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**Date 8 December 2017**

Dear Member

**Council – 13 December 2017**

I am now able to enclose, for consideration at the next meeting of the **Council**, the following reports that were unavailable when the agenda was printed.

**Minutes of the Scrutiny Committee held on 4 December 2017.**

Yours sincerely

**S Gabriel**  
**Member Services Manager**

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# Public Document Pack Agenda Item 7

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 4 December 2017 at 2.15 pm

### **Present**

#### **Councillors**

F J Rosamond (Chairman)  
Mrs H Bainbridge, Mrs F J Colthorpe,  
Mrs C P Daw, Mrs G Doe, T G Hughes,  
Mrs B M Hull, F W Letch, Mrs J Roach,  
T W Snow, N A Way and A Bush

### **Also Present**

#### **Councillor(s)**

C R Slade, Mrs M E Squires and R L Stanley

### **Also Present**

#### **Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Director of Finance, Assets and Resources), Jill May (Director of Corporate Affairs and Business Transformation), Maria De Leburne (Solicitor), Andrew Busby (Group Manager for Corporate Property and Commercial Assets), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Kevin Swift (Public Health Officer) and Julia Stuckey (Member Services Officer)

## 85 **APOLOGIES AND SUBSTITUTE MEMBERS**

There were no apologies given.

## 86 **PUBLIC QUESTION TIME**

There were no questions from the public in attendance.

## 87 **MINUTES OF THE PREVIOUS MEETING**

Subject to an additional bullet point to read “concerns were expressed regarding transit sites being used by long term users and not being available to travellers” within Minute 80, the Minutes of the previous meeting were approved as a correct record and **SIGNED** by the Chairman.

## 88 **MEMBER FORUM**

Cllr T W Snow raised concern regarding the recent news that the last remaining bank in Cullompton was to close. He stated that this was very serious as far as Cullompton was concerned. There was increased housing, increased industry and a proposed train station but there would be no bank. He added his concerns regarding older people that wouldn't be able to visit a bank and the issue of charities that often needed two signatures, meaning two people would have to visit Tiverton. He said that this was devaluing the area. Cllr Snow said that the banks would claim it was a commercial decision but he stated that Lloyds bank was state owned so they could

not use that excuse as it was owned by the public. He asked that the Council send a strongly worded letter to the bank and to the local MP's to ask them to look into this keeping the one bank open.

Discussion took place regarding:

- The NatWest in Crediton had recently announced it was closing and there were rumours that Lloyds Bank was also closing;
- State ownership of banks was discussed;
- The number of customers that used on line banking facilities;
- The Garden Village and the additional population that this would bring.

It was **RESOLVED** that the Committee write a strongly worded letter to Lloyds Bank and to the local MP's regarding the closures. Cllr Snow asked that the requirement for charities to have two signatories be highlighted within the letter. It was **AGREED** that the Chief Executive also be asked to send a letter.

Cllr Mrs H Bainbridge asked if it would be possible to have a vending machine in the foyer of Phoenix House which could generate income and also be useful to Members when meetings went on for a long time. The Group Manager for Corporate Property and Commercial Assets explained that vending machines had previously been removed from the building due to lack of use. The officer was asked to look into the matter again.

## 89 **DECISIONS OF THE CABINET**

The Committee **NOTED** that none of the decisions made by the Cabinet at its last meeting had been called in.

## 90 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed Members that along with Cllr R J Chesterton and the Head of Planning, Economy and Regeneration he had attended a very useful meeting at the Houses of Parliament with the Housing Minister Mr Sharma. He informed the Committee that opportunity had been given to raise all of the points that they wanted and that the MP Mel Stride had been very helpful. A report regarding the visit would be emailed to all Members of the Committee.

## 91 **ASSETS**

The Committee had before it and **NOTED** a report \* from the Director of Finance, Assets and Resources regarding disposal of assets. The report had been requested by the Committee at its meeting in October.

The Group Manager for Corporate Property and Commercial Assets outlined the contents of the report and responded to questions that had been received from Cllr Mrs N Woollatt in advance of the meeting.

1. In Paragraphs 1.4 and 3.2 consultation with Ward Members is mentioned. Can I have clarification on exactly what is meant by consultation, i.e. is consultation prior to the decision to purchase or sell being made seeking views as to whether the case is appropriate or necessary from a local perspective or is it seeking a view after the decision has been made by CSAG?

