

## REPORT TO CUSTOMER FOCUS SCRUTINY COMMITTEE

Date of Meeting: 1 February 2024

### PORTFOLIO HOLDER'S REPORT TO CUSTOMER FOCUS SCRUTINY COMMITTEE

#### Councillor Foale: Portfolio Holder for Corporate & Democratic Services and Environmental Health

#### 1. Issues relating to achieving the Council's published priorities

##### **Democratic Services –**

Continue to support Members through dedicated service to provide training and development opportunities, advice and support to all Members in helping them in their role of ensuring a well-run city.

The Strategic Scrutiny Committee continues to support the work of the Net Zero team and enable scrutiny on the subject with all decisions being to Executive to recommend to Council for approval.

##### **Elections –**

City Council elections were successfully carried out in May 2023.

##### **Legal Services –**

The legal team provides a 'value for money' legal service compared to the cost of instructing external legal firms.

Supporting the Council's strategic priority of 'Leading a well-run council'. The legal team provides legal services to all council teams to enable them to deliver their aims and objectives. For example:

- supporting corporate property by drafting leases and licences in relation to the Council's property portfolio;
- Drafting contracts and providing legal advice on entering into contracts;
- Providing litigation support to council departments. A significant part of this is providing advice and support to the Council's housing team including dealing with all the right to buy applications.
- Providing legal support to licensing and planning committees
- Proving legal support to City Development to assist with the delivery of the Exeter Plan and drafting section 106 agreements and assisting in securing the provision of community infrastructure to support development in the City.

Supporting the Council's strategic priority of 'supported and developed staff and members'. Legal Services provides training and professional development for Council officers:

- There is a focus on professional development of legal officers. The team's first apprentice solicitor qualified as a solicitor in December 2023. There are a further two apprentice solicitors who are undergoing training.;
- Our Planning solicitor is undertaking the Law Society's highly respected post-graduate diploma in Local Government Law and Practice.
- The Team Lead for housing and Litigation provides regular training to the housing team.

### **Environmental Health and Licensing –**

Tackling congestion and accessibility - Active Streets Trial

Promoting active and healthy lifestyles - Active Streets Trial  
Enforcement

Building great neighbourhoods - Active Streets Trial  
Enforcement

## **2. Update or commentary on any major ongoing programmes of work**

### **Democratic Services –**

Work on rolling out Windows 365 for Councillor iPads is being undertaken to ensure Councillors continue to have full access to systems to support them in their role.

2024 induction plan following the election is being developed and finalised ready for May 2024.

Work on assessing how the Democratic Services team operates, in regard to volume of minutes, agenda and reporting management processes are underway to ensure best use of available staff and resources.

### **Human Resources –**

Completion / implementation of revised Organisational Values & Behaviours Framework.

Completion / implementation of revised Employee Performance and Development Review process and documentation. Management training underway (30+ managers already completed)

Successful instigation of HR Apprenticeship Scheme.

Successful progress on the roll out of Employee Self Service provision (iTRENT).

### **Elections –**

The first part of the Elections Act 2022 (Voter ID) was successfully implemented. That includes complying with the new Voter ID legislation.

### **Legal Services-**

Notable matters over the last year include:

- Recovery of long outstanding Community Infrastructure Levy payments from a developer totalling £909,772.52

- Close working with the Housing compliance team in relation to gas servicing and access injunctions to the Council's housing stock. Legal Services issued over 200 legal compliance letters and obtained 29 injunctions through Exeter County Court
- Successfully defending appeals in the Magistrates' Court against revocation of taxi licences;
- Successfully defending appeal in the Magistrates' Court against premises licensing appeals,
- Close working with the Council's Environmental Health Team on Community Trigger cases and cross agency working through ASBAT (Anti-social behaviour action team).

### **Environmental Health and Licensing –**

Questions on air quality and specifically the effect on the community of the Heavitree and Whipton Active Streets Trial have been a major challenge to the council.

The intention was to provide the installation of:

- Physical modal filters, i.e., planters or bollards, which prevent the passage of all motor vehicles; and
- Bus gates, which use signage to prohibit vehicular traffic (except for buses, emergency vehicles and certain other exempt classes of vehicle)

In order to reduce traffic on residential streets and support local people who want to walk, wheel, scoot or cycle. All properties within the area were to remain accessible by car, but residents were warned they may need to use different routes for some journeys.

Despite this being a County Council decision, the backlash from residents claiming a lack of transparency and consultation has often left the City Council in the firing line of public frustration. As portfolio holder for Environmental Health I have needed to respond to a range of questions from the public in both Executive committee meetings and Full Council. I would like to thank Dave Bartram and Simon Lane for their expert advice which I was able to relay, despite being barracked by members of the public. Cllr. Williams has also been a great help in liaising with County Cllr. Barnes and feeding back as part of her portfolio.

The irony is that we are tackling congestion and accessibility across the city with the best air quality in years except for this area.

In terms of promoting active, healthy lifestyles and building great neighbourhoods, I have been working closely with Dave Bartram and our Deputy Leader to introduce the concept of City Centre Ambassadors. Following years of a build-up in anti-social behaviour in the city centre, problems with drug taking and dealing, on-street drinking and resulting ASB, prolific shoplifting and occasional violent crime, key stakeholders in the city are currently considering ways of taking positive action alongside a request for an uplift to police officer numbers.

### **3. Issues that may impact : services delivery/financial performance/future budget requirements**

#### **Democratic Services –**

Windows 365 could have likely issues for accessing the intranet for Councillors and alternative solutions are being investigated and tested to ensure Councillors maintain access to key documents and information.

#### **Elections –**

The additional parts of the Elections Act will be implemented (postal vote applications online, extension of overseas voter franchise and new regulations regarding the electoral status of EU citizens).

