

CUSTOMER FOCUS SCRUTINY COMMITTEE

3 October 2024

Present:

Councillor Catherine Rees (Chair)

Councillors Begley, Darling, Fullam, Harding, Holland, Hussain, Miller-Boam, Moore, Patrick, Pole and Read

Apologies:

Councillors Parkhouse and Wardle

In attendance:

Councillors Vizard, R Williams and Wright

Also present:

Strategic Director for Corporate Resources, Head of Service - Legal and Democratic Services & Monitoring Officer, Service Lead - Active & Healthy People, Head of Service - Finance, Senior Rates Officer and Democratic Services Officer (PMD)

24 Apologies and Appointment of Deputy Chair

Apologies were received from Councillors Parkhouse and Wardle. Councillor Rees assumed the Chair and Councillor Darling was appointed Deputy Chair for the meeting.

The Chair also announced that the agenda would be reordered due to unavoidable logistical constraints.

25 Minutes

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 27 June 2024 were taken as read, approved and signed by the Chair as a true and accurate record.

26 Declarations of Interest

No declarations of interest were made by Members.

27 Questions from the Public under Standing Order No. 19

The Chair reported the receipt of four questions from members of the public under Standing Order No. 19:-

Question from Ms Freya Searle

“In undertaking the Scrutiny of funding for Citizens Advice Exeter, proposed by Councillor Mitchell, will the Committee establish what steps Exeter City Council is taking to mitigate the impact of this funding cut on the most vulnerable in our City?”

The Chair asked Councillor Vizard, Portfolio Holder for Climate, Ecological Change

and Communities, to answer Ms Searle's question. Cllr Vizard gave the following response:

"The Council already provides its own services and promotes a wide range of other services like those provided by ECAB and will continue to do so. The Council already promotes and signposts to a wide range of local and national in-person and on-line services which offer similar support to that offered by ECAB to vulnerable citizens. Locally these in-person services include Inclusive Exeter and Ukrainian Connections who provide advice and information to individuals from culturally diverse communities. Other organisations such as Age UK provide advice and information specifically to older people. Partners within Colab Exeter provide a wide range of support to people at risk of homelessness, with drug and alcohol dependency and street attachment. Colab Exeter also provides information and advice to vulnerable women. Wellbeing Exeter Community Builders and Connectors also sign post to a wide range of information, advice and support services.

The Council employs teams of officers who provide information and advice to vulnerable people and those on low incomes in several ways: through signposting in our Customer Connect Centre; online and in-person access to, and processing of welfare payments through our Revenue and Benefits Team; in-person access to information, advice and support for those who are at risk of, or are homeless through our Homeless Prevention Team and for our social housing tenants through our Tenancy Support Services. We also contract for targeted advice services for people facing homelessness with an independent third party to ensure people have choice and this year's contract has been awarded, by competitive tendering, to ECAB.

Since the Covid 19 pandemic there has been a paradigm shift to the use of on-line services which provide trusted sources of information and advice. Amongst those we promote are the National Debt help line and Gov.UK Get free debt advice. We recognise there is always more we can do through our social media and other networks to promote trusted local, national, on-line and in-person sources of information and advice and will continue to expand our signposting activity."

In a supplementary question, Ms Searle asked if the Council had done any assessment of other agencies. Councillor Vizard replied that further consultations and assessments would be made.

Question from Ms Fiona Jane Willmott

"In undertaking the Scrutiny of funding for Citizens Advice Exeter, proposed by Councillor Mitchell, will the Committee establish whether it conducted an equality impact assessment of the impact of the funding reduction on Citizens Advice Exeter and the most vulnerable in our City?"

The Chair asked Councillor Vizard, Portfolio Holder for Climate, Ecological Change and Communities, to answer Ms Willmott's question. Cllr Vizard gave the following response:

"An EQIA was appended to the report to Executive of 22nd January 2024 on the Community Grants Programme Proposal 2024/25."

Ms Willmott remarked that she had been unable to find the EQIA. Councillor Vizard replied that it was attached to the report but offered to have a copy of it sent to her.

Question from Mr James Willmott

“What analysis has the City Council conducted on the impact of the withdrawal of funding to Citizens Advice in terms of additional costs to Exeter City Council from households being unable to meet their rent and council tax payments; and the likely increase in homelessness applications to the City Council?”

