

EXECUTIVE

Tuesday 3 December 2024

Present:

Councillor Bialyk (Chair)

Councillors Wright, Allcock, Asvachin, Foale, Vizard, Williams, R and Wood

Also present:

Councillor Jobson (as an opposition group Leader);

Councillor Moore (as an opposition group Leader); and

Councillor M. Mitchell (as an opposition group Leader).

Also present:

Chief Executive, Strategic Director for Place, Strategic Director for Corporate Resources, Interim Director – Environment, Waste and Operations (CC), Interim Director – Environment, Waste and Operations (SL), Assistant Service Lead – Local Plan, Electoral Services Manager and Democratic Services Manager

Also present:

Derek Phillips – Chair of the Independent Remuneration Panel.

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MINUTES

The minutes of the meeting held on 5 November 2024, were taken as read, approved and signed by the Chair as a correct record.

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DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

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QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions from members of the public were received.

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MEMBERS' ALLOWANCES 2025/26

The Executive received the report of the Council's Independent Remuneration relating to the level of Members' Allowances for the period 2024/25, as required by the Local Authorities (Members' Allowances) (England) Regulations 2003 and made recommendations on the allowance to be paid to Members. The Panel had met in October 2024, to discuss the level of Members' Allowances for the period 2025/26 and had considered a number of matters as outlined in the report.

The Chair of Independent Remuneration Panel, was in attendance and made particular reference to:-

- the basic allowance increase each year was the same figure as the local government pay award, and Exeter City Council's allowances were in-line with other local authorities in the area;
- the panel recommended that Exeter continue to remain tied to the local government pay award;

- Exeter City Council's finance team had worked out the average figure of 4% which was contained in the report;
- on the employers National Insurance, the Chancellor's reduction to the threshold to 5000 brought all Councillors into the employer requirement for National Insurance, which had been budgeted for in Exeter;
- the carers allowances in Exeter was very good, but had received very little take-up and consideration of advertising it more would be beneficial; and
- it was suggested that a full review of allowances be undertaken next year, and all Members would be invited to speak to the panel, including any who were not intending stand for election in 2026.

During the discussion, an Executive Member thanked the Chair of Independent Remuneration Panel and Officers for the work undertaken and ensuring fairness with the allowances.

Councillor Mitchell spoke on the item as opposition group leader and commented that it would be beneficial to also include former Councillors as part of the full review, to comment on why they left the authority given the recent high turnover of Members.

The Leader advised that it would only be appropriate to enquire if there were any financial reasons for why formers Members did not stand again for election.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RECOMMENDED to Council that:-

- (1) the basic structure and principles of the current Members' Allowances scheme be retained for 2025/26;
- (2) the principle that any Member qualifying for more than one Special Responsibility Allowance (SRA) is paid the higher allowance only, be retained;
- (3) the Councillors' Basic and Special Responsibility Allowances including the Lord Mayor and Deputy Lord Mayor's Expenses Allowances, continue to be linked and updated in line with the national pay awards applied to staff (under the Green Book arrangements) for the previous year, (a lump sum payment of £1,290 was agreed for the period 2024/25 effective from April 2024). As this was a lump sum rather than a percentage increase across the board the Panel considered that it was appropriate to use the median percentage pay increase for Exeter City Council staff of 4% as a benchmark for the Basic Councillor Allowance;
- (4) the principle that Special Responsibility Allowances be paid to no more than 50% of the overall number of Councillors continue to be kept under review and adhered to where possible;
- (5) the current Dependants' Carers' Allowance scheme be maintained, with the continuation of the level of allowance matching the hourly Living Wage as applicable from April of each year. In the case of Members who need specialist care for a child or adult dependant, a higher rate, of up to £25 per hour or part thereof, can be agreed by negotiation in advance with the Democratic Services Manager;
- (6) the sum of £50 be paid to the Independent Persons affiliated to the Audit and Governance Committee for up to four hours work, and £100 for four hours and over, payable to each of the two Independent Persons (up to a maximum of £500 per person in any one year) be retained; and
- (7) travel and subsistence allowances available for staff continue to apply to Exeter City Councillors, where appropriate.

