

## Mid Devon District Council

### Scrutiny Committee

Monday, 13 September 2021 at 2.15 pm  
Exe Room, Phoenix House, Tiverton

Next ordinary meeting  
Monday, 11 October 2021 at 2.15 pm

**PLEASE NOTE:** this meeting will take place at Phoenix House, but members of the Public and Press can and should attend via Zoom only. Please do not attend Phoenix House without prior agreement. The attached Protocol for Hybrid Meetings explains how this will work.

Join Zoom Meeting

<https://zoom.us/j/95266019890?pwd=bURBRml2dithYy91TkU1Z1ByK1dJZz09>

Meeting ID: 952 6601 9890

Passcode: 157743

One tap mobile

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Dial by your location

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Meeting ID: 952 6601 9890

## Membership

Cllr B G J Warren

Cllr G Barnell

Cllr E J Berry

Cllr Mrs F J Colthorpe

Cllr L J Cruwys

Cllr Mrs S Griggs

Cllr P J Heal

Cllr F W Letch

Cllr S Pugh

Cllr R F Radford

Cllr Ms E J Wainwright

Cllr A Wilce

# **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       **HYBRID MEETING PROTOCOL** (*Pages 5 - 12*)  
Members to note the Hybrid Meeting Protocol.

3       **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.

4       **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.

5       **MINUTES OF THE PREVIOUS MEETING** (*Pages 13 - 16*)  
Members to consider whether to approve the minutes as a correct record of the meeting held on 16<sup>th</sup> August 2021.

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.

6       **DECISIONS OF THE CABINET**  
To consider any decisions made by the Cabinet at its last meeting that have been called-in.

7       **CHAIRMAN'S ANNOUNCEMENTS**  
To receive any announcements that the Chairman of Scrutiny Committee may wish to make.

8       **CABINET MEMBER FOR CONTINUOUS IMPROVEMENT**  
To receive an update from the Cabinet Member for Continuous Improvement.

9       **INFORMATION WITH REGARD TO THE POSSIBLE CREATION OF A TECKAL COMPLIANT COMPANY** (*Pages 17 - 38*)  
To consider a report containing information with regard to the possible creation of a Teckal compliant company prior to it being considered by Homes PDG on 14<sup>th</sup> September 2021.

10 **RECOMMENDATIONS FROM PLANNING ENFORCEMENT WORKING GROUP** (Pages 39 - 56)

To receive the final recommendations from the Planning Enforcement Working Group

11 **PERFORMANCE AND RISK** (Pages 57 - 102)

To provide Members with an update on performance against the corporate plan and local service targets for 2021-2022 as well as providing an update on the key business risks.

12 **Briefing Paper - Return of Right to Buy Receipts (RTB)** (Pages 103 - 104)

Scrutiny to receive a Briefing Paper – Return of Right to Buy Receipts (RTB)

13 **FORWARD PLAN** (Pages 105 - 116)

Members are asked to consider any items within the Forward Plan that they may wish to bring forward for discussion at the next meeting.

14 **SCRUTINY OFFICER UPDATE**

To receive an update from the Scrutiny Officer.

15 **WORK PLAN** (Pages 117 - 128)

Members are asked to note the current Work Plan for the municipal year.

Members to note the 3 Rivers Developments Limited process map for bringing items to Scrutiny as agreed by the Chairman of Scrutiny and Audit Committee.

Members to have the opportunity to discuss additional items to be investigated by the Scrutiny Committee and added to the Work Plan.

16 **ACCESS TO INFORMATION EXCLUSION OF PRESS AND PUBLIC**

During discussion of the following item it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The committee will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

To consider passing the following resolution so that exempt information may be discussed.

**Recommended** that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the

grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

- 17 **CONTRACT DISPUTE SETTLEMENT 2020-2021** (Pages 129 - 150)  
To provide Scrutiny with an update on a specific payment made in the 2020/21 financial year.

**Stephen Walford**  
Chief Executive  
Friday, 3 September 2021

### Covid-19 and meetings

From 7 May 2021, the law requires all councils to hold formal meetings in person. However, the Council is also required to follow government guidance about safety during the pandemic. The Council will enable all people to continue to participate in meetings via Zoom.

You are strongly encouraged to participate via Zoom to keep everyone safe - there is limited capacity in meeting rooms if safety requirements are to be met. There are restrictions and conditions which apply to those in the building and the use of the building. You must not attend a meeting at Phoenix House without complying with the requirements in the new protocol for meetings. You must follow any directions you are given.

Please read the new meeting protocol which is available here: [Hybrid Protocol - September 2021.pdf \(middevon.gov.uk\)](#)

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 would like a copy of the Agenda in another format (for example in large print) please contact Carole Oliphant on:

E-Mail: [coliphant@middevon.gov.uk](mailto:coliphant@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.

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