

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 19 December 2017

The Right Worshipful the Lord Mayor (Cllr Robson)

Councillors Bialyk, Branston, Brimble, Denham, Edwards, Foale, Foggin, Hannaford, Harvey, D Henson, Mrs Henson, Holland, Leadbetter, Lyons, Mitchell, Morse, Musgrave, Newby, Owen, Packham, Pearson, Prowse, Sheldon, Sills, Sutton, Thompson, Vizard M, Vizard N and Warwick

66

MINUTES

The minutes of the Ordinary and Extraordinary meetings held on 17 October 2017 were moved by the Leader and seconded by Councillor Sutton, taken as read and signed as correct.

67

APOLOGIES

Apologies for absence were received from Councillors Ashwood, Baldwin, Gottschalk, Keen, the Deputy Lord Mayor, Lamb, Morris, Wardle and Wood.

68

OFFICIAL COMMUNICATIONS

The Lord Mayor welcomed Councillor Matthew Vizard, the newly elected Councillor for the Newtown and St. Leonards ward, to his first Full Council meeting and wished him well for his term of office.

On behalf of the Council, the Lord Mayor thanked all those involved in preparing the successful bid to Sport England, where Exeter and the East Devon new town of Cranbrook, were one of only 12 places (out of an original 113 applications) to be awarded Local Delivery Partner status and the only location in the south west.

She also reported that Wellbeing Exeter, part of the Integrated Care Exeter programme, had been announced as a winner of one of the 23 Health Service Journal Awards for 2017. This was one of the most sought-after accolades in British Healthcare.

The Lord Mayor thanked all those involved.

The Lord Mayor also announced that, following research by the University of Exeter and RAMM, some bones discovered in Paul Street in 1983 could be the remains of the first ever turkey dinner in England - in the early 16th Century not long after the introduction of the bird into the country. The artefacts would be displayed at RAMM.

69

PLANNING COMMITTEE - 30 OCTOBER 2017

The minutes of the Planning Committee of 30 October 2017 were presented by the Deputy Chair, Councillor Lyons, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 30 October 2017 be received.

70

PLANNING COMMITTEE - 4 DECEMBER 2017

The minutes of the Planning Committee of 4 December 2017 were presented by the Deputy Chair, Councillor Lyons and taken as read.

It was noted that, in respect of Minute 95, Councillor Denham requested that her declaration of a non-pecuniary interest refer to Min. No. 98 not 97. This would be corrected at the next meeting of the Planning Committee.

RESOLVED that the minutes of the Planning Committee held on 4 December 2017 be received.

71

LICENSING COMMITTEE - 31 OCTOBER 2017

The minutes of the Licensing Committee of 31 October 2017 were presented by the Deputy Chair, Councillor Sheldon and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 31 October 2017 be received.

72

PEOPLE SCRUTINY COMMITTEE - 2 NOVEMBER 2017

The minutes of the People Scrutiny Committee of 2 November 2017 were presented by the Deputy Chair, Councillor Foale, and taken as read.

RESOLVED that the minutes of the People Scrutiny Committee held on 2 November 2017 be received.

73

PLACE SCRUTINY COMMITTEE - 9 NOVEMBER 2017

The minutes of the Place Scrutiny Committee of 9 November 2017 were presented by the Chair, Councillor Sills, and taken as read.

RESOLVED that the minutes of the Place Scrutiny Committee held on 9 November 2017 be received.

74

CORPORATE SERVICES SCRUTINY COMMITTEE - 23 NOVEMBER 2017

The minutes of the Corporate Services Scrutiny Committee of 23 November 2017 were presented by the Chair, Councillor Sheldon, and taken as read.

RESOLVED that the minutes of the Corporate Services Scrutiny Committee held on 23 November 2017 be received.

75

AUDIT AND GOVERNANCE COMMITTEE - 6 DECEMBER 2017

The minutes of the Audit and Governance Committee of 6 December 2017 were presented by the Chair, Councillor Vizard, and taken as read.

In respect of Minute 33 (Internal Audit Plan), the Chair stated that the recommendation was for Council to approve a supplementary budget of £7,800 to provide any additional staffing resources required to cover staff sickness in order to deliver the approved audit plan.

RESOLVED that Council approve a supplementary budget of £7,800 to provide any additional staffing resources required to cover staff sickness in order to deliver the approved audit plan.

