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## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 15 March 2021 at 2.15 pm

### **Present Councillors**

G Barnell, L J Cruwys, Mrs C P Daw,  
J M Downes, R L Stanley, B G J Warren,  
E J Berry, Mrs S Griggs, S J Penny, A Wilce  
and B Holdman

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

F W Letch

### **Also Present Councillor(s)**

R M Deed, R Evans and C R Slade

### **Also Present Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Kathryn Tebbey (Head of Legal (Monitoring Officer)), Matthew Page (Corporate Manager for People, Governance and Waste), Andrew Busby (Corporate Manager for Property, Leisure and Climate Change), Jason Ball (Climate and Sustainability Specialist), Clare Robathan (Scrutiny Officer) and Sally Gabriel (Member Services Manager)

## **185 APOLOGIES AND SUBSTITUTE MEMBERS (00-04-05)**

Apologies were received from Cllr F W Letch (who was substituted by Cllr B Holdman).

In the absence of the Chairman, the Vice Chairman took the chair.

## **186 REMOTE MEETINGS PROTOCOL (00-04-23)**

The protocol for remote meetings was NOTED.

## **187 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-04-36)**

Members were reminded of the need to make declarations of interest when appropriate.

## **188 PUBLIC QUESTION TIME (00-05-03)**

The Chairman stated that she had received an email from Mr Quinn raising a question with regard to a question he had put at the last meeting, the issue that he raised did not relate to anything on the agenda for this meeting and therefore she did not intend to read it, however she would request that a written response be provided.

#### 189 **MEMBER FORUM (00-05-48)**

Cllr A Wilce referring to Public Question Time requested that any response to Mr Quinn be attached to the minutes of this meeting.

The Head of Legal (Monitoring Officer) responded stating that she understood that an interim reply had been sent to Mr Quinn from the Chairman of the Scrutiny Committee following his questions on 1 March and, she would make sure that this was published on the website alongside the minutes of that meeting.

Cllr G Barnell made reference to the 3 Rivers Developments Limited Bampton business case and his request to the Leader to investigate the set of figures provided by a member of the public. He asked when he might expect the outcome of the investigation into the difference in figures between the planning viability and those in the business case and requested that the answer be provided to all members of the committee.

Cllr G Barnell also referred to his request for advice (and a review of that advice) from the Head of Legal (Monitoring Officer) with regard to the Cabinet's decision to approve the business plan for 3 Rivers Developments Limited on 4 February 2021. The Head of Legal (Monitoring Officer) confirmed that her advice would be circulated and published as soon as possible.

Note: Cllr R L Stanley declared a disclosable pecuniary interest at the start of this item and left the meeting during the discussion thereon as he was a remunerated Director of 3 Rivers Developments Limited.

#### 190 **MINUTES OF THE PREVIOUS MEETING (00-08-48)**

The minutes of the meeting held on 15 February 2021 were approved as a correct record.

The minutes of the meeting held on 1 March 2021 were approved as a correct record.

#### 191 **DECISIONS OF THE CABINET (00-13-13)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 4 March had been called in.

#### 192 **CHAIRMAN'S ANNOUNCEMENTS (00-13-27)**

The Vice Chairman (in the Chair) stated that the Chairman had attended the South West Overview and Scrutiny Network meeting recently where he had noted that at least one council had an Audit Scrutiny Committee.

#### 193 **CABINET MEMBER FOR ENVIRONMENT (00-14-16)**

The Committee had before it and **NOTED** a report of the Cabinet Member for the Environment providing an update on areas within his portfolio.

The Cabinet Member for the Environment was welcomed to the meeting and invited to address the committee. He then outlined the contents of the report stating that he reiterated the Leader's speech to the Council thanking all the staff for their continued hard work, dedication and diligence to deliver a valued service during these testing times. The work was appreciated and on target. He then referred to the following:

- Managing littering and fly tipping which had increased during the summer months of last year and that there would be a strategic review to reduce littering and fly tipping in the community through education and awareness, better cleaning and infrastructure and the improvement of enforcement.
- Transport issues and that the authority was now into the second year of the partnership with Specialist Fleet Services Limited to continue to provide the supply and maintenance of around 210 vehicles; this reflected good economic and climate change practices.
- Utilising the Community Payback Service and the need for members to notify the service of projects to take forward.

Consideration was given to:

- A strategic review of littering, when would this take place and in what format and who by? - work was taking place with the recycling officers to identify those who were not recycling and providing an education programme, this was work in progress.
- With regard to the proposed 3 weekly collection trial, there were concerns that savings had been shown in the budget for this project and therefore was the project being predetermined before a trial had taken place – the Cabinet Member stated that the outcome of the trial would not be pre-empted, it was proposed that the trial would commence from 21 June (if Covid restrictions allowed)
- With regard to the number of fly tipping offences and whether there were any outstanding prosecutions – a written response would be provided in the absence of the Operations Manager for Streetscene.
- Specific fly tipping of tyres in Stoodleigh and littering on the A396 and A361 and that discussions were taking place with the Highway Authority with regard to this – the Cabinet Member stated that littering issues on the highways should be reported via the DCC portal alternatively he would be happy to take this up.
- The impact of 3 weekly collections in town centres because of the lack of storage facilities – the Cabinet Member stated that this was being considered.
- The current recycling rate and whether a target of 60% was unrealistic – the 60% was a strategic target for 2025 and was work in progress.
- The recycling of small metal items – there had been problems with capacity (mainly because of the success of the WEE scheme)
- The need to reduce dog fouling – this would be progressed when the PSPO had been finalised.
- Problems with littering of cigarette ends and the need to commend the work of the street cleaners – the Cabinet Member stated that any littering in specific areas should be reported.
- Funding had been sought for dual bins in the town centres.