REVIEW OF POLLING DISTRICTS AND POLLING PLACES WITHIN THE EXETER CITY COUNCIL AREA

The Executive received the report which set out proposals for a new Parliamentary polling district and polling places arrangements, which had been recommended as a result of a statutory review as set out in Representation of the People Act 1983.

During the discussion, Executive Members raised the following points and questions:-

- the Alphington Ward previously had four polling stations, which had been reduced to three resulting in a low number of votes. Had any discussions been held on reintroducing the fourth polling station?
- had there been a decline in the number of people engaging with the democratic process in Pinhoe following the move of the Polling Station to the Exeter Harriers Athletic Club?
- what engagement had been undertaken with Members in regard to polling stations? and
- political parties were able to access election information through appropriate channels.

Councillor Moore spoke on the item as opposition group leader and raised the following points and questions:-

- a number of people had difficulty finding the entrance at the back of the St David's Community Centre. Could the front entrance be made available? and
- the EQIA didn't reference disability access to polling stations

In response to questions raised, the Electoral Services Manager advised that:-

- there was a lot of dependency on the availability of polling stations and polling districts were built around that. If a polling station was lost and another could not be obtained within the polling district, an amendment had to be made, such as that in Alphington;
- there had been no noticeable decline in the numbers using of the Exeter Harriers Athletic Club as a polling station;
- in terms of consultation, it was standard practice to contact current Councillors and obtain their views and obtain their support in finding other locations, using their local knowledge; and
- changing access arrangements St David's Community Centre could be looked at with equalities issues.

The Deputy Leader & Portfolio Holder for Corporate Services and City Centre advised Members that they were always contacted about a polling station specific to their Ward. Members were also reminded that the report was specifically about changing boundaries to include a new polling station that was used last year.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RECOMMENDED that Council:

- (1) adopt the proposals as set out at paragraph 8.5 of the report for implementation from a revised register of electors for publication by 1 February 2025;

- (2) formally publish its final report on the Review of Parliamentary Polling Districts and Places within the Exeter Constituency by 10 January 2025, as required by the Representation of the People Act 1983 (RPA 1983); and
- (3) agree to complete a further review by 31 January 2030, as required by the Representation of the People Act 1983.

REVIEW OF CORPORATE RISK REGISTER

The Executive received the report on the Council's risk management progress and the revised Corporate Risk Register which was linked to the Council's Strategic Priorities. The Audit and Governance Committee had considered and reviewed the register at its meeting held on 27 November 2024 where a suggestion had been made for Strategic Directors to include the date of when an update was made so Members would be aware of which was the most up to-date statement in the register, would be incorporated into future reports.

The Leader advised that he had met with the new Strategic Director of Operations who had provided a paper in relation to assets and in following up on the request for the city wall, a separate asset risk register would be produced for future inclusion.

During the discussion, Executive Members raised the following points:-

- the risk owner for 'Maintaining a thriving Culture and Heritage sector' needed to be amended to the Portfolio Holder for Arts, Culture & Tourism;
- the inclusion of cyber security as a risk and appropriate mitigations was welcomed;
- the risk for 'Making progress towards a Healthy and Active City' had since received commitment from Sport England for funding until 2027 through the new place partnership;
- a submission had been made for the Public Sector Decarbonisation Scheme for the Riverside and the outcome will be confirmed in January 2025; and
- a lot of activity had taken place for Citywide Net Zero with a dedicated member of Staff appointed to undertake engagement.

Councillors Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- there was a process issue to address in spacing out the time period between Audit and Governance Committee meetings and the Executive;
- the second part of the recommendation needed clarification in proposing actions to risks and whether a written report would be provided on actions;
- would the RAMM be remaining on the risk register in reference to not being included in the bid for the Public Sector Decarbonisation Scheme; and
- could the Portfolio Holder provide intermediate targets for Net Zero 2030?

The Leader advised that processes would be looked at and key matters including Net Zero were considered at Scrutiny Committee. Detailed questions could also be sent to the relevant officers and the wording of the recommendations would also be reviewed.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously

RESOLVED that the Council's Corporate Risk Register be approved and any necessary actions to help mitigate the risks be proposed to Council.

The Executive received the report on the overall financial position of the General Fund Revenue Budgets for the 2024/25 financial year after six months and to approve additional expenditure required during the financial year.