RESOLVED that the minutes of Audit and Governance held on 6 December 2017 be received and, where appropriate, adopted.

76

STRATA JOINT SCRUTINY COMMITTEE - 30 NOVEMBER 2017

The minutes of the Strata Joint Scrutiny Committee of 30 November 2017 were presented by Councillor Lyons and taken as read.

RESOLVED that the minutes of the Strata Joint Scrutiny Committee held on 30 November 2017 be received.

77

EXECUTIVE - 14 NOVEMBER 2017

The minutes of the Executive of 14 November 2017 were presented by the Leader, Councillor Edwards, and taken as read.

RESOLVED that the minutes of Executive held on 14 November 2017 be received and, where appropriate, adopted.

78

EXECUTIVE - 12 DECEMBER 2017

Councillors Hannaford and Prowse declared interests as members of the Devon and Somerset Fire and Rescue Authority.

The minutes of the Executive of 12 December 2017 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of Minute 109 (Members' Allowances 2018/21), Councillor Denham stated the importance of responding to recent, negative media coverage on the issue. The matter of Members' Allowances was one which often engendered emotive but uninformed comments which failed to accurately reflect the reality of public service. In general, Councillors were hard working, committed to their communities and with growing workloads. Many made significant career and family sacrifices to commit to public service and such competing demands often discouraged people from becoming Councillors. Difficulties in becoming a Councillor, especially in times of austerity, impacted on the makeup of Councils and had led to an under representation from certain groups such as younger people, single parents and minority groups.

The majority of Members supported these views, commenting on an over concentration of older and/or retired Members in some Councils and referring to some Members who lost out financially because of their Council commitments. Many Members expressed the view that an independent body rather than Council's should set the level of allowances. The general low level of Councillor remuneration was considered a barrier to civic participation and it was also noted that the proposed allowance for Exeter was low compared to other Councils.

Some Members stated that they could not support the recommendations of the Panel, one Member stating that, whilst sympathetic to the views expressed he was unable to support the suggested increase because of the low level of pay increases proposed for council employees; another commenting that it was inappropriate for the Council to set its own level; with others referring to the disproportionate increase compared with other authorities.

The Leader moved the recommendation of the Independent Remuneration Panel and it was seconded.

RESOLVED that:-

- (1) the basic structure and principles of the current Members' Allowances scheme be retained for 2018/19;
- (2) the principle be set that Special Responsibility Allowances be paid to no more than 50% of the overall number of councillors;
- (3) the principle that any Member qualifying for more than one Special Responsibility Allowance is paid the higher allowance only, should be retained, including, and if appropriate, for the Chair of the HRA Management Board (as per recommendation (11) below) if they are an elected Member;
- (4) the Councillors' Basic and Special Responsibility Allowances including the Lord Mayor and Deputy Lord Mayor's Expenses Allowances, should be linked to the average allowance per resident, in the agreed comparator group of authorities, with this figure being set at £1.87 per resident for the three year period of 2018/19 – 2020/21;
- (5) that, as a consequence of (4) above, the basic allowance for 2018/19 be set at £5,400 per annum (an increase of £350), with this sum being increased by a further £350 per annum in the 2019/20 and 2020/21 financial years (to £5,750 and £6,100 respectively);
- (6) that an additional Special Responsibility Allowance be paid to each Member Champion, with this being set at one quarter of a basic allowance (£1,350 in 2018/19), with such an allowance only payable during the life span of the particular task, and would be pro-rata for part-yearly terms;
- (7) Travel and Subsistence allowances available for staff continue to apply to Exeter City Councillors, where appropriate;
- (8) the current Dependants' Carers' Allowance scheme be maintained, with the continuation of the level of allowance matching the Living Wage of £8.44 per hour or part of (retaining the uplift of the standard rate of income tax to £10.13);
- (9) the sum of £50 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;
- (10) in respect of the Performance Scrutiny Panel, a sum equivalent to £10 per meeting be paid to each Member (this to be funded from the Housing Revenue Account); and
- (11) in respect of the proposed Housing Revenue Account Management Board:-
 - a) the principle of an allowance being paid to each Independent Member of the Board be agreed;
 - b) the principle of a Special Responsibility Allowance for the Chair of the Board be agreed;
 - c) the exact amounts for these allowances be considered and agreed by the Council's Independent Remuneration Panel on Members' Allowances, once the position of the Management Board within the Council's governance arrangements is agreed; and