The Chair asked Councillor Vizard, Portfolio Holder for Climate, Ecological Change and Communities, to answer Ms Willmott’s question. Cllr Vizard gave the following response:

“Officer discussion took place and advice was sought from managers of critical frontline services, on the potential impacts in the termination of this contract which had exceeded its term. There was insufficient data to enable any objective assessment of potential impact on Council or other services. However there had been no discernible impact on Council services since the 59% reduction in funding for the final year extension to the original contract (March 2023/4).”

In a follow-up question, Mr Wilmott asked how this conclusion could be drawn without consultation with Citizens Advice, remarking that Citizens Advice were meeting the funding shortfall. Councillor Vizard replied that Exeter could only assess what it was able to from available information, adding that further wider consultations would take place.

Question from Mr Robin Campbell

“Prior to arriving at a decision that Exeter City Council withdraw funding from Citizens Advice Exeter, were ‘service users and the wider community’ able to ‘put forward options’ as required in the ‘Best Value Statutory Guidance’?”

The Chair asked Councillor Vizard, Portfolio Holder for Climate, Ecological Change and Communities, to answer Ms Willmott’s question. Cllr Vizard gave the following response:

“The current funding for ECAB is a one-off grant of £75,000 for non-specific activities to ‘allow officers to work with CAB on transitional arrangements’. Therefore, there were no specific services attached to this grant.”

Mr Campbell felt that this did not sound right and commented on the statutory guidance on the matter. The Monitoring Officer advised him that the Portfolio Holder had answered his question and that subsequent comments did not constitute a supplementary question.

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

In accordance with Standing Order No. 20, the following questions were submitted by Members:-

Question from Councillor Moore to Councillor Asvachin, Portfolio Holder for Housing, Homelessness Prevention and Customer Services:-

“In response to my enquiry over the summer, the Strategic Director People told me that between April 2019 - March 2024 there have been 35 homes investigated as potentially empty homes of which 17 were found to be not empty. There have been no compulsory purchases, issuing of an empty

dwelling management order or an enforced sale. The Council's Council Tax team are constantly investigating the status of properties proactively. Reports received from members of the public often involve other public health or nuisance matters which are responded to on a reactive basis by the appropriate team. Various staff involved across the council regularly liaise and share information.

What will you do as Portfolio holder to proactively ensure empty homes are sought out and brought back into use?"

Councillor Asvachin was not in attendance; Councillor Moore was advised by the Chair that a written answer would be provided.

Question from Councillor Read to Councillor Asvachin, Portfolio Holder for Housing, Homelessness Prevention and Customer Services:-

"Thank you for your answer to my question recently regarding the kitchens in the Great Western Hotel stating that they have been fitted out with microwaves but no ovens or hobs due to fire risk. Does the Council think it is acceptable for the two families living there to have no access to proper cooking equipment? How can people create nutritional low cost meals with only use of a microwave? What can be done about this please?"

Councillor Asvachin was not in attendance; Councillor Read was advised by the Chair that a written answer would be provided.

Question from Councillor Read to Councillor Vizard, Portfolio Holder for Climate, Economical Change and Communities:-

"In response to a question from the Marilyn Spurr, a member of the public, Cllr Vizard replied that he would reply in writing to Ms Spurr's follow up question in writing. Can he share his written response please?"

Also, can Cllr Vizard share his written response to another member of the public's question put by Chris Hill asking if Cllr Vizard agreed that the carbon footprint of a bank regarding fossil fuel exploitation should be taken in to account when choosing a bank.

Given the council invests with CCLA Property Fund that is underpinned by ESG principles, does he agree that it would be reasonable to extend such ethical investment across all of the council's investment approaches and have a policy on ESG such as other Councils such as Oxford have, in order to be progressing towards the Council's target of net zero by 2030?"

Councillor Vizard remarked that the questions had been sent particularly late – namely, 11.30pm the night before the meeting –, which did not allow for in-depth replies. He confirmed to Councillor Read that he had emailed Ms Spurr and Mr Hill on 22 July with identical answers to their supplementary questions. Following a request from Councillor Read, the Portfolio Holder read out the answer in question:-

"Thank you for raising your concerns in respect of the Council's investment in the Barclays 'Green' 65-day notice account. Investments with Barclays comply with the Council's approved Treasury Management Strategy and counterparty list, as provided by our appointed external treasury advisors.