Particular reference was made to:-

- section 8.2 of the report outlined the financial outcome of the senior leadership restructure. The original proposal had projected a reduction in costs of £388,110 during this financial year and following some interim arrangements, it was now projected as £389,000;
- there were some areas of concern on the commercial property income, which related to bad debt policy and would be addressed as part of the new arrangements;
- another area of concern was on temporary accommodation which was a continued national issue and planning income also remained a challenge; and
- the report was seeking Council approval for supplementary budgets, for staffing the household support fund, money would be transferred to an earmarked reserve.

During the discussion, Executive Members raised the following points and questions:-

- the income from the CCTV monitoring service was welcomed;
- Members had recently received an invitation to visit the CCTV Centre, which was always a welcome visit;
- whilst there was a reported £200,000 underspend for asset maintenance budget for leisure and support, they were older buildings and there was still work that needed to be undertaken;
- were the RAMM service savings from the energy consultant review part of the PSDS project? and
- the reference to the historic vacancy within the waterways engineering area had now been filled and the post holder would commence in January 2025

Councillors Jobson, Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- clarification was sought on the car parking price increase having a detrimental effect on business rates and at what point would lowering charges to make a saving be considered?
- could more information be provided on the overspend pension strain payments;
- planning Services showed a net overspend of £200,000, had there been any impact from charging for pre-application of advice or any impact anticipated during the year?
- how will the Council address the unachievable future target of £280,000, considering it wouldn't be eligible for the portion of the Devon County Council share scheme for food waste?
- was there still a heavy reliance on using agency staff? and
- was there any more detail available about the use of the secondary reclamation facilities?

The Leader advised that a Members Briefing for an update on food waste would be arranged.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RECOMMENDED that Council note and approve (where applicable):

- (1) the General Fund forecast financial position for the 2024 financial year;
- (2) the supplementary budgets and budget transfers as detailed in paragraph 8.9 and Appendix 3 of the report;
- (3) the outstanding Sundry Debt position as at September 2024;
- (4) the creditors payments performance; and
- (5) the One Exeter programme update.

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2024/25 GENERAL FUND CAPITAL MONITORING STATEMENT – QUARTER 2

The Executive received the report on the current position of the Council's revised Annual Capital Programme, which advises Members of the anticipated level of deferred expenditure into future years. The report also sought approval to amend the Annual Capital Programme in order to reflect the reported variations.

Particular reference was made to:-

- the council had spent Council £2.89 million, of the revised Capital Programme in the preceding year, which equated to 12%;
- there were further funding requests for a disabled facilities grant of £141,140, to be funded from external grants, a request for an additional £100,000 for Topsham Museum to address unforeseen additional structural issues funded from borrowing and a request for a Harbour Workboat, which was expected to be funded from Capital receipts when they were available.

During the discussion, Executive Members raised the following points and questions:-

- a report would be coming to Executive in 2025 about the Harbour Workboat; and
- the funding support to the Topsham museum was welcomed.

Councillors Jobson, Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- clarity was sought on borrowing to cover the Topsham museum funding, given the Council was no longer borrowing and would that delay the work?
- the landfill gas extraction system was currently postponed, but would a report on methane emissions from the landfill extraction system be made available to Members? and
- was the £4.9 million deferral for the Guildhall shopping centre related to the potential office move?

In response to questions raised, the Strategic Director for Corporate Resources advised that:-

- the work at Topsham museum would not be held up. The Council was not currently using long term borrowing, but was able to use short-term borrowing or use its own cash reserves;
- questions relating to landfill extraction would need to be sent to the relevant officer to respond to;

- the Guildhall shopping centre budget enabled the Council to fulfil its duties as a landlord for new tenants. The budget to support any potential office move would be presented as a separate report for funding if the process were approved by Members.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RECOMMENDED that Council approve:

- (1) the overall financial position for the 2024/25 Annual Capital Programme; and
- (2) the further funding requests to the Council's Annual Capital Programme for 2024/25, as detailed in paragraph 8.6 of the report.

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2024/25 HRA BUDGET MONITORING REPORT – QUARTER 2

The Executive received the report on the financial position of the HRA Revenue and Capital Budgets for the 2024/25 financial year after six months and highlighted budgetary over/under-spends. The report also outlined areas of risk, to ensure Members were aware that certain budgets had been identified as being vulnerable to factors beyond the control of the Council and were being closely monitored by officers.

