

EXECUTIVE

Tuesday 9 January 2024

Present:

Councillor Bialyk (Chair)

Councillors Wright, Denning, Foale, Morse, Pearce, Williams, R and Wood

Councillor Jobson (as an opposition group Leader);

Councillor Moore (as an opposition group Leader); and

Councillor M. Mitchell (as an opposition group Leader)

Apologies:

Councillor Parkhouse

Also present:

Chief Executive, Director Corporate Services, Director Net Zero Exeter & City Management, Director of City Development, Director Finance, Assistant Director of Housing (LB), Service Lead Net Zero & Business, Service Lead for Commercial and Procurement, Policy Officer – Community Safety, Safeguarding and Equality & Diversity and Democratic Services Manager

1

MINUTES

The minutes of the meeting held on 28 November 2023, were taken as read, approved and signed by the Chair as a correct record.

2

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

3

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions from members of the public were received.

4

URGENT MATTER - RESPONSE TO THE GOVERNMENTS CONSULTATION TO THE HOME OFFICE'S CONSULTATION CAP FOR SAFE AND LEGAL ROUTES FOR ASYLUM SEEKERS

The Executive noted the urgent matter of the response from Exeter City Council to the Home Office's consultation on the cap of properties that the Council would agree to accept under the safe and legal routes for asylum seekers. The response was facilitated by Devon County Council with all second tier authorities inputting their number of properties, which Exeter would facilitate five properties from the private sector.

Members were advised that due to the timings of the consultation and Exeter City Council's meeting dates it was not possible for the Council to consider a draft response in advance of its submission and that the response to the consultation was treated as an urgent matter. In accordance with the Council's Constitution, it had been discussed with the Council Leader, the Portfolio Holders for Communities and Homelessness Prevention and Council Housing, Development and Support Services and with the Chair of the Customer Focus Scrutiny Committee.

RESOLVED that the urgent matter be noted.

CITY WIDE NET ZERO

The Executive received the report which detailed the way forward for coordinating and facilitating City Wide Net Zero activity for the next two years, using an existing budget, staffing resources and internal and external structures. In 2021 a temporary Net Zero £1million earmarked reserve was established, of which £200,000 allocated for city wide net zero, which £155,513 was in place to fund a Programme Manager for the next two years to lead on delivering net zero.

Members were referred to the reporting structure in the report for the Liveable Exeter Place Board, Communities, Devon Climate Emergency and Exeter City Council, noting that various Council services would be working together. All minutes of the various groups would be reported to the Strategic Scrutiny Committee and all decisions would be reported to the Executive Committee.

Particular reference was made to Exeter City Council being recognised as the second-best UK district council in terms of performance and leading on Net Zero by an independent review. It was intended to replicate the work undertaken for reducing the Council's corporate carbon emissions for City Wide Net Zero.

Councillor Jobson, as an opposition group leader, spoke on this item and welcomed the report.

Councillor M. Mitchell, as an opposition group leader, spoke on this item and enquired on having quarterly key performance indicators reported with the action plan.

Councillor Moore, as an opposition group leader, welcomed the report and suggested the inclusion of a work plan which focused on the project priorities to reduce emissions to benefit communities.

Executive Members debated and welcomed the report and made the following points

- the report, highlighted the scale of ambition in achieving City Wide Net Zero by 2030 and was welcomed; and
- the report demonstrated how the Council led by example in reducing carbon emissions and its collaborative approach in achieving funding and resources with partners.

The Leader welcomed the report and confirmed he would speak with the Portfolio Holder in relation to the points raised by Opposition Leaders. He highlighted the importance of continuing to work to the 2030 target and recognised excellent work undertaken in Exeter.

RECOMMENDED that Council approve:-

- (1) that Exeter City Council take a leading role in coordinating and facilitating City Wide Net Zero for two years (2024/25 and 2025/26); and
- (2) that a temporary two year post of Grade M (indicative) be established to coordinate and facilitate City Wide Net Zero, sitting within the Net Zero team and be paid from the one-off net zero earmarked reserve.

The Executive received the report which provided Members with an overview of the work of the Governance Review Working Group, providing clarity to the original purpose of the Governance Review Working Group and the reason meetings were no longer proceeding.

Members were referred to the groups Terms of Reference outlined in the report which had been achieved in 2019. A 2020 review had been delayed until 2021 due to the Covid Pandemic and then three subsequent meetings were held in 2022, which involved a level of mission creep which were outlined in the report. Members noted that some of the recommendations had been completed and officers were working to ensure that all the issues were being addressed and be reported back to members at the proper time.

Councillor M. Mitchell, as an opposition group leader, considered that there needed to be an all-party mechanism to review the constitution on a regular basis, and that the Audit and Governance Committee needed to have more focus on governance matters.

