

Public Document Pack

Mid Devon District Council

Scrutiny Committee

Monday, 2 November 2015 at 2.00 pm
Exe Room, Phoenix House

Next ordinary meeting
Monday, 30 November 2015 at 2.00 pm

Those attending are advised that this meeting will be recorded

Membership

Cllr F J Rosamond
Cllr Mrs H Bainbridge
Cllr Mrs J B Binks
Cllr Mrs C P Daw
Cllr Mrs S Griggs
Cllr T G Hughes
Cllr B A Moore
Cllr Mrs J Roach
Cllr Mrs E J Slade
Cllr T W Snow
Cllr N A Way
Cllr Mrs N Woollatt

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 **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.
- 3 **MEMBER FORUM**
An opportunity for non-Cabinet Members to raise issues.
- 4 **MINUTES OF THE PREVIOUS MEETING** (*Pages 5 - 12*)
To approve as a correct record the Minutes of the last meeting of this

Committee (attached).

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 **POLICE COMMISSIONER**

The Police Commissioner, Mr Tony Hogg, will attend the meeting to take questions from the Committee.

8 **MEMBER DEVELOPMENT UPDATE** (*Pages 13 - 18*)

To receive a report from the Member Services Manager updating the Committee on Member Development.

9 **STAFF SURVEY**

The Committee to receive a verbal update from the Head of Human Resources and Development regarding results from the Staff Survey.

10 **TIVERTON TOWN CENTRE**

At the request of the Committee the Chief Executive and the Town Centre Manager will be in attendance to answer questions regarding the future of Tiverton town centre and liaison with local businesses.

11 **PARTNERSHIP WORKING**

The Head of Communities and Governance has requested that the Committee discuss partnership working and how successful this has proved at other authorities.

12 **ACCESS TO INFORMATION ACT - EXCLUSION OF THE PRESS AND PUBLIC**

During discussion of the next 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 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 7 of Part 1 of Schedule 12A of the Act, namely information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

13 **RIPA** (*Pages 19 - 32*)

Councillor Mrs J Roach has requested that the Committee consider the RIPA report in terms of effective scrutiny.

14 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Members are asked to note that the following items are already identified in the work programme for the next meeting:

Anaerobic Digesters

Note: - this item is limited to 10 minutes. There should be no discussion on items raised.

Kevin Finan

Chief Executive

Friday, 23 October 2015

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access to the Council Chamber on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Julia Stuckey on:

Tel: 01884 234209

E-Mail: jstuckey@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 5 October 2015 at 2.00 pm

Present

Councillors

F J Rosamond (Chairman)
Mrs H Bainbridge, Mrs J B Binks,
Mrs C P Daw, Mrs S Griggs, Mrs J Roach,
T W Snow, N A Way, Mrs N Woollatt and
Mrs F J Colthorpe (substituting for Mrs E J
Slade)

Apologies

Councillor(s)

T G Hughes, B A Moore and Mrs E J Slade

Also Present

Councillor(s)

R J Chesterton, R M Deed and C R Slade

Also Present

Officer(s):

Amy Tregellas (Head of Communities and Governance and Monitoring Officer), Jenny Clifford (Head of Planning and Regeneration), Jill May (Head of HR and Development), Liz Reeves (Head of Customer Services), Lee Chester (Centre Manager), Corrine Parnell (Centre Manager) and Julia Stuckey (Member Services Officer)

53 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Councillors T G Hughes, B A Moore and Mrs E Slade, who was substituted by Cllr Mrs F J Colthorpe.

54 **PUBLIC QUESTION TIME**

There were no members of the public present.

55 **MEMBER FORUM**

There were no issues raised under this item.

56 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the last meeting were approved as a correct record and **SIGNED** by the Chairman.

57 **DECISIONS OF THE CABINET**

The Committee **NOTED** that none of the decisions made by the Cabinet at its last meeting had been called in.

58 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements to make.

59 LEISURE SERVICES

Following a request at the last meeting the Committee had before it a briefing paper * from the Head of Human Resources and Development detailing the variety of ways in which the Leisure Service dealt with retention of Zest Members.

The Exe Valley Leisure Centre Manager outlined the report, explaining the key areas of work undertaken regarding retention, such as face to face interaction with customers, an automated system for emails and text messages, manual tracking of members, the monitoring of activity levels and communication with cancelled or ended memberships. The paper also gave an overview of membership regarding how members paid, gender splits and age groups.

Discussion took place regarding:

- Front of house teams were well trained to help members;
- There were over 2500 junior members;
- When a Zest Membership was ended the member should be contacted but there was not always staff resource available to do so. A new automated system would identify low attendance and could be proactive in sending motivational emails;
- New members received a welcome email which was achieving a 76% 'open' rate, which was considered high by industry standards;
- It was intended that in the future a dedicated member of staff would be responsible for customer service and membership retention;
- Non Zest members paid for activities as and when they used them but staff kept an eye on usage and would advise that a Zest Membership could be taken out, if it would be cheaper for the user;
- Officers would ensure that the application form for Zest Membership was easy to complete.

The Chairman thanked the officers for their attendance.

Note: * Briefing paper previously circulated; copy attached to the Minutes.

60 PERFORMANCE AND RISK (00:18:20)

The Committee had before it and **NOTED** a report* of the Head of Communities and Governance providing Members with an update on performance against the corporate plan and local service targets for the 2015/16 financial year, as well as providing an update on the key business risks.

The Head of Communities and Governance explained that the report was slightly out of date and that it had been to each of the Policy Development Groups, Cabinet and Audit Committee.

