced at 6.00 pm and closed at 9.08 pm)

Chair

DRAFT