

## COUNCIL

Tuesday 16 July 2024

### Present:-

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

Councillors Allcock, Asvachin, Atkinson, Banyard, Begley, Bennett, Bialyk, Darling, Ellis-Jones, Foale, Fullam, Haigh, Harding, Holland, Hughes, Hussain, Jobson, Ketchin, Miller-Boam, Mitchell, M, Moore, Patrick, Pole, Rolstone, Snow, Vizard, Wetenhall, Williams, M, Williams, R, Wood and Wright

### Apologies:-

Councillors Knott, Palmer, Parkhouse, Read, Rees, Sheridan and Wardle

### Also Present:-

Strategic Director for Corporate Resources, Service Lead, Legal Services & Interim Monitoring Officer, Democratic Services Manager and Democratic Services Officer (PMD)

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## MINUTES

The minutes of the Ordinary meeting of the Council held on 23 April 2024, of the Annual meeting of the Council held on 14 May 2024 and of the Extraordinary meetings of the Council held on 28 May 2024 and on 10 June 2024 were moved by the Lord Mayor and taken as read, approved and signed as correct.

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## OFFICIAL COMMUNICATIONS

The Lord Mayor advised that he had attended the following:-

- the King's Garden Party at Buckingham Palace;
- the Devon & Cornwall Police Annual Recognition ceremony;
- a Kick Racism Out of Football tournament;
- the Exeter City Football Club Women's Promotion reception;
- the Exeter College Apprentice & Employer Awards;
- the RAF Brize Norton Freedom Parade & Armed Forces Day Parade; and
- an Evensong service in honour of the Rt Hon Sir Ben Bradshaw.

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## PUBLIC QUESTIONS

It was noted that no public questions had been received.

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## PLANNING COMMITTEE - 29 MAY 2024

The minutes of the Planning Committee of 29 May 2024 were presented by the Deputy Chair, Councillor Patrick, and taken as read.

In respect of **Minute No. 21 (Appeals Report)**, Councillor M Mitchell asked Councillor Patrick to ensure that the Chair, Councillor Knott, bring the issue of 68-72 Howell Road to the attention of the Portfolio Holder for City Development, Councillor Allcock, because of the implications on future Local Plans. Councillor Patrick confirmed that she would raise this with Councillor Knott.

**RESOLVED** that the minutes of the Planning Committee of 29 May 2024 be received.

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#### **STRATEGIC SCRUTINY COMMITTEE - 6 JUNE 2024**

The minutes of the Strategic Scrutiny Committee meeting of 6 June 2024 were presented by the Chair, Councillor Pole, and taken as read.

In respect of **Minute No. 24 (Commercial Property Review)**, Councillor M Mitchell encouraged Councillor Pole to ensure that she remind the Executive of the urgency of that matter so that it could be reported on at the next meeting of the Strategic Scrutiny Committee. Councillor Pole advised that she would speak to the relevant Portfolio Holder.

**RESOLVED** that the minutes of the Strategic Scrutiny Committee held on 6 June 2024 be received.

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#### **EXETER HARBOUR BOARD - 13 JUNE 2024**

The minutes of the Harbour Board of 13 June 2024 were presented by the Chair, Councillor R Williams, and taken as read.

**RESOLVED** that the minutes of the Harbour Board held on 13 June 2024 be received.

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#### **COMBINED STRATEGIC SCRUTINY & CUSTOMER FOCUS SCRUTINY COMMITTEE - 18 JUNE 2024**

The minutes of the Combined Strategic & Customer Focus Scrutiny Committee of 18 June 2024 were presented by the Chair, Councillor Pole, and taken as read.

In respect of **Minute No. 11 (The Medium Term Financial Plan: How It Works and Review of the Current Plan)**, Councillor M Mitchell asked Councillor Pole to comment on the fact that the Combined Strategic & Customer Focus Scrutiny Committee had no decision-making powers and to clarify the legal standing of the committee. Councillor Pole asked the Service Lead – Legal Services and Interim Monitoring Officer to answer Councillor M Mitchell's query. The Service Lead – Legal Services and Interim Monitoring Officer advised that he had already answered Councillor M Mitchell's question at the last meeting of the Combined Strategic & Customer Focus Scrutiny Committee; he offered to have a meeting with Councillor M Mitchell should he wish to discuss the matter further.