Particular reference was made to:-

- the Council was continuing to take a more proactive approach to repairs and maintenance in the Housing Revenue Account (HRA), focussing on identifying repairs at an earlier stage and this had caused the overspend; and
- there would be likely revisions to the budget and a fuller budget would be provided in future years;

During the discussion, Executive Members raised the following points and questions:-

- it was important to note that changes in the report reflected the proactive work being undertaken;
- Rennes House had been closed and residents who had been moved were very positive about the process and welcomed the new accommodation; and
- what has been the impact on the budget in not keeping Rennes's House?

Councillor Moore spoke on the item as opposition group leader and welcomed the proactive approach and noted, the importance of the repairs and sought assurance that there would be no delays until the new Financial year for the repairs to be completed due to budgetary pressures.

In response to questions raised, the Strategic Director for Corporate Resources advised that:-

- over the medium term, there would be a significant reduction from not maintaining Rennes House, but in the short term, there were associated costs. However, funding for demolition had been made and work with Telecom operators was underway, in regard to the masts; and
- the repairs and maintenance projection was a forecast of where the Council would be at the end of the financial year.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RECOMMENDED that Council notes and approves (where applicable):

- (1) the HRA forecast financial position for 2024/25 financial year; and
- (2) the revised HRA Capital Programme to reflect the reported variations detailed in Appendix 4 of the report.

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TREASURY MANAGEMENT 2024/25 HALF YEAR UPDATE

The Executive received the statutory report on the current Treasury Management performance for the 2024/25 financial year and the position regarding investments and borrowings at 30 September 2024. The report further sought the adoption by Council of a Treasury Management Environmental, Social and Governance policy.

Particular reference was made to:-

- this year the Treasury Management also included Environmental Social and Governance Policy as requested by Scrutiny Committee for Council approval;
- the council had now dis-invested from using Barclays and the Council was proposing to run down its cash balances to avoid undertaking longer-term borrowing over the next six months; and
- it was anticipated that some short-term borrowing may be required to maintain the cash position, which was built into projections and future budgets;

During the discussion, Executive Members raised the following points and questions:-

- the Environmental Social and Governance Policy and dis-investment from using Barclays was welcomed;
- could further detail be provided on the legal aspects of balancing investments;
- was there a means to measure security liquid and yield core principles when considering environmental social and governance?

Councillor Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- would the Council be closing its account with Barclays and transferring to another bank?
- it was important that those principles were framed within the legal commitments;
- the environmental principle didn't specifically reference climate change; and
- were the social elements for human rights taken into consideration for use of banks who invest with other companies that Council would unlikely deal with?

A Member advised that section 6 of the report outlined that climate change could not displace the Security Liquidity and Yield (SLY) principles.

In response to questions raised, the Strategic Director for Corporate Resources advised that:-

- Members had a legal responsibility to consider SLY as part of Treasury Management, but a frame work could be introduced to support decision making;

- the Council required having £15 million on standby at any time to ensure cash flow was effectively managed; and
- the ESG policy would help identify the best products that meet the ESG policy, but the Council would still be able to use organisations that meet the counterparty requirements in exceptional circumstances;

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RECOMMENDED that Council:

- (1) note the Treasury Management report in respect of the first six months of the 2024/25 financial year; and
- (2) adopt the Treasury Management Environmental, Social and Governance policy.

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CITY POINT UPDATE

The Executive received the report which provided a review of recent developments at the City Point site and proposed the next steps for bringing the development forward, including temporary and meanwhile uses for the former Exeter Bus Station site, until a longer-term budget had been identified.

Particular reference was made to:-

- the Council's long-term ambition was to enable a comprehensive regeneration of the strategically important site, which could take several years, and it was therefore important to look at bringing forward some temporary and meanwhile uses;
- the Council owned the land and had full control, and it was important to bring some temporary and meanwhile uses forward;
- since 2019, the original plans for a new Civic Hub in partnership with the Crown Estate had been deemed unviable with a greater focus on accommodation requirements;
- the Fraser group had recently taken over the long-term lease of the Paris Street side of the site and discussions for long term use were being considered; and
- City Point remained a key development opportunity and had been identified in the Exeter Plan for a range of uses, including homes, employment and a gateway to the city centre;
- officers would be looking to explore the potential of the site, undertaking market research and engagement with interested parties to address delivery options, to bring back a proposals report to the Executive in early 2025; and
- officers would also evaluate the condition of the former bus station site and potential meanwhile uses and the potential to use the upper deck as a temporary car park.