- d) any payments made as a consequence of (a) and (b) above be funded from the Housing Revenue Account

In accordance with Standing Order 27(1), a named vote on the recommendation was called for, and the voting recorded as follows:

Voting for:

Councillors Bialyk, Branston, Brimble, Denham, Edwards, Foale, Foggin, Hannaford, Harvey, Lyons, Mitchell, Morse, Owen, Packham, Pearson, the Lord Mayor, Sheldon, Sills, Sutton, Vizard M, Vizard N and Warwick.

(22 Members)

Against:

Councillors Holland, Leadbetter, Musgrave, Newby, Prowse and Thompson.

(6 Members)

Abstain:

Councillors Henson, D. and Mrs Henson.

(2 Members)

Absent:

Councillors Ashwood, Baldwin, Gottschalk, the Deputy Lord Mayor, Keen, Lamb, Morris, Wardle and Wood.

(9 Members)

In respect of Minute 119 (Freedom of the City), the Leader reiterated the Council's indebtedness to the emergency services and to the appreciation of their work in protecting and supporting the Citizens of Exeter. It was not however considered appropriate for the Freedom of the City to be granted to these bodies as their areas of responsibilities were not limited to the City but covered Devon and neighbouring Counties. The criteria for Freedom of the City status would, however, be reviewed.

The Leader moved that it was not appropriate for the Council to offer the Freedom of the City to the Devon and Cornwall Constabulary, the Devon and Somerset Fire and Rescue Service, and the South West Ambulance Service Trust, this was seconded by Councillor Sutton.

The motion was put to the vote and carried.

RESOLVED that to offer the Freedom of the City to the Devon and Cornwall Constabulary, the Devon and Somerset Fire and Rescue Service, and the South West Ambulance Service Trust was not the appropriate way forward.

In respect of Min. No 120 (Cowick Barton Tennis Court Refurbishment) and in response to a Member, the Portfolio Holder for Place advised that a strategic approach was being adopted to upgrade play facilities across the City. The Portfolio Holder for Health and Wellbeing, Communities and Sport also commented that avenues of funding from national bodies to help fund improvements to sports and

recreational facilities were investigated. Members welcomed the improvements to this well used community facility.

RESOLVED that the minutes of Executive held on 12 December 2017 be received and, where appropriate, adopted.

79

COMMITTEE MEMBERSHIP

The Leader, seconded by Councillor Sutton, moved the following changes to appointments to Committees and Outside Bodies.

RESOLVED that the following appointments be agreed:-

Licensing

Councillor M. Vizard

Councillor Owen to be appointed Chair

Planning Committee

Councillor M. Vizard

Planning Member Working Group

Councillor Denham to replace Councillor Morse

Outside Bodies

St Sidwell's Parish Lands and Other Charities

Councillor M. Vizard.

80

NOTICE OF MOTION BY COUNCILLOR BIALYK UNDER STANDING ORDER NO. 6

Councillor Bialyk, seconded by Councillor Prowse, moved a Motion in the following terms:-

Exeter City Council continues to support the City's Fairtrade Town status, and regrets the decision of J. Sainsbury to withdraw from active support of Fairtrade and the internationally recognised Fairtrade Mark system, by setting up their own scheme for "fairly traded" tea. This, we and many concerned with Fairtrade believe, would remove the ability of tea producers to determine their own business and community preferences via the Fairtrade Premium, and would undermine the secure pricing structure.

Councillor Bialyk explained that Sainsbury's had introduced a pilot scheme in its stores branded "Fairly Traded" which, although similar to Fair Trade, was not considered to be as great a benefit to those farmers overseas producing tea. Fair Trade produce was still available in its stores but at a premium which it was believed undermined the concept behind the original scheme. He also urged Members to participate in Fair Trade fortnight in February 2018.

All Members fully supported this motion.

The Notice of Motion was put to the vote and carried unanimously.

**NOTICE OF MOTION BY COUNCILLOR SHELDON UNDER STANDING ORDER
NO. 6**

Councillor Mitchell declared a prejudicial interest as an employee of the National Health Services (NHS) and left the meeting during discussion of the item.