The officer explained that, as per the report, in cases where there was no commercial interest Members would be consulted accordingly. He further explained that when public open space land was disposed of it had to be advertised in the local paper for two weeks, following set procedures. If objections were received the matter would be referred back to the Capital Strategy Asset Group (CSAG). An example given was a play area in Willand for which Members were notified regarding the transfer. This had been a lease transaction but the same procedures applied.

2. The procedure does not address 'Transfer' of assets merely disposal. I am concerned specifically regarding transfer of assets to our SPV, Three Rivers Development. Would a Ward Member be notified and consulted if a 'transfer' was being considered?

The officer explained that the same procedure had to be undertaken for a transfer as for a sale. Regulations dictated that Three Rivers had to pay market value for land in order that they were not in receipt of state aid. Any profit from Three Rivers would go back into front line services.

Discussion took place regarding:

- The weight given to generating income versus building houses and the fact that each piece of land was looked at on an individual basis with an independent valuation taken out. CSAG would make decisions based on that. Depot sites which had been sold were unsuitable for housing and this had been established prior to sale of the land. Every disposal was assessed on its own merits.
- Whether or not the notes from CSAG meetings were confidential, whether local ward members had the opportunity to make representation and whether or not the group was politically balanced;
- The requirement for marketing when appropriate;
- The perceived differences in procedures followed during sales of public toilets at Silverton, Tiverton Town Hall and Crediton Town Hall and the need for fairness;
- The benefit of consulting with the community regarding the sale of assets;
- The need for reports to CSAG to take equality and community impact into consideration;
- Valuations were undertaken by an independent valuer;
- For a transaction to occur there had to be a willing seller and a willing buyer;

- Assets from original borough councils which had been gifted to the District Council were now being sold to Town and Parish Councils.
- The need for consistency and the fact that a commercial valuation from an independent party was obtained prior to any negotiations. The buyer always had the opportunity not to buy and circumstances were unique to each deal;
- Officers should obtain the maximum amount for sales of assets.

- Notes-
- i) Report \* previously circulated and attached to the Minutes.
  - ii) Cllr Mrs J Roach declared a personal interest as she was involved with Room4U at Silverton.
  - iii) A proposal put forward by Cllr Mrs Roach that given the different approaches taken with past transactions the Council review those transactions and justify what had happened was not supported.

## 92 MEETING MANAGEMENT

The Chairman indicated that he intended to take item 10 on the agenda prior to item 8.

## 93 PERFORMANCE AND RISK 01:00:00

The Committee had before it and **NOTED** a report \* from the Group Manager for Performance, Governance and Data Security providing Members with an update on performance against the Corporate Plan and local service targets for 2017-18 as well as providing an update on the key business risks.

The officer outlined the contents of the report explaining that mechanical sweepings had not been composted for a couple of months in quarters 1 & 2 which resulted in a lower recycling percentage. These sweepings were now being composted again. The Empty Homes team had brought 43 empty homes back in to use against a target of 25 and new businesses were moving into the District.

Discussion took place regarding:

- A request for recycling tonnage to be presented in weight as well as a percentage;
- A request that the number of complaints be shown in numbers as well as a percentage;
- The level of long term sickness;
- An aging population and a need to provide appropriate accommodation for them.

Note: - Report \* previously circulated and attached to Minutes.

## 94 CABINET MEMBER FOR COMMUNITY WELL BEING 01:12:17

The Committee had before it a report \* from the Cabinet Member updating it regarding areas covered by his remit.

The Cabinet Member outlined the contents of the report informing the Committee that the resident's survey was now on line and that it asked residents what they thought the Authority did well and not so well. The Chief Executive explained that the survey had been based on the Local Government Association (LGA) place based survey in order that it could be used for benchmarking. The survey had been set up so that it could only be completed once per IP address.

The Cabinet Member outlined General Data Protection Regulations (GDPR), explaining that all Members should be aware of this and that as data holders they needed to ensure they were complying or they could be faced with a fine.

An appointment had been made for a new Communications & Engagement Manager, with the new post being filled in January.

The Chairman indicated that he considered the report to be technical and not showing ambitions or successes. The Cabinet Member explained that successes were within the report and that he had tried to keep it as statistic free as possible. He explained that it was difficult to compare or benchmark with other local authorities as portfolios varied so much.

Discussion took place regarding:

- The number of digital transactions had increased;
- The possibility of reducing hours of front line service at Phoenix House;
- The roll out of Universal Credit and the impact this could have on services;
- There had been a good response to summer initiatives at the Leisure Centres and a new incentive was currently running in the build up to the extension opening at Exe Valley.
- Food hygiene performance continued to improve.

