

# Public Document Pack

**Mid Devon District Council**

## **Scrutiny Committee**

**Monday, 4 May 2020 at 2.30 pm**  
**This meeting will be held remotely**

**Next ordinary meeting**  
**Monday, 18 May 2020 at 2.30 pm**

Important - this meeting will be conducted and recorded by Zoom only. Please do not attend Phoenix House. The attached Protocol for Remote Meetings explains how this will work.

To join this meeting, please click the following link:

Join Zoom Meeting:

<https://zoom.us/j/93476424065?pwd=RIhjdnM1TmVJWXZrWmhxS0plenRSQT09>

Meeting ID: 934 7642 4065  
Password: 020586

One tap mobile

+442034815237,,93476424065#,,#,020586# United Kingdom

+442034815240,,93476424065#,,#,020586# United Kingdom

Dial by your location

0800 260 5801 United Kingdom Toll-free

0800 358 2817 United Kingdom Toll-free

0800 031 5717 United Kingdom Toll-free Meeting ID: 934 7642 4065

Password: 020586

## **Membership**

Cllr F W Letch  
Cllr W Burke  
Cllr R J Chesterton  
Cllr Mrs C P Daw  
Cllr J M Downes  
Cllr R Evans  
Cllr Mrs I Hill  
Cllr B Holdman  
Cllr B A Moore  
Cllr R L Stanley  
Cllr B G J Warren  
Cllr A Wilce

**Due to the current circumstances, in the event that the meeting is inquorate or there is no business to be transacted, the meeting will not take place.**

## **A G E N D A**

*Members are reminded of the need to make declarations of interest prior to any discussion which may take place*

- 1      **APOLOGIES AND SUBSTITUTE MEMBERS**  
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2      **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**  
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
- 3      **PUBLIC QUESTION TIME**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.  
  
Note: A maximum of 30 minutes is allowed for this item.
- 4      **MINUTES OF THE PREVIOUS MEETING** (*Pages 3 - 8*)  
Members to consider whether to approve the minutes as a correct record of the meeting held on 24<sup>th</sup> February 2020.  
  
The Committee is reminded that only those members of the Committee present at the previous meeting should vote and, in doing so, should be influenced only by seeking to ensure that the minutes are an accurate record.
- 5      **DECISIONS OF THE CABINET**  
To consider any decisions made by the Cabinet at its last meeting that have been called-in.

**Stephen Walford**  
Chief Executive  
Friday, 24 April 2020

### **Covid-19 and meetings**

The Council will be holding some meetings in the next few weeks, but these will not be in person at Phoenix House until the Covid-19 crisis eases. Instead, the meetings will be held remotely via Zoom and you will be able to join these meetings via the internet. Please see the instructions on each agenda and read the Protocol on Remote Meetings before you join.

If you want to ask a question or speak, email your full name to [Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk) by **no later than 4pm on the day before the meeting**. This will ensure that your name is on the list to speak and will help us ensure that you are not missed – as you can imagine, it is easier to see and manage public speaking when everyone is physically present in the same room. Notification in this way will ensure the meeting runs as smoothly as possible.

If you require any further information please contact Carole Oliphant on:  
E-Mail: [coliphant@middevon.gov.uk](mailto:coliphant@middevon.gov.uk)

## **Mid Devon District Council - Remote Meetings Protocol**

### **1. Introduction**

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations permit remote attendance in Local Authority meetings.

Remote attendance is permitted as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting (in line with the public participation scheme). A visual solution is preferred, but audio is sufficient.

This also relates to members of the public attending the meeting also being heard.

The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

### **2. Zoom**

Zoom is the system the Council will be using for the time-being to host remote / virtual meetings. It has functionality for audio, video, and screen sharing and you do not need to be a member of the Council or have a Zoom account to join a Zoom meeting.

### **3. Access to documents**

Member Services will publish the agenda and reports for committee meetings on the Council's website in line with usual practice. Paper copies of agendas will only be made available to those who have previously requested this and also the Chair of a virtual meeting.

If any other Member wishes to have a paper copy, they must notify the Member Services before the agenda is published, so they can arrange to post

directly – it may take longer to organise printing, so as much notice as possible is appreciated.

Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

#### 4. Setting up the Meeting

This will be done by Member Services. They will send a meeting request via Outlook which will appear in Members' Outlook calendar. Members will receive a URL link to click on to join the meeting.

#### 5. Public Access

Members of the public will be able to use a weblink and standard internet browser. This will be displayed on the front of the agenda.

#### 6. Joining the Meeting

Councillors must join the meeting early (i.e. at least five minutes before the scheduled start time) in order to avoid disrupting or delaying the meeting. Councillors should remember that they may be visible and heard by others, including the public, during this time.

#### 7. Starting the Meeting

At the start of the meeting, the Member Services Officer will check all required attendees are present (viewing the participant list) and that there is a quorum. If there is no quorum, the meeting will be adjourned. This applies if, during the meeting, it becomes inquorate for whatever reason.

The Chair will remind all Members, Officers and the Public that all microphones will be automatically muted, unless and until they are speaking. This prevents background noise, coughing etc. which is intrusive and disruptive during the meeting. The Hosting Officer will enforce this and will be able to turn off participant mics when they are not in use. Members would then need to turn their microphones back on when they wish to speak.

#### 8. Public Participation

Participation by members of the public will continue in line with the Council's current arrangements as far as is practicable. However, to ensure that the meeting runs smoothly and that no member of the public is missed, all those who wish to speak must register by 4pm on the day before the meeting. They should email their full name to [Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk). If they wish to circulate their question in advance, that would be helpful.

At public question time, the Chair will invite the public by name to speak at the appropriate time. At that point, all public microphones will be enabled. This means that, to avoid private conversations being overheard, no member of

the public should speak until it is their turn and they should then refrain from speaking until the end of public question time, when all microphones will be muted again. In the normal way, the public should state their full name, the agenda item they wish to speak to before they proceed with their question.

Unless they have registered, a member of the public will not be called to speak.

If a member of the public wishes to ask a question but cannot attend the meeting for whatever reason, there is nothing to prevent them from emailing members of the Committee with their question, views or concern in advance. However, if they do so, it would be helpful if a copy could be sent to [Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk) as well.

#### 9. Declaration of Interests

Councillors should declare their interests in the usual way. A councillor with a disclosable pecuniary interest is required to leave the room. For remote meetings, this means that they will be moved to a break-out room for the duration of this item and will only be invited back into the meeting when discussion on the relevant item has finished.

#### 10. The Meeting and Debate

The Council will not be using the Chat function. The Chair will call each member of the Committee to speak in turn and will continue in this way until no member has anything more to add.

When referring to reports or making specific comments, Councillors should refer to the report and page number, so that all Members of the Committee have a clear understanding of what is being discussed at all times.

#### 11. Voting

On a recommendation or motion being put to the vote, the Chair will go round the virtual room and ask each member entitled to vote to say whether they are for or against or whether they abstain. The Member Services Officer will announce the numerical result of the vote.

#### 12. Meeting Etiquette Reminder

- Mute your microphone – you will still be able to hear what is being said.
- Only speak when invited to do so by the Chair.
- Speak clearly and please state your name each time you speak
- If you're referring to a specific page, mention the page number.

#### 13. Part 2 Reports and Debate

There are times when council meetings are not open to the public, when confidential, or "exempt" issues – as defined in Schedule 12A of the Local

Government Act 1972 – are under consideration. It is important to ensure that there are no members of the public at remote locations able to hear or see the proceedings during such meetings.

Any Councillor in remote attendance must ensure that there is no other person present – a failure to do so could be in breach of the Council's Code of Conduct.

If there are members of the public and press listening to the open part of the meeting, then the Member Services Officer will, at the appropriate time, remove them to a break-out room for the duration of that item. They can then be invited back in when the business returns to Part 1.

Please turn off smart speakers such as Amazon Echo (Alexa), Google Home or smart music devices. These could inadvertently record phone or video conversations, which would not be appropriate during the consideration of confidential items.

#### 14. Interpretation of standing orders

Where the Chair is required to interpret the Council's Constitution and procedural rules in light of the requirements of remote participation, they may take advice from the Member Services Officer or Monitoring Officer prior to making a ruling. However, the Chair's decision shall be final.