Councillor Moore, as an opposition group leader, enquired on whether board members were aware of the mission creep and sought assurance that the outstanding governance issues would be addressed. She also commented on the recommendation related to the climate subcommittee.

Councillor Jobson, as an opposition group leader, noted that constitutional issues were addressed through liaison between the Monitoring Officer and Audit and Governance Committee.

Executive Members debated the report and made the following points:-

- thanks were given to Members and Officers involved with the Governance Review Group and for providing the update on the progress of work; and
- there had been mission creep at the meetings which was outside the groups remit. However, the Audit and Governance committee would continue to monitor the council's constitution.

The Director Corporate Services advised that the Monitoring Officer had a statutory responsibility in ensuring that the constitution was up to date and that updates to the constitution would continue to be reported to full Council.

RESOLVED that:-

- (1) the content of the report be noted;
- (2) the actions from the last meeting of the Governance Review Board, as detailed in 8.4 of the report be noted as being taken forward; and
- (3) the Members of the Governance Review Working Group be thanked for their contributions.

MEMBERS' TRAINING

The Executive received the report which provided an update on the progress of work on the Members' training programme and Member attendance for the various training sessions, which had been held since September 2023.

Particular reference was made to the 13 training sessions held which equated to an average attendance of 52% and that feedback showed a total of 77% of Members being either very satisfied or satisfied with the training sessions provided. Thanks,

was also made to the Assistant Democratic Services Officer who spent a significant amount of time coordinating the sessions and encouraging Members to attend.

Opposition group leaders welcomed the report and the opportunities made available to Members and thanked the officers involved in delivering the training sessions.

Executive Members debated the report and made the following points:-

- the training programme was welcomed and was essential for new Members;
- appendix A should be updated to reflect to indicate where sessions were held in person and not recorded;
- the improvements to attendance were excellent and thanks were given to all officers for the work involved; and
- the SSS Training Platform, which was a highly beneficial training package.

The Portfolio Holder for Corporate & Democratic Services and Environmental Health expressed his thanks to the Councillor Development Steering Group in working to develop the training sessions.

RESOLVED that the Executive Committee note the Members' Training report.

8

TENANCY POLICY AND STRATEGY REVIEW

The Executive received the report on adopting the revised Tenancy Strategy and Policy following a review and consultation. The Council was required as a social landlord, to have a Tenancy Strategy outlining the expectations for all social landlords who operated in Exeter.

Particular reference was made to the recommendation to agree a return to lifetime tenancies in the policy which had been suggested following the review.

Councillor Jobson, as an opposition group leader, spoke on this item and advised she had some concerns which she would raise with officers outside of the meeting.

Councillor M. Mitchell, as an opposition group leader, welcomed the return to lifetime tenancies in the policy.

Councillor Moore, as an opposition group leader, welcomed the move from fixed term tenancies and enquired about the survivorship policy and to whom it applied.

Executive Members debated the report and welcomed the outcome for moving back to lifetime tendencies having considered evidence and research into the matter.

The Assistant Director of Housing advised that the survivorship policy was dependent on individual cases but there were exceptions to prevent evictions and agreed to discuss individual circumstances and scenarios with Members outside of the meeting.

The Portfolio Holder for Council Housing Development and Support Services commended the report.

RECOMMENDED that Council approve the adoption of the new Tenancy Strategy and Tenancy Policy for the period 2023-2027.

9

COUNCIL HOUSING STRATEGY 2023 - 2027

The Executive received the report on the Council Housing Strategy 2023- 2027, which provided a high-level overview of the City Council's priorities for the future for its Council Housing Service whilst acknowledging other forms of housing tenure and impacts on the Council Housing Service.

Particular reference was made to the five key objectives outlined in the report which set out the Councils aspirations and the work involved in ensuring the aspirations were met.

Councillor M. Mitchell, as an opposition group leader, enquired on how current the figures were for the average private sector rent median figures listed in the Strategy document.

Councillor Moore, as an opposition group leader, enquired whether the 35% housing and development liability target would be met for homes built on brownfield sites in the new local plan?

The Leader advised that the enquiry for homes built on brownfield sites be submitted to the relevant officers.

The Assistant Director of Housing advised that the figures for the average private sector rent median were taken from the last local housing needs assessment, which would be updated going forward.

The Portfolio Holder for Council Housing Development and Support Services commended the report and advised that it had been considered by the Tenants Voice and had been through the scrutiny process.

RECOMMENDED that Council approves the new Council Housing Strategy as summarised in the report presented at the meeting.

10

2024/25 BUDGET STRATEGY AND MEDIUM TERM FINANCIAL PLAN

The Executive received the strategic overview report for the budgetary position for the 2024/25 financial year and beyond. The report included the likely level of available resources, the known demand for resources and proposals to ensure that a balanced budget was achieved. Members were advised that the Council was required to set a balanced budget and Council Tax prior to the start of the financial year.