As presented to Customer Focus Scrutiny Committee, the Council seeks external treasury management advice from the Link Group. Link provide regular counterparty lists and suggested investment durations and notify us of any creditworthiness changes. These counterparty lists are based on credit ratings from the three rating agencies (Fitch, Moodys and Standard & Poors), and the rating agencies take Environmental, Social & Governance (ESG) risk into account when they make their assessments.

With regards to Barclays, please find attached their latest Climate Change Statement, which sets out their position and approach to sensitive sectors and includes new restrictions on financing upstream oil and gas, as well as enhanced due diligence requirements for biomass.

Following discussion between myself, the Council Leader and Director of Finance, ECC will review options for its investments to identify what alternative products are available in the market, the ratings attached, liquidity and yield. We will consider non fossil fuel investing alternative providers while balancing our obligation to maintain treasury management practices in accordance with the Secretary of State Investment Guidance and CIPFA's Treasury Management in the Public Services Code of Practice.

I have asked that a report be brought back to an appropriate councillor committee."

Replying to a supplementary question from Councillor Read, the Strategic Director for Corporate Resources advised that he had sent a notice to Barclays 68 days ago to withdraw the ECC funds but that the money hadn't been received yet. He also asked Councillor Read for a copy of Oxford City Council's Environmental, Social and Governance (ESG) policy.

Question from Councillor Read to Councillor Wright, Deputy Leader and Portfolio Holder for Corporate Services and City Centre:-

"Given the announcement by the new Home Secretary about a set of measures to combat VAWG what can we expect in Exeter to flow from this? And can we expect improvement in the ASB around South Street and Cathedral Green? What measures do you expect to be put in place to achieve this?"

Councillor Wright responded as follows:-

On the Home Secretary's announcement

"The announcement that the Home Secretary will be spearheading a cross-government approach to tackling violence against women and girls is welcomed by survivors of domestic abuse, numerous charities and support networks and also by many of us working in local government and related fields.

To quote Farah Nazeer, Chief Executive of Women's Aid;

'Domestic abuse and male violence is a problem that requires collaboration across government and society. The involvement of the Treasury and the Chancellor of the Exchequer will be particularly important due to the urgent need for sustainable funding to the specialist services that support survivors. The funding gaps that have been left from decades of chronic underfunding means that we need to see the Government committing at least £516 million every year to domestic abuse services, so that these lifesaving services can continue empowering survivors to heal from the trauma of abuse and rebuild their lives in safety.'

'Raneem's Law', is in memory of Raneem Oudeh and her mother Khaola Saleem, who were murdered by Raneem's ex-husband in 2018. There were 13 reports made to the police about concerns for Raneem's safety, with no arrests made. On the night she was killed, she rang 999 four times.

Under Raneem's Law, domestic abuse specialists will be embedded into 999 control rooms, where they will advise on risk assessments and work with frontline officers to ensure a fast and appropriate response. Almost 100 domestic abuse related offences were recorded by the police every hour on average last year. This new initiative will ensure calls for help are treated with the urgency needed and victims get the specialist support they need straight away. The government will fund this pilot in targeted police forces* from early 2025. These specialists will be backed up by dedicated teams to improve how the police respond to these kinds of calls, including using new technology to respond more quickly such as rapid video response. 'Raneem's Law' will be put on a statutory footing by issuing national guidance that police will be required to follow. Please note that we don't know yet whether Exeter will be one of the 'targeted police forces' but I will be raising this question with the Police and Crime Commissioner at tomorrow's Panel meeting.

Home secretary Yvette Cooper says;

'Through an expert-led, practical police response, we need to ensure that when victims and survivors of abuse have the courage to come forward it will be treated with the seriousness and urgency it deserves. Our mission is for the whole of government, agencies, organisations and communities to work together to halve violence against women and girls in a decade, and today is just one step of many towards tangible and long-lasting change.'

