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**20 August 2020**

Dear Member

**Council – 26 August 2020**

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.

**The Scrutiny Committee minutes from the meeting of 17 August 2020**

Yours sincerely

**Sally Gabriel**  
**Member Services Manager**

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## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 17 August 2020 at 2.15 pm

### **Present**

#### **Councillors**

F W Letch (Chairman)  
W Burke, R J Chesterton, L J Cruwys,  
Mrs C P Daw, J M Downes, R Evans,  
B Holdman, B A Moore, R L Stanley,  
B G J Warren and A Wilce

### **Also Present**

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

R M Deed, G Barnell and R J Dolley

### **Also Present**

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

Stephen Walford (Chief Executive), Jenny Clifford (Head of Planning, Economy and Regeneration), Jill May (Director of Corporate Affairs and Business Transformation), Matthew Page (Group Manager for Human Resources), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Maria De Leiburne (Legal Services Team Leader), Clare Robathan (Scrutiny Officer) and Carole Oliphant (Member Services Officer)

## 58 **REMOTE MEETING PROTOCOL (00.03.54)**

The Committee had before it, and **NOTED**, the \*Virtual Meeting Protocol.

Note: \*Virtual Meeting Protocol previously circulated and attached to the minutes

## 59 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00.04.00)**

Members were reminded to make declarations of interest when appropriate

## 60 **PUBLIC QUESTION TIME (00.04.09)**

There were no members of the public present.

## 61 **APOLOGIES AND SUBSTITUTE MEMBERS (00.04.22)**

There were no apologies or substitute Members

## 62 **MEMBER FORUM (00.04.27)**

There were no issues raised under this item.

## 63 **MINUTES OF THE PREVIOUS MEETING (00.04.40)**

The minutes of the last meeting held on 20<sup>th</sup> July 2020 were approved as a correct record.

64 **DECISIONS OF THE CABINET (00.08.21)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 6<sup>th</sup> August 2020 had been called in.

65 **CHAIRMAN'S ANNOUNCEMENTS (00.08.39)**

The Chairman had no announcements to make.

66 **WHISTLEBLOWING 6 MONTH UPDATE (00.08.46)**

The Group Manager for Performance, Governance and Data Security advised the Committee that no Whistleblowing matters had been raised during the previous six months. She explained that the Whistleblowing Policy was due for review in March 2021 and she welcomed any comments or feedback from Members on any changes required.

67 **ESTABLISHMENT 6 MONTH UPDATE (00.09.42)**

The Committee had before it, and **NOTED**, a \*report from the Group Manager for Human Resources giving an update on the Establishment during the Covid 19 pandemic.

He explained that sickness levels were down compared to the same period the previous year and were now under a 6 day average in the current year if the first quarter results were replicated across the year (the Group Manager stressed that the first two quarters often yielded better results than the last two quarters due to the autumn and winter periods). He stated that the establishment had risen by 12.26 due to agency posts being removed and these becoming embedded in the establishment of critical services.

He further explained that there had been issues with turnover which centred around previous conduct and performance issues with individuals which had been addressed and that experienced staff were being head hunted by other authorities.

He provided further detail on the effect of the Covid 19 pandemic and confirmed that 40% of the workforce had been working from home, 30% had been working on site and a further 20% had been initially furloughed. The Council had made full use of the Government's furlough scheme and there had been no reported positive cases within the workforce to date.

The Officer explained that staff had been surveyed and had provided a lot of positive feedback about working from home and the Council was looking into providing additional support for staff who wanted to continue with the arrangement in the future. He explained that more regular 1-2-1's and manager supervision would be required.

In response to a question asked, the Group Manager for Human Resources explained that a Reasonable Adjustments Policy was being developed which would assist with the recruitment and retention of disabled staff. He also explained that the Council was very much a champion for attracting and retaining staff with disabilities.

The Chief Executive, responding to a question about his welfare, explained that he had access to a range of internal and external support and that the Leadership Team were very supportive of each other. He confirmed that the support mechanisms available to staff and Members was also available to him if required.

There was a general discussion with regard to the sickness policy launched in February 2020 and Members agreed that Managers needed to become more confident in applying the policy.