Councillor Sheldon, seconded by Councillor Packham, moved a Motion in the following terms:-

This Council calls on the Government to end the pay cap for all public sector workers. We also call on the Government to fully fund pay rises for all public sector workers and not pass on the cost to Local Government and other public sector employers.

Finally, we call for an end to Government interference in bargaining arrangements for all public sector pay.

In presenting the Notice of Motion, Councillor Sheldon referred to a number of national studies which had shown that the last seven years had witnessed cuts in real pay and a lowering of standards of living and that this could be attributed largely to the Government freeze on public sector pay allied to the impact of inflation. He believed that a pay increase for public sector workers would be of overall benefit to the economy and he called for an end to Government interference in the negotiating process. He referred to the role of Unions and Pay Review Bodies in the process, regretting the apparent lack of true independence of the latter.

Councillor Sutton referred to her personal experience of the public sector within the health service and to the exceptional high standards of commitment and professionalism she had witnessed. She felt that the work of health personnel was undervalued as reflected in their pay levels and was concerned that many might look to change careers for more lucrative work.

Other Members referred to the continuing concerns over the impact of austerity measures which had also been expressed on a cross party basis, one Member suggesting that these had continued for too long and had diverged from the original intention of a short, sharp remedy. He was not convinced however that successive Governments could resist influencing the negotiating process whether at a local or national level.

Employees within the public sector were experiencing hardship on a daily basis reflecting in some undertaking additional part time employment to supplement their incomes, others with inadequate accommodation and, in some cases, nurses resorting to food banks to achieve a basic standard of living.

The Notice of Motion was put to the vote and carried unanimously.

In accordance with Standing Order 27(1), a named vote on the recommendation was called for, and the voting recorded as follows:

Voting for:

Councillors Bialyk, Branston, Brimble, Denham, Edwards, Foale, Foggin, Hannaford, Harvey, D. Henson, Mrs Henson, Holland, Leadbetter, Lyons, Morse, Musgrave, Newby, Owen, Packham, Pearson, the Lord Mayor, Sheldon, Sills, Sutton, Thompson, Vizard M, Vizard N and Warwick.

(28 Members)

Absent:

Councillors Ashwood, Baldwin, Gottschalk, the Deputy Lord Mayor, Keen, Lamb, Morris, Wardle and Wood.

(9 Members)

Councillors Mitchell and Prowse declared prejudicial interests.

(2 Members)

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

In accordance with Standing Order No. 8, the following questions were put by Councillor Prowse to the Leader.

Exeter Boot Sale

The Exeter boot sale is an event that is part of the fabric of this City. Recent visits confirm that it is suffering poor patronage.

What does the Leader suggest to rejuvenate this weekly event?

Is the Leader able to confirm that there are sufficient charities that still wish to perform marshalling duties given the drop in income that they now benefit.

If the Leader is unable to propose any impetus is it not time to given the event to a franchise on an experimental basis?

RESOLVED that the questions be referred to Place Scrutiny Committee.

83 **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 the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of the Act.

84 **PYRAMIDS POOL AND LEISURE FACILITY**

The Leader stated that an urgent decision was required in order to take immediate action to allocate funds to undertake vital remedial works to the Pyramids Pool and Leisure Centre to ensure that it would be suitable for use up to the proposed closure in 2020/21.

The Portfolio Holder for Health and Wellbeing, Communities and Sport reported that, without urgent investment in the mechanical and electrical systems, and some improvements in building fabrics and finishes, the facility could become unfit for purpose in relation to operational safety and environmental health. A breakdown in any component, or a further deterioration in the fabric resulting from poor performance of the mechanical systems, could render the building unsafe. This would result in unplanned closure of the facility prior to the planned timeframe of 2020/21.

The Portfolio Holder undertook to arrange site visits for Members to both the Pyramids and Riverside Leisure Centres.

RESOLVED that:-

- (1) a funding provision of up to £950,000 for essential works to the Pyramids Leisure Centre to ensure that the general standards of operational safety, environmental health and customer privacy and comfort are achieved for the remainder of the lifetime of the facility; and
- (2) a detailed report on the exact nature of the essential works to be carried out and options for discretionary elements of building and fabric finishes be presented to Executive for approval.

(The meeting commenced at 6.00 pm and closed at 8.30 pm)

Chair