The new Domestic Abuse Protection Orders (DAPOs) aim to go further than existing protective orders with the introduction of new features including electronic tagging. This compliments the introduction of the Domestic Abuse Act (passed nearly 4 years ago). Effective protective orders demand close collaboration with specialist services who are able to help survivors access justice.

The orders will cover all forms of domestic abuse, including violence, stalking and controlling behaviour, and more agencies will be able to apply for them – not just the police and criminal courts but also family and civil courts, and third parties such as local authorities, charities and social services, with victims also able to apply directly for the order themselves. Breaching one of these new orders will be a criminal offence, punishable by up to 5 years in prison.

I would expect that there will be a directive to our local police force around this and also for ECC around joint tenancy law regarding our own housing. Our own housing team have always worked incredibly well within this area anyway and have just produced a new Domestic Abuse Policy which will be coming to Exec in November. My hope would be that alongside new legislation, new funding will also come forward to enable us to do more from within ECC and also for relevant partners such as Co-Lab women who are currently seeking to provide a Women's Centre in Exeter which would incorporate emergency shelter for victims of DV.

On ASB around South Street and Cathedral Green

The measures described around the Home Secretary's announcement about violence against women and girls is not directly applicable to the issue of anti-social behaviour around South Street and the Cathedral Green. However, I will address this question as a separate issue;

ECC in partnership with InExeter Business Improvement District and Devon and Cornwall Police have recently launched a new Community Safety Team. This is in collaboration with the policing Hot Spot initiative to target ASB across Devon & Cornwall. Exeter has been placed in Tier 1 for Hot Spot policing following crime data around ASB and the excellent partnership work between ECC and InExeter responding to businesses and members of the public. This team of four come from our own enforcement team and have enhanced responsibilities, training and scope. The team work closely with the police, local businesses, InExeter, partner organisations and the public to deal with ASB and to create a reassuring presence in the city centre. This is a pilot project which started in July so hard data around the impact will be presented to the Police and Crime Commissioner's panel in November. I will share this with all councillors.

This team also links closely with the homelessness prevention outreach team. The team are currently completing police training to enable them to action the Exeter Public Spaces Protection Order (PSPO) where needed. Soft data narrative from local businesses about the positive impact already seen by having the team in place is very good. This is being collated by InExeter and will be part of the reporting process to follow."

The Portfolio Holder placed on record her thanks to the Interim Director Community Services for his help in drafting this response and made further reference to:-

- the reopening of the Exeter Safe Space, with the help of a £10,000 grant from the Office of the Police and Crime Commissioner;
- the two shifts she had done at the Exeter Safe Space as a volunteer; and
- how the Exeter Safe Space was now a registered charity.

29 **Relocation of Council Services Based in the Civic Centre**

The Strategic Director for Corporate Resources gave a succinct summary of the salient points of the report submitted. He then answered Members' questions as follows:-

- all the affected tenants of the Guildhall Shopping Centre had breakable leases;
- the Children's Centre had a long lease but the Exeter City Council would be working with Devon County Council about this;
- it would take a minimum of two years for any move to take place;
- there hadn't been as many financially viable options as hoped;
- the possibility of renting office accommodation around Southernhay had been explored;
- Exeter City Council needed to make better use of its assets;
- the cheapest option was always to move into something you already own;
- the Guildhall Shopping Centre had good quality lifts and addressed accessibility issues for committees;
- it was recognised that the Guildhall itself was not comfortable for Full Council;
- different scenarios and options – such as the cost of moving vs the cost of staying in the Civic Centre) would be produced and included in a report; and
- while there was a range of options across the various parts of the city, the preference was for the city centre.

He made further reference to:-

- the benefits of increased footfall at the Guildhall Shopping Centre;

- how hot desking and a desk space booking system would be implemented in any new premises;
- consultations with the staff sounding board and the 'project group'; and
- the need for the RAMM to be part of the conversation.

Members agreed with the steps to be taken in accordance with the recommendations set out in the report to Executive and Council.

30 **Scrutiny Forward Plan - Budget Monitoring**

The Chair presented hers and Councillor Parkhouse's proposal for scrutiny around Budget Monitoring, namely "to scrutinise the reports for Quarter 2 and for Quarter 4 (or 'Outturn Report')". She called for cross-party consensus on this scrutiny proposal, advising that she and Councillor Parkhouse had already discussed it with the Strategic Director for Corporate Resources.