Councillor Wetenhall felt that, while the meeting in question had in effect been a helpful briefing, a process needed to be put in place enabling Members to scrutinise the budget. She also remarked that eight meetings of the Combined Strategic & Customer Focus Scrutiny Committee had taken place before it was pointed out that it was not constituted. Councillor Bialyk told the Council that his understanding was that the purpose of the Combined Strategic & Customer Focus Scrutiny Committee was to keep Members informed at the start of the budget-setting process. Councillor Pole explained that:-

- as a new Member and a new Chair, she was unable to comment on meetings that had taken place in the past; and
- she had been advised by Democratic Services that the Combined Strategic & Customer Focus Scrutiny Committee was not a decision-making body.

**RESOLVED** that the minutes of the Combined Strategic & Customer Focus Scrutiny Committee of 18 June 2024 be received.

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### **CUSTOMER FOCUS SCRUTINY COMMITTEE - 27 JUNE 2024**

The minutes of the Customer Focus Scrutiny Committee of 27 June 2024 were presented by Councillor Miller and taken as read.

In respect of **Minute No. 22 (Work of the Community Safety Partnership to Tackle Violence Against Women and Girls at Night)**, Councillor Wright remarked that the Exeter Safe Space had been incorrectly referred to as the Exeter Safe Place and asked for the minute to be amended accordingly.

Councillor Moore remarked that there was a delay in the publication of the Community Safety Partnership (CSP) minutes and asked if this could be addressed in the name of good public communication. Councillor Wright replied that she would take Councillor Moore's request to the next meeting of the CSP and report back to her.

**RESOLVED** that the minutes of the Customer Focus Scrutiny Committee held on 27 June 2024 be received.

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### **EXECUTIVE COMMITTEE - 4 JUNE 2024**

The minutes of the Executive of 4 June 2024 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 61 (Local Authority Housing Fund Round 3 Funding)**, the Leader explained that the seven recommendations went to the special meeting of the Executive on 9 July 2024, the minutes of which would be presented at the next item.

**RESOLVED** that the minutes of the Executive held on 4 June 2024 be received and, where appropriate, adopted.

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### **EXECUTIVE COMMITTEE - 9 JULY 2024 (MINUTES 68 TO 82)**

The minutes of the Executive of 9 July 2024 – which had been published as a late supplement and made available in print version at the meeting – were presented by the Leader, Councillor Bialyk.

In respect of **Minute No. 72 (Review of the Corporate Risk Register)**, Councillor Bennett asked which areas of the Risk Register had been identified by the Executive as requiring urgent attention. The Leader invited Councillor Bennett to email him on this matter and promised to reply to her after consulting with the Executive. Councillor Moore asked the Leader what involvement Portfolio Holders had in determining the various degrees of risk and testing the evidence in each risk calculation. Councillor Bialyk reminded Councillor Moore of the context of the risk register going to Executive, explaining that, ultimately, Portfolio Holders were responsible for their portfolio area and that they were fully aware of the need to prioritise certain risks and issues.

In respect of **Minute No. 73 (Overview of General Fund Revenue Budget 2023/24 - Quarter 4)**, Councillor Banyard asked if any progress had been made on offsetting the loss made on Exeter City Living. The Leader replied that the loss in question was not as sizeable as had been claimed by some; he advised that he would circulate the exact figures to all Councillors. Councillor Moore asked how the Leader would ensure that the expectations in the Budget around car parks income would be met. Councillor Bialyk explained that the original report on car parking

charges had been withdrawn; a revised version would be brought back to Members, possibly through a special meeting of the Council. Replying to a question from Councillor Patrick, the Leader welcomed the new Government's recent announcement on the promotion of green energy.

The Leader moved and Councillor Wright seconded the recommendations and, following a vote, the recommendations were carried.

In respect of **Minute No. 74 (General Fund Capital Monitoring 2023/24 and Revised Capital Programme for 2024/25 and Future Years)**, Councillor M Mitchell asked when the Leader anticipated that repair works on the Northernhay Gardens section city wall would be carried out. Councillor Bialyk replied that he would be expecting an announcement to be made soon, and would be speaking to the Comms team about this.

The Leader moved and Councillor Wright seconded the recommendations and, following a vote, the recommendations were carried.

In respect of **Minute No. 75 (2023/24 HRA Budget Monitoring Report - Outturn)**, the Leader moved and Councillor Wright seconded the recommendations and, following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 76 (Treasury Management 2023/24)**, the Leader moved and Councillor Wright seconded the recommendation and, following a vote, the recommendation was carried.