During the discussion, Executive Members raised the following points and questions:-

- clarification was sought on recommendations 2.3 and 2.4 and whether one excluded the other?
- Further clarification was sought on recommendation 2.3 and whether the proposals coming in early 2025, were for meanwhile use or longer-term use?
- the report highlighted the site would not be used as a carpark which was welcomed, and that the report advised that longer term use was being

addressed and meanwhile use options were being looked at around available finances; and

- the Exeter Phoenix Arts Board had expressed an interest in the site for potential pop-up theatres and markets.

Councillors Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- in reference to paragraph 13.2 of the report, was the Council willing to release land to a private sector developer and risk losing control of the use of land?
- recommendation 2.2 advised officers would be making the decision, but it should be open for ideas from the community and Members.

The Leader advised that the Council would be talking to communities and options would be presented back to the Executive. The Chief Executive confirmed that officers would bring proposals forward to Members

In response to questions raised, the Strategic Director for Corporate Resources and Strategic Director for Place advised that:-

- the process for recommendations 2.3 and 2.4 would function together;
- the Council had complete control of the site and would be undertaking market research and bringing forward a complete comprehensive development of the whole site required close cooperation and collaboration with the Fraser Group; and
- the Council was looking at the long-term proposals for a comprehensive development, which required the involvement of the Fraser Group.

Following the discussion, the Leader advised that recommendation 2.2 needed to be clearer, to clarify that officers would bring forward medium term meanwhile proposals back to the Executive for consideration.

The Leader moved and Councillor Wright seconded an amendment to the recommendation 2.2 to read as follows:-

(2) that meanwhile uses for the Former Bus Station site would be considered and that officers would develop medium term uses for the site, plans for consultation, and to bring forward ideas, having given consideration to there being no financial resources at the current stage.

The Leader moved the amended recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RESOLVED that the Executive note:

- 1) the progress to date following the withdrawal of The Crown Estate's interest as lead developer;
- 2) that meanwhile uses for the Former Bus Station site would be considered and that officers would develop medium term uses for the site, plans for consultation, and to bring forward ideas to the Executive, having given consideration to there being no financial resources at the current stage;
- 3) that officers and potential development partners (including new adjoining landowners), would work on a potential comprehensive delivery solution and present proposals to the Executive in early 2025; and
- 4) that a market insight report be commissioned by officers to look at delivery options for the land within the City Council's control.

THE EXETER PLAN: PUBLICATION

The meeting was briefly paused during this item between 7pm and resumed at 7.08pm.

The Executive received the report which explained the progress made on the Exeter Plan (Local Plan) and sought approval to publish the Regulation 19 Publication version of the Plan in advance of its submission to the Planning Inspectorate. Exeter City Council had a statutory duty to prepare planning policy for the city as the Local Planning Authority and the Exeter Plan would replace the two existing principal development plan documents for the city if adopted.