The Strategic Director for Corporate Resources explained the rationale behind Q2 and Q4, adding that:-

- the three reports that go to the Executive would be provided (General Fund, Housing Revenue Account and Capital Monitoring);
- the report would provide Members with an opportunity to understand variances; and
- for scrutiny to be impactful, getting the sequencing and timing right was essential.

Responding to a query from a Member, he clarified that one of the tangible results of this piece of scrutiny would be to identify trends.

It was moved by Councillor Read, and seconded by Councillor Patrick, that Scrutiny of the Budget at Quarter 2 and Quarter 4 be added to the Scrutiny Work Plan as a standing item. On a vote, the motion was CARRIED unanimously.

31 **Portfolio Holder Update - Climate, Ecological Change & Communities**

The Chair announced that the Portfolio Holder update would be taken as read and opted to go straight to questions.

Councillor Darling remarked that the company in charge of running the Exeter Community Lottery was based in Australia and felt that a company based in Devon or at least in the UK might be better suited. The Place Partnership Manager advised that an options appraisal had taken place and that the operator in question, Gatherwell, worked with over 100 local authorities. The Portfolio Holder added that the contract would be reviewed after two years from the start date of the Exeter Community Lottery.

The Portfolio Holder also made reference to the successful tender for homelessness outreach work.

Councillor Read commented on the underspend, remarking that more requests came at the end of the year. She suggested adopting a different approach, as under the current process, unspent money did not roll forward. She also felt that Members could be informed in advance of how much money would be left. Councillor Vizard replied that he was open to thoughts from Members on the matter; the Place

Partnership Manager added that proposals for the Grants Panel would be welcomed too.

Councillor Harding noted a reference to “more stringent targeting of the grants” in the report and called for consideration to be given to how grants would be promoted to wards that did not have Community Builders. This was also something on which the Portfolio Holder welcomed suggestions from Members. The Place Partnership Manager encouraged Councillors to flag community organisations they felt ECC ought to talk to.

During further discussion, reference was made to:-

- Strategic Needs Assessments for community buildings;
- progress on the Wellbeing Exeter contract being taken over by Exeter Community Initiatives;
- the merits of outsourcing vs insourcing for community buildings; and
- the work evaluation partner for the community building audit.

The Portfolio Holder also confirmed to Councillor Moore that ECC would be consulting with communities on neighbourhood CIL money after 2026.

Members noted the Portfolio Holder update.

32 Update on the Consultation Charter and Development of an Engagement and Consultation Policy

Members noted that no officer was in attendance to present this item. With the approval of the Chair, Councillor Wright explained that:-

- the report that had been submitted was only an interim update; and
- the November 28 meeting of the Customer Focus Scrutiny Committee would be a better forum to receive a fuller report.

The Committee formally requested that the item ‘Consultation Charter and Development of an Engagement and Consultation Policy’ be brought back to the next meeting (November 28), to be presented by the Strategic Director for People and Communities.

33 Box Shifting Practice, Business Rates and Empty Property Relief

The Head of Finance and the Business Rates Manager gave Members a summary of the report submitted and responded to questions as follows:-

- in terms of quantification, around 60 businesses currently benefit from Empty Property Relief (EPR);
- the Council could only work within the regulations;
- there was a lot that the (previous) Government could have done, but didn’t; and
- ‘box-shifting’ was indeed a loophole.

During debate, Members made the following comments:-

- maybe the EPR was sometimes used for positive purposes, as some properties were empty for valid reasons (rather than to exploit a loophole);
- clarity was needed about what the EPR was there for, as well as about who was being penalised ultimately; and
- sometimes it was a better option for a company to sell an empty property.

It was moved by the Chair, and seconded by Councillor Darling:-

1. that officers report to the Customer Focus Scrutiny Committee in six months' time on the impact of the change in the law;
2. that senior Council officers consider writing to the Secretary of State and the Local Government Association to raise the issues concerning the practice of 'box-shifting'.

On a vote, the motion was CARRIED unanimously.