The volume and complexity of this is still uncertain and may place some temporary pressure on staffing and budgetary resources. Grants may be available, but the level is currently unknown.

#### **Environmental Health and Licensing-**

The adoption of City Centre Ambassadors would require the redistribution of some of our resources / redeployment of existing staff to complement the input from the police, In Exeter and possibly the University.

### **4. Potential changes to services/provisions being considered**

#### **Democratic Services –**

No changes to service, but a new team Member has joined the team to support resource capacity.

#### **Elections –**

None at present

#### **Legal Services –**

- Provision of an additional legal officer to support the recovery of Council debt.

#### **Environmental Health and Licensing-**

Together with the Councillor Development Steering Group, I have focused on the amount and quality of councillor training. As well as on line feedback, we received written comments from 20 of our 39 councillors. While it was pleasing to note both the increased attendance at training sessions and the overall satisfaction at their good standard, we concentrated on the areas identified as being in need of improvement. It was agreed to monitor future training in licensing and planning, while considering ways in which sessions could be more interactive. Other areas included concerns over the timing of sessions, the level of intensity for newly elected members and the need for specific training for more experienced councillors.

Following our training session with Bethan Jones on Procedures and Rules of Debate, I have worked with Baan in considering changes to our constitution which could give more opportunities to back benchers to contribute to meetings, including full council.

I have also met with senior officers to consider the effectiveness of our staff appraisal process and how together with the input of HR this impacts on the management development programme, competencies and the well being of staff.

#### **5. Other matters the Portfolio Holder wishes to raise with the Scrutiny Committee**

##### **Democratic Services –**

Members are encouraged to continue to attend training sessions provided and to use the Scrutiny request forms for matters they wish to be taken through a future scrutiny committee.

##### **Environmental Health and Licensing -**

1. Review of the Street Trading Policy – a working group of the Licensing Committee which has involved members of the committee and officers have been working on a revision of the Council's Street Trading Policy. This has involved gathering information from various stakeholders, looking at what other authorities are doing and responding to the Council's own Corporate Priorities. Areas that have been considered are tighter checks on applicants and staff, more comprehensive health and safety requirements, higher emissions standards for vehicles and equipment, tighter controls to prevent trading around schools and educational establishments, requirements around packaging and a policy that seeks to give preference for plant-based food and a diverse offering. The final draft is currently being prepared so that it can be presented to the Licensing Committee in March with a recommendation that a formal consultation is then launched. The consultation results will then be presented to the Licensing Committee in July for consideration.

2. Review of the Private Hire and Hackney Carriage Policy – a working group of the Licensing Committee which has involved members of the committee and officers is currently working on revising this policy in light of revised statutory guidance that has been issued by the government. Officers are currently in the process of producing an initial draft for the working group to review which will seek to look at vehicle emissions, the introduction of CCTV in private hire vehicles and introducing the use of NCAP safety ratings to assess the safety and suitability of vehicles being presented for licensing.

3. Introduction of a Points Based Disciplinary System for Licensing Drivers – following extensive work from a licensing committee working group, the Council has adopted a points based disciplinary system that is now being used by Licensing Sub Committees and Officers for various disciplinary matters. Minor offences are dealt with under delegation by officers with more serious matters being referred to the Licensing Sub Committee for determination. The trade were welcoming of the new system and the system has mainly been used by the Licensing Sub Committees to as part of clear and transparent determinations in cases.

4. Business Regulation – the team continue to inspect businesses for food and health and safety as outlined in the comprehensive plan that went before Council in October. The city continues to see high levels of compliance with food hygiene law, which at the time of writing this report was at 99% of premises broadly compliant with food hygiene law.

5. Noise Nuisance – the service is experiencing high levels of noise nuisance complaints from across all 13 political wards in the city. At the time of writing this report, the service has received 941 complaints which looks as if it could exceed the 1130 complaints that it dealt with in the 2022/23 financial year. The majority of noise complaint that we deal with are as a result of an individual or household being inconsiderate to their neighbours. In most cases following our engagement and education, matters are resolved informally. In more serious cases officers will use legislative tools in the form of community protection warnings and notices or serving a noise abatement notice where a statutory nuisance is evidenced.

6. Corporate Health and Safety – the small team who deal with the Council's own health and safety work closely with all services across the Council to ensure that services are being delivered safely. This includes investigating accidents and incidents, providing advice on risk and COSHH assessments and conducting health and safety audits of work areas. The team is just in the process of revising the Council's Health and Safety Policy which will be presented to Council in April.

7. Safeguarding – a report seeking approval for the revision of the Council's Safeguarding Policy is currently making it way through the Committee process. The revised policy introduces a protocol for dealing with extremist speakers, inclusion of the Council's Corporate Parenting responsibilities and a new section setting out how the Council will respond to requests from the Local Authority Designated Officer.

8. Unacceptable Behaviour – sadly the Council like many other public sector bodies has seen an increase in unacceptable behaviour being directed towards its staff. Whilst the Council has had a clear policy in place for a number of years, a report seeking to revise the current policy is currently making its way through the committee process. Changes include linking to the Council's social media policy, body worn camera policy and linking the policy to the established Council Complaints procedure.

9. Recruitment continues to be difficult for specialists in Environmental Health. As part of succession planning, the service has converted 2 roles into Apprenticeship roles so that in conjunction with our education partner Weston College we can develop in house the next generation of Environmental Health Officer. This has been fully embraced by the staff within the service, who have been collectively enthused by being able to share their knowledge and experience in helping the apprentices through their degree and practical evidence that they need as part of their coursework.

10. As part of my portfolio I have, amongst other things, also needed to consider aspects of democratic & electoral services, legal services, operational IT.

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