During the presentation, particular reference was made to:-

- the Exeter Plan had been in production for four years, and had included three full public consultations;
- the plan presented was the regulation 19 version, which was effectively the final draft before submission to the planning inspectorate;
- in July 2024, the new government had announced a series of planning reforms, which would require the Council to plan for an additional 3,500 homes, requiring additional sites to be identified, which could result in starting the local plan work over and by publishing the Exeter Plan sooner, the Council would avoid this risk, whilst addressing the additional homes at a later date;
- since January 2024, the team had been assessing the consultation responses, gathering evidence and consulting Members, through Planning Member Working Groups and Scrutiny meetings;
- the plan was now at its final stage, and going forward could only receive formal representations related to the four tests of soundness criteria as set out in 8.26 of the report, and that the Council would need to submit the plan in the form it was published for consultation, together with consultation representations;
- the Exeter Plan would be submitted in June 2025 to the planning inspectorate, with examination expected to commence in November 2025 and adoption in 2026 (subject to Planning Inspectorate timeframes);
- some of the key policies that had changed included the affordable housing at policy H4 and on mixed and balanced communities. The plan retained the commitment to addressing viability challenges and delivering sustainable and affordable housing across the city;
- the affordable housing policy reflected both the received viability evidence and the updated housing needs assessment, given the differing costs between Brownfield and Green Field developments;
- evidence showed there was a need for a 50:50 split of the affordable housing between social rent and affordable home ownership. The existing policy required 35% affordable housing across all sites with a split of 70:30 (70% for social rent including affordable rent and 30% affordable rent/shared ownership). The new policy retained the 35% on Greenfield sites, but proposed 15% on Brownfield sites;
- there was a proposal to introduce additional explanatory text as a minor amendment to the current version of the plan to highlight the intention to increase affordable housing delivery across the city;
- the Council-owned housing program was also seeking to deliver 500 Council homes by 2030 and would be working with partnerships including Homes England and housing associations to support additional affordable housing;

- the policy relating to balanced communities addressed the challenge of student housing, balancing the benefits of the university against potential impacts of developments;
- the plan was consistent with the key strategy policy (S1) which outlined the spatial strategy for the plan, focussing the majority of developments on Brownfield sites, protecting green spaces, reducing travel, and promoting active lifestyles;
- the policy had been strengthened to include additional details for citywide biodiversity, heritage and employment provisions;
- revisions to the plan had been developed from consultation responses, partnership discussions and Member discussions; and
- site allocations that had been removed for delivering housing included Marsh Barton, the Northgate area and Middlemore, whilst adding 18 mixed use or residential sites across the city. Some revisions to site allocations have also been made.

During the discussion, Executive Members raised the following points and questions:-

- thanks were made to the officers for the excellent work undertaken over a long period of time to bring the final version of the plan to Members;
- it was important that the Council had clear, reasonable and evidenced policies to direct development in the city toward Brownfield sites to address net zero and healthy lifestyle ambitions;
- the plan reflected the feelings of communities across the city but it was important to acknowledge that there were viability constraints;
- the plan could be reviewed over time to address market value changes;
- the Council could deliver affordable housing through the planning system and through partnerships and pursue other avenues for funding;
- there was an improvement in the plan for defining HMOs and overconcentration;
- could the high level of consultation that had taken place be explained?
- the detailed chapter on climate change was welcomed;
- could examples be provided where the Council was being proactive, rather than reactive to government policy and measures for tackling climate change?
- was there any scope in the plan to address improving transport in the city?
- what was the time period for the viability evidence?
- could an example be given of how partnership working has enabled the Council to achieve more affordable housing and making the percentages a reality?
- could clarification be given on the reference to the national transitional arrangements and if the report was accepted the current housing targets, would remain in place until 2040? and
- could Members change anything in the report if they desired and what would be the impact of doing so?

Councillor Mitchell as opposition group leader had submitted an advanced question as follows:-

- could the Leader offer clarity on the reference of 'a significant gap', as stated in the letter from the Secretary of State for Housing, Communities and Local Government on 30th July 2024, referring to the plan and the new local housing figures. Could the Leader also inform the Executive whether any gaps exist between the Exeter housing projections in the new Exeter Local Plan and those that proposed by the Labour government?

The Leader in responding to the submitted question from Councillor Mitchell, explained that:-

- a significant gap was defined in the explanatory information which went alongside the national planning policy reforms consultation in the summer 2024 and was defined as over 200 dwellings per annum and the requirement for homes included in the Draft Exeter Plan was 642 per annum. The revised local housing requirement for Exeter, (as consulted in summer 2024), was 815 per annum, equating to a difference of 173 per year.

Councillor Mitchell in asking a supplementary question enquired on what assurances the council had received that the current proposal was acceptable and would not need to be reworked?

Councillors Jobson and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- given the regulation 19 plan was recommended for approval and that it would be of sync with the new National Planning Framework Policy, had legal advice being sought on any potential planning appeal?
- the current Council policy referred to housing and social rent housing. Was council housing not included because housing associations charged higher rents?
- the affordable housing policy had been changed since the last draft, notably the difference on the brownfield sites, who had made that decision?
- when the consultation begins, would all the evidence accompany it at that time, or would it be included for Council?
- welcomed the nature and water additions and that the inclusion of quality targets would be beneficial; and
- enquired on process for reports, with the forward plan indicating the matter was an Executive function, where there are also recommendations to Council.