34 Scrutiny Work Plan and Proposals Received

Members discussed the Work Plan and Scrutiny Proposals submitted.

There was consensus that having fewer items on the agenda would allow for more efficient scrutiny and, consequently, it was agreed that the items 'Update on Exeter Community Lottery - First Year of Operation' and 'Tenants Energy Review of our Passivhaus Council Homes' were not time-critical and could be deferred. Also, in Councillor Parkhouse's absence, the discussion around Stagecoach South West was pushed back to the November meeting.

Citizens Advice in Exeter

Clarity was given to Members that Standing Order 18, under which Councillor M Mitchell had submitted this proposal, could trigger an item not only to be discussed for inclusion on the work programme but, if the matter was deemed urgent, to feature on the agenda for the next meeting.

Councillor M Mitchell, speaking under Standing Order 44, made particular reference to:-

- the context of Wellbeing Exeter;
- the financial position of Citizens Advice;
- how, to many people in the community, Citizens Advice was seen as an emergency service;
- conversations he had had with Citizens Advice.

He suggested the piece of scrutiny could take the shape of:-

- an officer report which considered the relationship between ECC and Citizens Advice;
- a presentation from Citizens Advice; and
- a Q&A session.

There was consensus for the item 'Citizens Advice in Exeter' to be put on the agenda of the November meeting but the Monitoring Officer reminded that clarity was essential for the scoping out of the report, remarking that Councillor M Mitchell had not yet submitted a detailed proforma.

Consequently, it was moved by Councillor Moore, and seconded by Councillor Fullam:-

1. that the item 'Citizens Advice in Exeter' be added to the agenda of the 28 November 2024 meeting of the Customer Focus scrutiny Committee; and
2. that the scoping of the item in question be delegated to the Scrutiny Programme Board at their 16 October 2024 meeting.

On a vote, the motion was CARRIED unanimously.

Members then discussed the budget scrutiny suggestions submitted to Councillors Parkhouse and Rees in the summer, as requested at the previous meeting. The suggestions had been collated and included in the agenda for the present meeting.

The Monitoring Officer reminded Members that submitting a proforma facilitated the scrutiny process and made the following further comments:-

- the Strategic Director for Corporate Resources wanted to enable scrutiny;
- it was sensible for the Section 151 Officer to present budget scrutiny items; and
- for the 2025-26 exercise, it would be possible to bring forward the January meeting of the Customer Focus Scrutiny Committee.

Proposal from Councillor Read (as submitted)

After discussion, it was moved by Councillor Read, and seconded by Councillor Miller-Boam, that the Customer Focus Scrutiny Committee receive an Update on the Budget Setting Process, to include the Capital Budget and the consideration of options at the 28 November 2024 meeting.

On a vote, the motion was CARRIED unanimously.

Proposal from Councillor Moore (as submitted)

After discussion, it was moved by Councillor Moore, and seconded by Councillor Patrick, that Councillor Moore's budget scrutiny proposal be approved in principle subject to a detailed proforma being submitted.

On a vote, the motion was CARRIED.

Proposal from Councillor Miller-Boam

It was noted that Councillor Miller-Boam had submitted a second part to her proposal, which had been left off the agenda pack. This second part was tabled at the meeting; it suggested the following be covered:-

- the process for the budget public consultation (after the completion of the consultation);
- how many responses were received;
- availability and accessibility of the consultation; and
- demographics of the respondents.

After discussion, it was moved by Councillor Miller-Boam, and seconded by Councillor Read, that Councillor Miller-Boam's budget scrutiny proposal be approved in principle subject to a detailed proforma being submitted.

On a vote, the motion was CARRIED unanimously.

Key People Activity Across the Council

Councillor Miller-Boam suggested and moved that, in light of supportive comments from SMB about Councillor Palmer's proforma, discussion on this proposal should take place at the January 2025 meeting, with a potential date of March 2025 for the report to be presented to committee if approved. This was seconded by Councillor Rees and CARRIED.

It was moved by Councillor Rees and seconded by Councillor Darling that the Customer Focus Scrutiny Committee approve the Work Plan as amended during the meeting. Following a vote, the recommendation was CARRIED unanimously.

The meeting commenced at 5.30 pm and closed at 9.05 pm

Chair