Particular reference was made to:-

- The Local Government Provisional Finance Settlement used the same principle as the previous year, and Exeter City Council had received the funding guarantee grant which totalled £1.173 million to reach the minimum allowed increase.
- The New Homes Bonus settlement payment was £485,000 for 2024/25, which was for one year only, and was a reduction from the previous year of £672,000.
- There had been no significant changes to Business Rates.
- The Council Tax referendum principles were set at the higher of a less than 3% or a £5 increase for district councils. For Exeter, the budget strategy for next year assumed a council tax increase of 2.99% along with the estimated surplus on the collection fund of £127,014 and an increase in the tax base would raise an extra £384,393.

- Other budgetary assumptions outlined in the report highlighted the challenges faced in relation to inflation.
- The Medium-Term Financial Plan (MTFP) had remained static for most of the year, however, there would be a need to identify a further £2.8 million of savings to balance the budget in 2025/26.
- The General Fund Capital Programme was focussed on schemes brought forward from the current financial year into the new financial year. This was due to being unable to undertake further borrowing and the only exception was in financing new IT projects.

Councillor Moore, as an opposition group leader, enquired on when the programme could become a critical issue and would the priorities and proposed cuts over the next three years be made available to residents and businesses in Exeter.

Councillor Jobson, as an opposition group leader, thanked the Director Finance for the detailed report.

Councillor M. Mitchell, as an opposition group leader, enquired on the resources for the medium-term strategy after 2027/28 and if it would be reviewed again in relation to government decisions. He also enquired on how the £1.7 million borrowing would be paid to improve car parks.

Executive Members debated the report and made the following points:-

- would the new homes bonus likely to disappear in future years;
- Exeter, had a lower Council Tax amount, but was able to deliver key services to residents;
- could the 0% general inflation figure in the report be explained; and
- would there be an opportunity to bid for money in relation to the schemes listed in Appendix 3 of the report?

The Director Finance in responding the questions and points raised advised that:-

- the government had announced the end of the new homes bonus in 2019 after implementing the business rate review and the reason it was lower than in previous years was that less houses this year had been built this year;
- the general inflation rate of 0% was used by Finance Directors to help keep costs down; and
- the Council ensured it maintained a sensible approach to borrowing which was built into the MTFP, but any opportunities to bid for funding would be sought, to identify and generate capital receipts

RECOMMENDED that Council note the contents of the report and approve the proposals to establish a balanced Revenue Budget and Capital Programme.

The Executive received the report which set out the 2024/25 Council Tax base in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012. The report also sought approval to delegate the estimate of Business Rate Income (NNDR1) for the next financial year to the Director Finance to ensure the Council met its statutory deadline for notifying Precepting Authorities and the Government by 31 January 2024.

Particular reference was to the gross tax base being over 40,000 for the first time in Exeter's history with a recommendation to increase the collection rate to 97.5%, which would generate a tax base of 39,045 for 2024-25.

RESOLVED that:-

- (1) in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amount calculated by Exeter City Council as its tax base for the year 2024/25 shall be 39,045;
- (2) the Collection Fund Surplus of £1,572,067 and the 97.5% increase in the Collection Rate be approved; and
- (3) the responsibility to approve the Council's NNDR1 return by 31 January 2024 be delegated to the Section 151 Officer.

12

HOUSING RENTS AND SERVICE CHARGES 2024-25

The Executive received the report setting out the proposed changes to Council dwelling rents, garage rents and service charges with effect from 1 April 2024.

Reference was made to Council house rent, which was set by government policy, and allowed the Council to increase by inflation plus 1% each year, with the Consumer Price Index (CPI) figure, which for September 2023 was 6.7%. The Council was proposing an increase of 7.7% from the 1 April 2024, which was also being applied to garage rents and service charges.

Councillor Moore, as an opposition group leader, enquired on what risk analyses for non-payment from low-income homes.

Executive Members debated the report and made the following points:-

- confirmation was sought that the Council was not deviating from its rent policy and that rent increase would happen, in relation to the annual uplift of property rents by CPI + 1%;
- rent collections were being managed by housing officers, who could support residents; and
- the recommendations provided good value for money and were welcomed.

The Director Finance in responding the questions and points raised advised that:-

- the recommendations were in-line with the government policy, which the Council always followed; and
- there had been no deviation in terms of setting the rent. Assessments were made on any potential bad debt, particularly within the HRA to ensure best practice.

RESOLVED that the Executive approves:

- (1) the increase of Council dwelling rent by 7.7% from 1 April 2024;
- (2) the increase of garage rent by 7.7% from 1 April 2024; and
- (3) the increase of service charges by 7.7% from 1 April 2024.

13

APPROVAL OF DEVON DISTRICTS PROCUREMENT STRATEGY (DDPS)

The Executive received the report which sought Council approval for to adopt the Devon Districts Procurement Strategy, which would continue to support the

corporate approach to Procurement and strengthen the Council's available collaborative opportunities.

