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Written Responses from the Leader to questions raised in Public Question Time

Rosie Wibberley referring to Item 7 (Governance Arrangements) on the agenda stated that: *the current system of a Cabinet, with a leader who can appoint councillors he knows will agree with him, appears to be a reflection of central government. Whilst this system may be effective in reducing decision making times, this is primarily due to the lack of appropriate debate, and the subsequent scrutiny of these decisions seems to be a case of shutting the stable door after the horse has bolted, especially as the reports by this committee can then be ignored. With the current cabinet containing a majority of councillors from a political party that does not have a majority on full council, my question is "do the members of this council believe that the Cabinet offers a fair and accurate representation of their views and is therefore a democratic reflection of the electorate, or is 'efficiency' more important than democracy?"*

The Country does not operate a proportional representation system of democratic government at national nor local level. Cabinet business/decisions are routinely in response to the work of Policy Development Groups and other Committees. Whether MDDC operates under a Strong Leader and Cabinet system or a Committee system, the decision of Full Council is the final arbiter. Full Council, having considered the report of the Governance Working Group voted to keep the present Strong Leader Governance model with a rider for increased involvement of the PDGs in Council business. In all democratic societies, irrespective of the voting pattern on any issue, a decision made by a majority vote is to be accepted. Any other response would be considered undemocratic.

Honorary Alderman Nation again referring to Item 7 on the agenda stated that: *My question is addressed to the Leader of the Council. For almost 2 years this Council has dragged its feet carrying out a review of its system of governance in almost complete secrecy. Only once have the public had an opportunity to comment – 6 people sent in written submissions and 5 attended a Zoom session with two members of the Working Group, and others, but with several other councillors having been told they could not participate.*

The review has taken just over a year notwithstanding unexpected Covid 19 impacts. You will appreciate that when Members oscillate between "it's taking too long to come up with an answer we want" and "it's going too fast towards a decision we don't want" there are bound to be tensions. The Working Group sought and was granted, by Full Council, an extension of three months in its deliberations - I do not consider that decision to be undemocratic. The Working Group operated in line with standard practice across the nation for such Working Groups to allow a safe space for candid discussion.

A session for the Public was held and more would have been organised had there been significant interest. Parish Councils were written to, as were business groups. Social media was used to advertise the event. Letters were sent to local newspapers. The sum total of the response to have their say was five. However, those five provided extensive comment and a verbatim record of what they said was available to all Members. No criticism was raised by Members to that consultation. You are, of course, entitled to your view but I do not concur with your assertion that the Working Group dragged its feet, nor that the review was conducted in complete secrecy. Reports were publicly provided to Full Council, from September 2020, when Cllr Andrew Moore took over the Chair of the Working Group, after the initial Chair resigned.

Due to my having made FOI requests to see the minutes of the 8 working group meetings which took place in secret, I have them but they have still not been put in the public domain. The draft minutes of the last working group meeting, 2 March, show how the working group was still so confused that they couldn't make up their minds whether to recommend the status quo or scrubbing the PDGs in favour of 2 Overview and Scrutiny committees. In both options the present Strong Leader and Cabinet system would continue.

The Working Group was not confused - it was working through a number of options. The Working Group actively debated options, at different times, as new information emerged. That reflected an open minded attitude to determining the best recommendation to place before Full Council.

Is the Leader aware how unhappy the people of Mid Devon will feel about the failure, after 2 years, to address their concerns about the undemocratic and exclusive manner in which this Council is run and does he feel that sufficient has been done to involve the public in a debate about the system of governance and options to change this?

The Leader is very aware of the dissatisfaction of some people of Mid Devon, to a decision made regarding a property in Crediton, more than two years ago, which appears to be the basis for the request for a change in the Governance of Mid Devon. It is accepted that the decision was legal although perceived to have been unfortunate given the Cabinet vote at the time. We move on, point taken and no Mid Devon Cabinet will repeat a decision in that way. However, with five respondents from the extensive request for comment I cannot see that "the people of Mid Devon" consider this to reflect the "the exclusive manner in which this Council is run" and yes, I consider we satisfied any reasonable attempt to engage with the Public on this subject.

It is unfortunate that an alliance governing with a majority in the council chamber of Mid Devon is being criticised, seemingly because those with fewer votes are unable to routinely overturn decisions they do not agree with. I am unfamiliar with the specific version of democracy where a smaller number of votes are able to overturn a larger number if they support a cause that Alderman Nation believes in but this is perhaps where we fundamentally disagree with one another. Were any party, of any colour or none, to find themselves with a majority after the next elections in May 2023, they would rightly expect not to be able to be outvoted, by a smaller number, who may have a different view. In the meantime, whatever form of Governance exists in Mid Devon, or in Crediton Town Council or in any committee anywhere, a vote of the appropriate ruling body (Full Council in Mid Devon's case) when it votes with a majority decision, that decision should be final, that is democracy. Any other approach leads to anarchy.

Mr Craythorne again referring to Item 7 on the agenda asked 2 questions:

Question 1

Slide 3 from the LGA governance workshop shows attendees' concerns about rudeness, tolerance (or lack thereof, I guess), negativity, inflexibility, disrespectfulness, and so on.

Given that without a catalyst, changes in personal behaviour are extremely difficult to bring about, does the Council recognise that it needs to put in place new structures which spread power, responsibility and accountability, enable engagement and participation in decision making, and thus help neutralise the temptation to engage in this kind of unhelpful and damaging behaviour?

It is unfortunate that some Members engage in negative behaviours. Although an important spin-off observation from the workshop, making recommendations regarding Member behaviour was not the object of the Working Group. You will be aware that, as Leader, I have recently appointed a new Cabinet position for Continuous Improvement. One reason for creating this new post is to address underlying situations that can trigger such behaviour. Rest assured that the Governance arrangements at MDDC are not related to, nor influence, the problem you highlighted.

Question 2

Slide 2 of the feedback on the LGA governance workshop shows that 'scrutiny' and 'cabinet' are the front runners in respect of those elements of governance which members want to keep. This is interpreted as a 'line in the sand' for the Governance WP to refer to.

However, in the following slide (3), 'strong leader' and 'cabinet' are identified as the two elements which members most want to change. In contrast to being taken as a 'line in the sand', this is interpreted as showing 'no strong shared opinion that the cabinet/leader model should change,' but rather that there are simply concerns about behaviours and their impact. Why have such different interpretations been drawn from these two slides; and whose interpretation is it?

As part of a 14 month deliberation by the Governance Working Group, facilitated by the Local Government Association, these two slides were just part of a wealth of information, responses, discussion and consideration, in coming to a conclusion, evidenced in the report to Full Council. Members of the Working Group, assisted as well by input from members of the Public, considered a number of options. A vote at Full Council supported the Working Groups' recommendations. That all Members abide by a majority decision by Full Council is the norm in a democracy. Any other approach would be undemocratic.

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