The Leader advised that there were three resolved matters for the Executive and two recommendations for full Council to consider on 17 December.

The Portfolio Holder for City Development, advised the plan had been adjusted to due to the viability evidence received, which had been carefully considered by officers. Options for leveraging funding to deliver affordable housing targets would be addressed.

In response to questions raised, the Strategic Director for Place, the Assistant Service Lead – Local Plan and Democratic Services Manager advised that:-

- it was standard practice to review policies within a five-year period, with a potential earlier review opportunity the planning inspector based on the uplift in housing numbers;
- consultations have involved multiple methods, including online consultation, ward exhibitions, community engagement and meetings with Councillors and community groups. The consultations had received a positive and high volume of response. Detailed figures of responses could be made available to Members;
- there were various elements in the plan which addressed climate change and sustainability but also in development strategy for reducing travel and lowering emissions;

- the plan had identified a number of local energy networks and a policy for working with Devon County Council as the transport authority to look at transport plans and bus service improvements;
- the viability time period presented data at the current most up to date time across a wide area, and can be subject to change;
- the plan would be submitted in June 2025, and there was still work to be done which would evolve the plan;
- all evidence would be provided to the inspector and was available online to be viewed alongside the plan. All new evidence would be included until the submission time; and
- the legal requirement for the forward plan was to include forthcoming Executive decisions. Exeter City Council, by way of being fully open and transparent also included forthcoming Council decisions, but it wasn't a legal requirement to do so and therefore had no impact on the recommendations;

The Leader advised on the point raised about evidence being published alongside the draft had been clarified during the debate.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RESOLVED that:

- (1) the publication of the Regulation 19 version of the Exeter Plan be approved for an eight-week period from 12 December 2024;
- (2) delegated authority be granted to the Strategic Director for Place, in consultation with the Portfolio Holder for City Development, to agree minor changes to the Regulation 19 Publication version of the Exeter Plan before it is published; and
- (3) delegated authority be granted to the Strategic Director for Place, in consultation with Portfolio Holder for City Development, to agree a change to the publication date if required.

RECOMMENDED that Council:

- (1) approves the submission of the Exeter Plan, policies map, associated documents, evidence base and Regulation 19 representations, to the Planning Inspectorate for Examination; and
- (2) that delegated authority be granted to the Strategic Director for Place, in consultation with the Portfolio Holder for City Development, to make minor changes to the Regulation 19 Publication version of the Exeter Plan and to submit these to the Planning Inspectorate for Examination.

THE USE OF BODY WORN VIDEO CAMERAS

The Executive received the report which sought approval for the use of Body Worn Video Cameras for enforcement activities, ensuring the protection of the public and the prevention of crime across the City, when Council officers are engaged in enforcement activities. An example copy of a body worn camera was presented at the meeting.

Particular reference was made to:-

- 22 of body worn cameras had been purchased earlier in the year using funding from the UK shared prosperity fund;

- the cameras would address growing levels of Anti-social Behaviour, notably in the city centre; and
- in a first phase approach, the cameras would be used by the car parks team and new community safety team as part of their daily duties.

During the discussion, Executive Members raised the following points and questions:-

- although there was increased accountability and evidence gathering needed, there were also concerns relating to privacy, data rights and storage;
- the EQIA referred to a risk of unconscious bias, had this been factored into training for officers?
- the cameras had a screen, which when activated would display what's being recorded;
- it was important to protect both citizens and officers when gathering evidence; and
- what was the storage retention for the camera footage? and
- if recordings were stored for 30 days, would residents be able to request copies of the footage?

The Deputy Leader & Portfolio Holder for Corporate Services and City Centre advised that filming and data management was covered under the current CCTV control room camera usage policy and that the EQIA focussed on cameras being there to protect officers. It was assumed that with cameras operating, it would deter certain behaviours, which was a positive impact

Councillor Moore spoke on the item as opposition group leader and raised the following points and questions:-

- welcomed the recommendations to protect officers;
- enquired about the duration of the trial period and where would the results be reported to for longer term use? and
- the EQIA section on religion hadn't been completed, considering there were some discrimination issues related to various faiths.