#### 15. Disorderly Conduct by Members

If a Member behaves in the manner as outlined in the Constitution (persistently ignoring or disobeying the ruling of the Chair or behaving irregularly, improperly or offensively or deliberately obstructs the business of the meeting), any other Member may move 'That the member named be not further heard' which, if seconded, must be put to the vote without discussion.

If the same behaviour persists and a Motion is approved 'that the member named do leave the meeting', then they will be removed as a participant by the Member Services Officer.

#### 16. Disturbance from Members of the Public

If any member of the public interrupts a meeting the Chair will warn them accordingly. If that person continues to interrupt or disrupt proceedings the Chair will ask the Member Services Officer to remove them as a participant from the meeting.

#### 17. After the meeting

Please ensure you leave the meeting promptly by clicking on the red phone button to hang up.

#### 18. Technical issues

In the event that the Chair, the Hosting Officer or the Member Services Officer identifies a problem with the systems from the Council's side, the Chair should declare a recess while the fault is addressed. If it is not possible to address the fault and the meeting becomes inquorate through this fault, the meeting will be adjourned until such time as it can be reconvened.

If the meeting was due to determine an urgent matter or one which is time-limited and it has not been possible to continue because of technical difficulties, the Chief Executive, Leader and relevant Cabinet Member, in consultation with the Monitoring Officer, shall explore such other means of taking the decision as may be permitted by the Council's constitution.

For members of the public and press who experience problems during the course of a meeting e.g. through internet connectivity or otherwise, the meeting will not be suspended or adjourned.

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## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 24 February 2020 at 2.15 pm

### **Present**

#### **Councillors**

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

### **Apologies**

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

B Holdman

### **Also Present**

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

G Barnell and R M Deed

### **Also Present**

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

Jill May (Director of Corporate Affairs and Business Transformation), Jenny Clifford (Head of Planning, Economy and Regeneration), Matthew Page (Group Manager for Human Resources), Clare Robathan (Scrutiny Officer) and Carole Oliphant (Member Services Officer)

## 123 **APOLOGIES AND SUBSTITUTE MEMBERS (00.00.59)**

Apologies were received from Cllr B Holdman.

## 124 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00.01.19)**

Members were reminded of the need to declare any interests when appropriate.

## 125 **PUBLIC QUESTION TIME (00.01.24)**

There were no members of the public present.

## 126 **MEMBER FORUM (00.01.34)**

There were no issues raised under this item.

## 127 **MINUTES OF THE PREVIOUS MEETING (00.01.51)**

The minutes of the last meeting held on 27<sup>th</sup> January 2020 were approved as a correct record and **SIGNED** by the Chairman.

## 128 **DECISIONS OF THE CABINET (00.02.10)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 13<sup>th</sup> February 2020 had been called in.

129 **CHAIRMAN'S ANNOUNCEMENTS (00.02.16)**

The Chairman informed Members that he and the Scrutiny Officer had attended a Devon County Council Scrutiny Task and Finish Group on 5G and that many interesting questions had been asked by the public present.

The Scrutiny Officer stated that the event had lasted all day and about 140 Members of the public were present to be involved in the discussion. She stated that the sessions included reference to misunderstanding of scientific evidence and that questions would now be selected and put to a panel of experts in a few months' time.

The Chairman informed the Committee that the sessions had highlighted the requirement that new masts for 5G would need to be 200 metres apart and he requested that the Head of Planning, Economy and Regeneration bring a report to the Scrutiny Committee in April with future implications for planning applications.

130 **CABINET MEMBER FOR PLANNING AND ECONOMIC REGENERATION (00.07.21)**

The Committee had before it and **NOTED** a \*report of the Cabinet Member for Planning and Economic Regeneration who gave Members an overview of the areas within his portfolio. He explained that the report detailed a large area and specific projects including:

- Town centre regeneration schemes
- Town centre masterplanning
- Garden Village at Cullompton
- Ongoing Housing Infrastructure Schemes
- Tiverton Eastern Urban Extension
- The Local Plan
- Greater Exeter Strategic Plan
- Building Control and Regulation

In response to questions about the Hydro Mills Project he informed Members that a business case was being brought before the Economy PDG and would then be presented to the Cabinet.