Note: - Report \* previously circulated and attached to Minutes.

## 95 CONSULTATION WORKING GROUP

The Committee had before it and **NOTED** a report \* from the Consultation Working Group.

The Chairman commended the Group for their interesting and full report and for the amount of work that they had put in.

The Members of the Group informed the Committee that the main difference that they had noticed in the three towns was attitude. They felt that people in Cullompton and Cullompton seemed happier than those in Tiverton. They queried why this was.

The main complaint that they had received was that action had not been taken when a member of the public had made a complaint or report. The Chief Executive explained that he considered that an area of failing was in responding to these reports. Often a decision had been made but the complainant had not been updated.

The Chief Executive informed the Committee that he agreed with the findings of the report and stated that there were a number of complex issues that needed addressing. Cullompton would see real benefit when the bypass around the town centre was in place given that so many of the issues relate to the impact of heavy traffic through the town. Crediton appeared to have a generally more positive disposition, and he shared the frustration of members that locally-expressed sentiment in Tiverton tended to be more negative about their town.

The Mayor of Crediton said that he felt Crediton was smaller and therefore people knew each other better, that there were a lot of community groups, lots of local events, a flourishing arts centre and positive support from the local press.

It was proposed that District Councillors offer to attend Town and Parish Meetings to allow an opportunity for questions. The Chief Executive pointed out that this was a matter for the Town and Parish Councils to decide, that the Chairman was undertaking visits and that he himself had attended and taken questions at Town and Parish Councils when asked to attend. The Chief Executive offered to find out if there was an appetite for this.

Discussion took place regarding:

- Concerns that the public had little understanding of which local council was responsible for different areas;
- Several new shops had recently opened in Tiverton;
- The recent craft market had been successful and the opportunity to build on this.

It was **AGREED** that staff should be made aware of the report.

It was **AGREED** that all Members should receive a copy of the report.

It was **RESOLVED** that:

The Group were very impressed by the general upbeat atmosphere in Crediton when compared to the other two main towns and **RECOMMENDED** that the Economic Development Team and Economy Policy Development Group explore further what might be causing this difference.

The Group found that in all three towns car parking costs were high on the agenda. Noticeably in Crediton, where there was considered to be more on offer, people did not object to the charges. It was **RECOMMENDED** that the Economy Policy Development Group consider making parking charges relevant to the offering in the area.



(Proposed by Cllr Mrs J Roach and seconded by Cllr F J Rosamond)

Note: Report \* previously circulated and attached to Minutes.

#### 96 **FORWARD PLAN 01.59.53**

The Committee had before it and **NOTED** the Cabinet Forward Plan \*.

Discussion took place regarding the Tiverton Town Centre Masterplan and the Chairman informed Members that they would receive a report at the next meeting regarding this.

Discussion also took place regarding the Town Centre Manager post which had been removed from the establishment and the success of Crediton Farmers Market when compared to Tiverton Pannier Market.

Questions were raised regarding funding for the item Land for Affordable Housing and the Chief Executive explained that this information would be within the report.

Note: - Forward Plan \* previously circulated and attached to Minutes.

#### 97 **THE IMPACT OF HOUSING DEVELOPMENT ON THE NHS**

The Committee discussed the impact of development in Mid Devon on the Royal Devon and Exeter Hospital at Wonford, in particular winter pressures.

Cllr Mrs J Roach had raised the matter and she explained that her concern was based on the amount of development taking place along with the numbers of new homes in the area and how this would impact on a hospital that could be on code red or code black for winter pressures. She questioned whether the New Homes Bonus should be put towards this.

Cllr N A Way, who was a Member for the Health and Scrutiny Committee at Devon County Council, explained that the CCG had attended a recent meeting there, as well as NHS Property Services who had been asked to explain what they were doing with buildings that they had closed.

Discussion took place on how to proceed with this matter.

It was **RESOLVED** that the Scrutiny Officer be asked to put together a report containing information that was available, to include clinical issues/demand, influence over GP provision, pressures on A and E and alternatives that were available such as the new pharmacy first campaign, in order that Members were fully informed, prior to inviting attendance at a meeting.

(Proposed by the Chairman)

#### 98 **ITEMS FOR FUTURE MEETINGS**

This matter had been discussed at the previous item.

99 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Universal Credit  
Draft Budget  
Performance and Risk  
Scrutiny Officer update  
Tiverton Masterplan

(The meeting ended at 4.38 pm)

**CHAIRMAN**