In response to questions raised, the Strategic Director for Place and the Interim Director – Environment, Waste and Operations (SL) advised that:-

- the proposal was to introduce body worn cameras initially for the car parking and community safety team with a view to provide to other teams in due course;
- body worn cameras were covered under the council-wide CCTV policy with staff who were security industry trained and appropriately checked and qualified;
- staff would be unable to download or access footage with security mechanisms in place;
- if footage was required for evidential purposes, there were appropriate forms to available to justify the request;
- the data retention period was 30 days, which was consistent with security industry authorities' guidance and the information commissioner;
- residents could make a Subject Access Request (SAR) for a copy of the footage and procedures for release would also then apply;
- body worn cameras were common place and supported better behaviour towards staff.

In response to additional Member questions, the Chief Executive explained that all policies had a timescale for review and this policy would be reviewed in due course. The Chief Executive also noted that unconscious bias was missing from the religion section of the EQIA, which would be added. Members were advised that unconscious bias training was also being provided.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RECOMMENDED that Council approves the Body Worn Video Cameras Policy and the use of Body Worn Video Cameras across the City Council's enforcement activities.

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APPOINTMENT TO THE DEVON AND TORBAY HOUSING ADVISORY GROUP

The Executive received the report seeking agreement to nominate the Leader of the Council to represent Exeter City Council on the Devon and Torbay Housing Advisory Group (DTHAG).

Particular reference was made to:-

- the DTHAG would replace the existing informal housing task force represented by all Devon Councils with a formal constituted group as part of the Combined County Authority (CCA) structure;
- the group would have its own Terms of Reference and would be operating as an advisory group only; and
- each of the Devon Councils were required to nominate an elected member before the end of the year so a meeting may be convened early in 2025.

During the discussion, Executive Members raised the following points and questions:-

- was there any indication from the terms of reference for a deputy to attend in the unlikely event that the Leader was unable to attend? and
- having a representative on the group was important to ensure the Council had a voice on the emerging CCA and housing targets

Councillors Mitchell and Moore spoke on the item as opposition group leaders and raised the following points and questions:-

- supported the suggestion that a substitute should be available if the Leader was unable to attend and should be a part of the Terms of Reference;
- clarity was sought on the remit for providing more affordable and social housing and was the focus of the group going to be on meeting the housing target? and
- to what extent would the group be focused on addressing the housing crisis?

The Leader advised that 8.5 of the report provided the detailed strategic and operational role of the DTHAG and that a deputy would be considered.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RESOLVED that the Leader of the Council, Cllr Philip Bialyk, be appointed to represent Exeter City Council on the Devon and Torbay Housing Advisory Group.

SELECTION AND APPOINTMENT OF EXETER HARBOUR DESIGNATED PERSON

The Executive received the report which outlined the selection process for individuals with suitable knowledge and understanding to serve as the 'Designated Person' (DP) to the Exeter Harbour Duty Holder and recommended the appointment of James Hannon, Associate Maritime Consultant in the role. A copy of Mr Hannon's CV was attached to report as a Part II item, for the reasons that it related to an individual's information.

Particular reference was made to:-

- Mr Hannon was considered suitably qualified to meet the Port Marine Safety Code requirements to act as the Designated Person (DP) for the Harbour Duty holders and to provide an independent overview of the Council's Port Safety Systems; and
- the Council's Harbour Master had approached five individuals and two suitable applications with demonstrable competencies had been received. Mr Hannon was considered to have the most extensive Port Marine safety experience and was also the current DP with Dorset Council.

The Portfolio Holder for City Management advised that a meeting was being arranged to address Duty Holder governance, for 13th January 2025. She expressed her thanks for the work that had been undertaken to date in appointing the Duty Holder, provision of training and in appointing the DP.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RESOLVED that James Hannon, Associate Maritime Consultant be appointed as the Designated Person for the role of Harbour Duty Holder.

APPENDIX A - SELECTION AND APPOINTMENT OF EXETER HARBOUR DESIGNATED PERSON

The recommendations were agreed in Minute No.135.

(The meeting commenced at 5.30 pm and closed at 8.35 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 17 December 2024.

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