Consideration was given to:

- The amount of unlogged hours staff were completing working from home
- The reasons for agency costs in the Waste Management Service
- That Members felt that staff had coped exceptionally well with the recent crisis

Note: \*report previously circulated and attached to the minutes

## 68 **PERFORMANCE AND RISK (00.36.45)**

The Committee had before it, and **NOTED**, the \*Performance and Risk report presented by the Group Manager for Performance, Governance and Data Security.

She outlined the contents of the report and explained that this was the first report presented to the Committee against the new corporate plan. She explained that sustainability was now firmly incorporated within the corporate plan.

In response to a question asked about gas service compliance, she explained that there were currently 25 gas inspections outstanding. That staff had been working closely with tenants to get the gas services completed but many had been shielding and it had not been possible.

There was a general discussion with regard to the regeneration of Tiverton Town Centre and Members questioned what was in the pipeline. The Head of Planning, Economy and Regeneration explained that the Cabinet had recently considered a report on progress with the town centre masterplan including locations for projects and that a draft plan for public consultation was due to be considered by Cabinet by the end of the year. She explained that the Council was aware of the need to identify and implement quick wins which could make a meaningful change.

The Cabinet Member for Planning, Economy and Regeneration explained that he was setting up a Tiverton forum with members of the Town Council to help inform this work and that further financial assistance was expected from Central Government which could provide bid opportunities.

The Head of Planning, Economy and Regeneration acknowledged Members concerns with the amount of empty shops in the three towns. She explained that there were real links with the work to reopen the high streets safely for which Government funding had been received. She stated that a lot of work had been undertaken and many initiatives had been implemented in a short time frame and that there was a live action plan for further phases.

Members requested an update on the status of the Cinema site in Tiverton which had previously been identified for potential expansion and enhancement

Note: \*report previously circulated and attached to the minutes

## 69 **S106 GOVERNANCE (00.54.10)**

The Committee had before it, and **NOTED**, a \*report from the Head of Planning, Economy and Regeneration providing an update on the proposed S106 Agreements Governance and Financial Contribution arrangements.

The Head of Planning, Economy and Regeneration explained that the Committee had before it a briefing note and the latest draft of the S106 Governance arrangements which was due to be presented to the Cabinet. She explained that the Planning Policy Advisory Group had provided input to the proposed scheme and invited comments from Members of the Scrutiny Committee which would be included in the final Cabinet report.

The Officer explained the difference between S106 funding and Community Infrastructure Levy (CIL) which both were both types of developer contributions. The Community Infrastructure Levy had not yet been introduced in Mid Devon. She explained that prior to 2015, the Local Planning Authority could take generic contributions but they now had to be more specific at time of negotiation. She further explained that the Local Plan Review had been approved and that the Government had recently indicated an intention to reform developer contributions including S106 requirements.

Members discussed the revised governance and funding proposals and provided the following comments:

- That Members were not provided with details of legacy S106 monies or how this could be accessed
- There was not enough information available to the public on who could apply for S106 funding and what could be applied for
- That Ward Members were not involved with the initial negotiations with developers and had no insight of what was being proposed
- That the publication of public information by year end was not an acceptable timeframe
- The information supplied to Town and Parish Councils was not acceptable and training on the new arrangements must be provided
- There was not enough transparency of accountability

Note: \*report previously circulated and attached to the minutes

## 70 **FORWARD PLAN (01.38.05)**

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

Note: \*Forward Plan previously circulated and attached to the minutes

## 71 **SCRUTINY OFFICER UPDATE (01.38.24)**

The Scrutiny Officer informed Members that the Cabinet had accepted all the recommendations proposed by the Customer Experience Working Group and that the Group would reconvene in six months to scrutinise the outcomes.

## 72 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (01.39.41)**

The following items were identified:

- A proposal for a Working Group to investigate the quality and quantity of Council reports and to agree membership of the Working Group if approved by Committee
- Update required on additional funding for the self-help guides for service users of the Devon Sexual Abuse and Rape Crisis Support Services from the Group Manager for Public Health and Regulatory Services
- Update required on the plans for the Cinema site in Tiverton as part of the revised Tiverton Town Centre masterplan from the Head of Planning, Economy and Regeneration
- A report required on the percentage and number of planning enforcement cases pursued by the Council and the outcomes of these from the Head of Planning, Economy and Regeneration
- A report required on the enforcement activities completed by the Street Scene service and an update on progress of contracted out enforcement (due in October) from the Group Manager for Street Scene and Open Spaces

(The meeting ended at 4.06 pm)

**CHAIRMAN**

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