The Head of Planning, Economy and Regeneration explained that applications have been made to the Environment Agency after long standing discussions with regards to ecology and flood issues.

There was a general discussion with regard to the use of consultants for masterplanning and Members were informed that consideration on the use of consultants was based on specialist skills available, the duration of the work required and the capacity within the Council to deal with the work internally.

In response to a question about using officers from other authorities the Head of Planning, Economy and Regeneration explained that the Council's planning officers regularly liaised with their counterparts and were aware of the skill sets of officers in other authorities but everyone was working at or close to capacity and there was currently no usable resource that could be utilised.

Consideration was given to:

- Crediton Town Masterplan timings
- The need for the employment of a Tiverton Town Centre Manager now that the Tiverton Town Centre Partnership had been reformed
- Garden Village Project and how this would be funded in the future
- Details of the current Housing Infrastructure Fund projects

Members expressed concerns with regard to the recent Greater Exeter Strategic Plan (GESP) that they were not being given enough time to look at the emerging policies.

It was explained to Members that the Planning Policy Advisory Group were scrutinising the policies one by one and making suggestions for changes. Members were reminded that any Member who was not a member of the Planning Policy Advisory Group was welcome to attend and contribute to the discussions.

Members questioned the benefits of MDDC being part of the GESP and the Cabinet Member for Planning and Economic Regeneration explained that MDDC had to provide a 5 year land supply which was mandated by Government. The options available were to do this on our own or in consort with other authorities. He explained that by working alongside neighbouring authorities there would be a joined up approach to infrastructure, leisure and tourism.

The Head of Planning, Economy and Regeneration explained that MDDC had a duty to co-operate with other authorities and that there were a lot of cross boundary issues that would be easier to look at strategically as a group of authorities rather than stand alone, including climate change. Planning across larger GESP area rather than within individual council boundaries would also mean greater engagement with the Government over funding and infrastructure provision.

Members discussed the need to provide social housing for larger households.

The Cabinet Member for Planning and Economic Regeneration thanked officers for producing his comprehensive report.

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

#### 131 **ESTABLISHMENT 6 MONTH UPDATE (01.08.17)**

The Committee had before it and **NOTED** a \*report of the Group Manager for Human Resources informing Members of the overall structure of the Council showing the management and deployment of officers.

He provided Members with further detail on the following:

- Increase in the Establishment
- Sickness rates had improved over the past 12 months
- Increase in short term sickness
- New sickness policy introduced
- Increased support for mental health and wellbeing of staff

- Increase in staff turnover

Members discussed the current sickness rates and took some positives from the report and the new sickness policy. Concerns were raised with regard to the average 8.2 days sickness and Members felt that this was still too high compared to the private sector where rates were much lower.

Members requested that sickness rates were benchmarked against neighbouring authorities and companies within the private sector.

Members expressed disappointment that leavers tended not to give a reason for leaving the authority and did not complete a staff exit interview. Suggestions were made that an independent body or persons be used to complete staff exit interviews rather than line managers.

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

## 132 **FORWARD PLAN (01.29.15)**

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

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

## 133 **SCRUTINY OFFICER UPDATE (01.29.43)**

The Scrutiny Officer provided Members with an update on the Climate Change workshop she had attended the previous week. She explained that the discussions had centred on the carbon emission targets and the shrinking budgets of local authorities. She explained that there had been a focus on the importance of the procurement process understanding the climate target and that MDDC were ahead of the curve as a Members briefing with regard to procurement had been arranged for 19<sup>th</sup> March 2020.

Members discussed Carbon Offsetting and that it was not clear if this was adding to the solution.

## 134 **IDENTIFICATION OF ITEMS FOR FUTURE MEETINGS (01.36.05)**

The Chairman of the Customer Experience Working Group informed Members that a final report would be brought to the next meeting of the Committee and once concluded she would like to lead a new Working Group into woman's health issues within the workforce.

The Chairman requested that the Committee investigate High Street Security within the 3 main towns but this investigation could be deferred until after the Police and Crime Commissioner election and the roll out of the CCTV Policy and Guidance to the Community PDG in June 2020.

Members requested an update on timings of the 3 Rivers Governance report due to be presented to Cabinet.

(The meeting ended at 3.56 pm)

**CHAIRMAN**

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