- Whether the free parking initiatives that had been put in place following the last lockdown and increased footfall and trade in the town – a report had been requested from the Town Centre Partnership
- The areas identified for the 3 weekly recycling trial – this was being worked up but would be urban and rural areas and would be reported to members.
- The reduction in the number of reminders sent as part of the garden waste scheme – this had been reduced to 2 rather than 3.
- The community payback scheme and whether there was any restriction on parish councils seeking to provide work for the scheme – the Cabinet Member directed the member to the officer.
- Whether the community payback scheme could be used for tree planting – landscaping had been identified as part of the scheme
- Issues with requesting to take part in the garden waste scheme – the Cabinet Member requested details and would follow this up.
- Engagement with local supermarkets with regard to recycling – the Cabinet Member was working with officers on this matter and would be writing to local supermarkets.
- Supporting local people who could not make contact with the authority's online services – assistance was available by telephone.

The Cabinet Member informed the meeting that at the previous meeting he had stated that he would report on the timescales for a costed climate change plan, he was now able to do that: the work would be undertaken by the new climate and sustainability specialist officer and that the plan would be split into work streams and by budget year end. The first report would be provided in May 2021 on the budget outturn, this would be followed by reports in July, September and December 2021 where costs to targets would be provided. Asked whether this work would include housing assets, the officer stated that each section of the work stream would be looked at in time and as much information as possible would be reported.

The Cabinet Member had also attended a meeting with regard to the analysis of the Devon Carbon Plan and a report would be circulated to members of the Environment Policy Development Group and would be shared with other members on request.

The Chairman thanked the Cabinet Member for his attendance.

Note: \*Report previously circulated, copy attached to the minutes.

#### 194 **FORWARD PLAN (00-54-29)**

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

It was requested that the Committee consider the Litter Strategy and the formation of a Teckal Company.

It was also agreed that consideration be given to the general external maintenance of shops in the town, it was felt that maybe the Community or Environment Policy Development Groups could consider this matter and provide a report to the Scrutiny Committee.

Note: \*Plan previously circulated, copy attached to minutes.

## 195 SCRUTINY OFFICER UPDATE (1-07-24)

The Scrutiny Officer provided the following update:

- The first formal meeting of the Planning Enforcement Working Group had taken place the previous week, and after a very productive discussion with the Planning Enforcement Officers, Members were considering the next steps.
- Motion 564 had tasked the Scrutiny Committee with considering and making recommendations to the Council regarding the findings of the Fawcett Report 'Does Local Government Work for Women'. The Chairman was proposing that the Committee establish a one off Working Group, like a 'Spotlight Review' where Members would spend half a day or so looking at the report, questioning officers and Members, before making recommendations to bring back to the Committee. This proposal would come to the next meeting.
- In terms of actions from the previous meetings:
  - The Committee had submitted a list of questions on the 3R Business case for the Bampton site and had received answers to those questions. The Cabinet considered the questions put by the Scrutiny Committee and had welcomed the committee's input. (from 1 March special meeting)
  - She had been tasked with providing an update on broadband, which she hoped to send out shortly
  - As requested at the 15 February meeting, the Committee had received: a reply from the Monitoring Officer to Cllr Barnell's questions regarding the Cabinet discussion of the 3R Business plan; response on questions on emergency repairs and rent collection; a response on questions with regard to properties returned to the Council and the charges associated with clearing those.
  - Honorary Alderman Nation had also received a written response to his question posed at Scrutiny Committee on 15<sup>th</sup> February 2021 and it had been added to the minutes.

## 196 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

There were no additional items other than those items identified within the work programme for the next meeting on 19 April 2021.

(The meeting ended at 3.26 pm)

**CHAIRMAN**

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Written Response to Mr Quinn who raised a question relating to figures stated in the financial appraisal assessed by the Planning Committee and those figures supplied within the subsequent business case for the 3 Rivers Development Limited site at Bampton. The issue that he raised did not relate to anything on the agenda for this meeting and therefore it was not read out, but the Chairman did state that a response would be provided.

*The financial appraisal assessed by the Planning Committee used to determine whether an off-site affordable housing contribution could be made and the subsequent business case provided to Cabinet for consideration are for different purposes and therefore in reality may not have exactly the same view on some costs and/or revenues.*

*I can confirm that your question was given an explanation by the Company at this Committee meeting and was subject to further questions from the members in attendance. These questions and the discussion held thereafter relate to part 2 exempt information due to their commercial sensitivity. I can confirm that the Scrutiny Committee then forwarded a number of questions on to the subsequent Cabinet meeting that were considered and assisted in the ultimate decision that was made.*

*As members decided to hold all discussions on the Company's business case, both at Scrutiny and at Cabinet, in part 2, I am unable to provide you with any additional information/explanation.*

A question raised in the meeting by a Member of the Committee with regard to the number of fly tipping offences and whether there were any outstanding prosecutions – a written response was requested:

*There have been 622 incidents of fly tipping to date in 20/21 compared with 466 during 19/20.*

*There is one outstanding matter regarding enforcement being handled by the legal team.*

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