Members were advised that this was the fourth joint strategy with the other Devon districts and was based on national procurement recommendations. Members were referred to the three key themes for 2023-2025 period and the 2019-2022 key outcomes outlined in the report.

Councillor Moore, as an opposition group leader, welcomed the updated strategy and enquired on the low scoring for climate change and how it would be monitored and progressed by the partner authorities.

Councillor Jobson, as an opposition group leader, enquired on whether a Councillor briefing will be undertaken as part of the engagement with Councillors?

Councillor M. Mitchell, as an opposition group leader, enquired if there was an inter authority procurement policy for delivering value for money to save the Council money in the longer term?

Executive Members debated the report and made the following points:

- Ensuring a Councillor training or briefing session on procurement would be welcomed.
- How was the minimum of 5% weighting on social value tenders measured?
- The three key themes outlined in the report supported achieving community benefits.
- The level of partnership across the authorities to ensure value for money was welcomed.
- Sections 14 and 15 of the report outlined the impacts to the carbon footprint and whether the Council was creating social value.

The Service Lead for Commercial and Procurement advised that, this was a high-level strategy involving four organisations with different priorities. However, each individual council would make their own action plan under the strategy, detailing what they were going to deliver.

RECOMMENDED that Council approve the themes and outcomes set out in the Devon Districts Procurement Strategy 2023-2027.

REVIEW OF SAFEGUARDING POLICY

The Executive received the report on the adoption of the revised Safeguarding Policy, which had been updated to ensure it reflected best practice in safeguarding and incorporated recent updates to legislation and statutory guidance.

Members were advised on the amendments made to the policy which were outlined in the report, with particular reference made to the removal of the need for a central record on safeguarding, to prevent duplication of information. Reference was also made to a new section setting out the organisation's Corporate Parenting responsibility under the Children and Social Work Act 2017.

Executive Members in debating report highlighted the need for corporate parenting training to be provided to Members. Members, however, raised concern with regards to the removal of the central record for safeguarding, which was an audit requirement and could lead the Council open to criticism. It was agreed that the

report be deferred to allow officers to address the removal and report back to the special Executive meeting on 22 January 2024.

RESOLVED that the report be deferred to enable officers to address the removal of the central record relating to safeguarding.

15

REVIEW OF POLICY FOR DEALING WITH UNACCEPTABLE CUSTOMER BEHAVIOUR

The Executive received the report which sought approval for the revised Policy for Dealing with Unacceptable Customer Behaviour. Since the Policy was last reviewed in August 2020, there had been several changes to the associated guidance documents, and it was necessary to ensure the policy reflected the current processes. Members were advised on the policy amendments which were outlined in section 8 the report.

Councillor M. Mitchell, as an opposition group leader, enquired on how the Council worked Devon County Council and other authorities in relation to making staff aware of potential issues.

Councillor Moore, as an opposition group leader, emphasised that staff abuse was not acceptable, however, due to some people having varying challenging and complex needs, whether there was an appeal process for complaints?

Executive Members debated the report and enquired how Councillors dealt with unacceptable behaviour and to whom they could make a complaint?

In response to questions raised by Members, the Director Net Zero Exeter & City Management and the Policy Officer explained:-

- Councillors were included in the policy;
- there were currently 68 people on the employee protection register, with differing risk levels. The register was reviewed by the Councils review group to assess cases and whether support was required;
- the Council maintained relationships with other authorities, including Devon County Council, voluntary sector organisations and the Police; and
- the Council had a complaint process to document complaints and appeals to ensure consistency.

The Leader welcomed the report and suggested a Member Briefing be held and asked whether policies would have clarity on which referred to Councillors as well as staff. The Chief Executive confirmed that all policies would be clear on which applied to Councillors.

RECOMMENDED that Council approves the revised policy for Dealing with Unacceptable Customer Behaviour.

16

REVIEW OF EQUALITY AND DIVERSITY POLICY

The Executive received the report which sought approval of the revised Equality and Diversity Policy, which had been reviewed and updated to ensure it reflected current good practice. Members were advised on the amendments made to the policy which were outlined in section 8 the report, with particular reference made to the inclusion of the process in dealing with complaints of discrimination.

Councillor Moore, as an opposition group leader, welcomed the updates and enquired how Councillors would be updated on the progress of work?

Executive Members welcomed the report and made the following points:-

- there was a typo in the policy in relation to paragraphs 4.8 and 4.9, which should have been paragraphs 4.7 and 4.8; and
- the inclusion of the anti-racism statement was commended.

RECOMMENDED that Council approve the adoption of the revised Equality and Diversity Policy.

(The meeting commenced at 5.30 pm and closed at 7.41 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 20 February 2024.