In respect of **Minute No. 78 (InExeter Business Improvement District Business Plan 2025 - 2030)**, Councillor Wright declared a non-pecuniary interest and left the meeting during consideration of this matter. Councillor Moore expressed support for the recommendations and encouraged the Council to consider extending the relationship to businesses by the quay. Councillor Bialyk replied that he had no objection to this but clarified that this would be a matter for the BID and only if it terms of reference allowed it.

The Leader moved and Councillor Wood seconded the recommendations and, following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 79 (Liveable Water Lane: Development Framework and Design Code Supplementary Planning Document)**, Councillor Moore generally welcomed the document and stressed its importance. She made the following further comments:-

- she had no issue with the increased density;
- she had written to NHS Devon about the need for a primary care facility;
- this document was about more than planning; and
- she urged the Leader to proactively push for a new surgery, a new GP contract and a new facility to be set up.

Replying to a query from Councillor Banyard on assurances about an environmental assessment, the Portfolio Holder for City Development, Councillor Allcock, advised that she would reply to him in writing. Similarly, she undertook to reply in writing to Councillor Ketchin who, noting that this would constitute the largest build in Exeter in recent history, had raised concerns about contamination risks and called for due diligence to be carried out on the matter. She also clarified that the recommendation was specifically about the adoption of the Water Lane Supplementary Planning Document.

Councillor Harding praised the idea mentioned in the document of a 'high-line' active travel corridor along the disused railway line, running from Alphington to the quay, reasoning that it would constitute an asset to West Exeter; he asked if Councillors could do anything to help make this aspirational concept materialise.

Councillor M Mitchell thanked all officers involved in the drafting of the document. He expressed concern about the mix of housing suggested, reminding Members of the importance of affordable housing.

The Leader addressed Councillors' comments as follows:-

- if Councillor Ketchin could email his notes with his concerns about contamination risks, the Leader would make sure that the Portfolio Holder for City Development and the Strategic Director for Place were sighted on these and could respond accordingly;
- while it was essential that all relevant surveys took place once the developers started work on the site, the Council would not be doing the developers' work for them;
- the 'high-line' active travel corridor along the disused railway line should be part of the strategy if the facility was there, but it would require liaising with Devon County Council; and
- there needed to be a strategic approach with the NHS about on-site GP provision.

He further made further specific reference to:-

- the new planning reforms taking place;
- the need for infrastructure;
- the need to influence the decision-makers nationwide; and
- his forthcoming meetings with the MPs concerned.

The Leader moved and Councillor Wright seconded the recommendations and, following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 80 (Productivity Plan)**, Councillor Moore raised the issue of the rise of inequality in the city as well as the increase in the cost of living. In his reply, Councillor Bialyk made the following comments:-

- the idea of a Productivity Plan had been devised by the previous Government and it was currently unclear what the new Government's intentions on the matter were;
- it was important not to make any sweeping generalisations; and
- Councillors were invited to bring any pressing matter to his attention and he would do his best to deal with it.

In respect of **Minute No. 81 (King George V Playing Fields)**, Councillor Foale told Members of his own experience of playing walking football all over Devon, but never in Exeter, remarking that the city did not have adequate facilities. He made further specific reference to the changing, diverse nature of modern football and called on the negotiations of detailed terms to take place as soon as possible. The Leader highlighted the importance of:-

- working in partnership with the Exeter Community Trust;
- providing a decent home for the Exeter City FC women and girls teams;
- securing funding; and
- respecting due process.

**RESOLVED** that minutes 68 to 82 of the Executive held on 9 July 2024 be received and, where appropriate, adopted.

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

**RESOLVED** that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of minutes 83, 84 and 85 of the Executive held on 9 July 2024, on the grounds that it would involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1, of Schedule 12A of the Act.

55 **EXECUTIVE COMMITTEE - 9 JULY 2024 (MINUTES 83 TO 85)**

In respect of **Minute No. 84 (Relocation of the Green Space Team and Disposal of the Existing Green Space Depot at Belle Isle)**, after debate, the Leader moved and Councillor Wright seconded the recommendations and, following a vote, the recommendations were carried.

**RESOLVED** that minutes 83 to 85 of the Executive held on 9 July 2024 be received and, where appropriate, adopted.

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

It was noted that no questions from Members of the Council had been received.

(The meeting commenced at 6.00 pm and closed at 7.20 pm)

Chair