

Mid Devon District Council

Scrutiny Committee

Monday, 14 February 2022 at 2.15 pm
Phoenix Chambers, Phoenix House, Tiverton

Next ordinary meeting
Monday, 21 March 2022 at 2.15 pm

PLEASE NOTE: - this meeting will take place at Phoenix House and members of the Public and Press are encouraged to attend via Zoom wherever possible. The Protocol for Hybrid Meetings explains how this will work. Please do not attend Phoenix House without contacting the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

Join Zoom Meeting

<https://zoom.us/j/95958644171?pwd=Vlg1ZDk3amFCTDR2a0hObWpGY0tndz09>

Meeting ID: 959 5864 4171

Passcode: 405550

One tap mobile

08002605801,,95958644171#,,,,*405550# United Kingdom Toll-free

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Dial by your location

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Meeting ID: 959 5864 4171

Passcode: 405550

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 Mrs E J Lloyd

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 **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 5 - 8)*
Members to consider whether to approve the minutes as a correct record of the meeting held on 17th January 2022.

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.

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

7 **REGULATION OF INVESTIGATORY POWERS** *(Pages 9 - 10)*
To receive the annual update of Regulation of Investigatory Powers previously presented to Community PDG.

8 **ESTABLISHMENT** *(Pages 11 - 20)*
To receive the annual review of the Establishment.

9 **UPDATE ON MENOPAUSE WORKING GROUP RECOMMENDATIONS** *(Pages 21 - 24)*
To receive an update on progress of the Menopause Working Group Recommendations

10 **FINANCE - CLARIFICATION ON DATA CONSIDERED BY SCRUTINY COMMITTEE IN NOVEMBER 2021** (*Pages 25 - 28*)
To receive a report from the Deputy Chief Exec (S151)

11 **THE CONDUCT OF THE CABINET MEETING 1ST FEBRUARY 2022**
The conduct of the meeting of Cabinet on 1st February.
(Item proposed by Cllrs G Barnell, S J Clist, E Lloyd and A Wilce)

1. The proposers consider that the agenda was far too long. It contained several complex papers of considerable importance to the Council's business together with several items that could and should have been placed on the agenda of another meeting of Cabinet. This gave very little time for discussion and questioning of important items of business especially by non-cabinet members.

2. The meeting was chaired in a way that was perceived to be extremely disrespectful towards non-cabinet members, bordering on hostile and autocratic. With one notable exception, non-cabinet members felt as though they were routinely and aggressively interrupted by the chair and prevented from making valid points or from entering into any discussion about key items.

3. The proposers believe that a question from a member of the public was not put to the meeting and no explanation was given as to why it was not put or answered.

4. An important question on the constitutionality of an agenda item was submitted from a non-Cabinet member, however this was not put or answered. This may have prevented legitimate discussion and a collective Cabinet decision on the constitutionality of that agenda item.

As a result of the way the meeting was chaired, it is considered that non-cabinet members were prevented from expressing legitimate concerns and points of view and were inhibited from asking questions. The proposers consider such an approach to be undemocratic and damaging to the reputation of the Council. The proposers are asking scrutiny committee to consider these issues and to ask cabinet to review these concerns.

12 **FORWARD PLAN** (*Pages 29 - 38*)
Members are asked to consider any items within the Forward Plan that they may wish to bring forward for discussion at the next meeting.

13 **SCRUTINY OFFICER UPDATE**
To receive an update from the Scrutiny Officer.

14 **WORK PLAN** (*Pages 39 - 40*)
Members are asked to note the current Work Plan for the municipal year.

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

Stephen Walford
Chief Executive
Friday, 4 February 2022

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: <https://democracy.middevon.gov.uk/documents/s23135/MeetingProtocolUpdateOct2021nextreviewFeb2022.pdf>

If you want to ask a question or speak, email your full name to 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

Public Wi-Fi is available in all meeting rooms.

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