Discussion took place regarding:

- Waste and Recycling performance had been updated in a report to the Policy Development Group on 22 September 2015;
- It was not clear whether waste tonnage was reported in kg or tonnes;
- Whether or not it was advisable for targets to be set for fixed penalty notices;
- Rent collection targets had been set at over 100% due to collections being made for the previous year;
- Figures for retention of members at leisure centres and what system was used to monitor this;
- Injunctions could be used if tenants would not allow entry for gas inspections.

It was **AGREED** that the Managing the Environment Policy Development Group be asked to consider whether or not officers should be set a target for the issue of fixed penalty notices or whether the emphasis should be on prevention as a priority.

Members requested that their appreciation to the Housing Repairs Service for their good performance be noted.

Note: * Report previously circulated; copy attached to the Minutes.

61 **DIGITAL INCLUSION (00:38:27)**

The Committee had before it a briefing paper * from the Head of Customer Services updating Members regarding Digital Inclusion and how Parish Councils were supported.

The Head of Customer Services outlined the report, explaining that when services moved towards digital methods of working it was always ensured that alternative provision was in place, so that those that did not have access to digital channels at home or work were not disadvantaged when it came to communicating with the Council. She informed the Committee that COSMIC, a company funded by Devon County Council, was working with the authority to plan events that would provide parishes with the information that they needed to make decisions on how to improve digital access in their communities and that a funding pot had been put in place. Town and Parish councils would be able to apply for money from the fund for projects that would sustain digital services in future years.

Discussion took place regarding:

- Devon Home Choice and the problems encountered by those that had no access to the website. This was the only place available to view properties that were available for rent, although bids could be made by telephoning the office. The Head of Communities and Governance offered to raise this matter for the next audit of the Devon Home Choice Service to see how this could be overcome;
- Excess I.T equipment being handed-down to Town and Parish Councils for use in hubs;
- The varying levels of digital awareness within the local Town and Parish councils.

Note: * Briefing paper previously circulated; copy attached to Minutes.

62 REVIEW OF TOWN AND PARISH CHARTER (00:52:46)

The Head of Communities and Governance had requested that the Committee consider the current Town and Parish Charter and review it to consider if there were any amendments to make or if there was any additional information that should be added.

The Head of Communities and Governance explained that the Charter had last been reviewed in May 2012 at the annual Town and Parish Clerks meeting, officers had requested feedback but none had been forthcoming. The proposal on this occasion was to bring the Charter to Scrutiny for consideration prior to sending to all Town and Parish clerks and Chairman. The document would then be approved at the meeting of the clerks in January prior to going to the Community Well Being PDG.

Discussion took place regarding Parish Matters. The officer explained that this was issued monthly but it was not clear how well read it was. She asked that Members raise this at parish meetings to enquire whether or not it was useful, how it could be made useful or whether it should be stopped. Parish Matters was sent electronically to Parish Clerks but could be sent directly to Parish Councillors if required and could also be sent by paper copy.

It was **AGREED** that the Town and Parish Charter be issued to all Members and that suggestions for improvement be submitted.

(Proposed by the Chairman)

Note: * Charter previously circulated and attached to Minutes.

63 TIVERTON BUSINESSES MEETING - UPDATE (01:01:20)

The Head of Communities and Governance provided an update for Members regarding recent meetings with business representatives in Tiverton. Members had previously been issued with a list of companies that had been invited to attend the meeting and companies that had actually attended the meeting. Members queried how these companies had been selected and why the Tiverton Trade Association had not been invited.

The Head of Communities and Governance informed the Committee that the new Tiverton Town Centre Manager was now in post. She had been out and about in the town, meeting with businesses, the Portas Team and the Town Council. She was attending trade association meetings and having monthly meetings with the market traders. The officer explained that this was a change in the way that the authority liaised with businesses and it was hoped that it would provide a better idea of what support local businesses wanted in the town and how they would like to communicate.

Feedback from businesses to the Town Centre Manager so far had included;

- Coach drop of and pick up points;
- Developing schemes to bring people into the town;
- A lack of information regarding Christmas events;
- The river walk and how it could be improved;

- Electric Nights and how it could be extended;
- Pub and club opening hours.

With regard to town centre regeneration the Head of Planning and Regeneration explained that the authority was in the initial stages regarding the appointment of a company to take the commission. It was intended that the Masterplan would go through two stages of consultation, initially to scope the key issues and then to consult on the detail. There would also be the normal planning process for each application. She confirmed that several sites were under discussion but that they were in the pre-planning stage so the details were confidential.

Discussion took place regarding:

- The number of car parking places that would be available in the town and whether they would be sufficient should the Masterplan take effect;
- The Masterplan would be a catalyst to bring in other opportunities;
- The plan would look at the town centre as a whole;
- This involved looking at the bigger picture in a coordinated way.

The Head of Communities and Governance explained that Tiverton had a Town Centre Manager and that Crediton and Cullompton were supported by officers from the Economic and Community Development Team.

It was **AGREED** that the Chief Executive and Town Centre Manager be invited to the next meeting of the Committee to report progress regarding the town centre and to consider future parking in Tiverton.

64 **CABINET MEMBER FOR PLANNING AND REGENERATION (01:32:35)**

The Committee had before it a position statement * from the Cabinet Member for Planning and Regeneration summarising the key issues in each of the areas within his portfolio.

Discussion took place regarding:

The Local Plan

Junction 28

The Cabinet Member explained that the authority was in talks with the Environment Agency regarding further evidence base work that would need to be undertaken with regard to understanding the impact of highway improvement work at J28 Cullompton upon the flood plain and flood water flows. There was a possibility of either reworking junction 28 or a new junction at 28a. Both were possible solutions and would take into account the eastern relief road.

Discussion took place regarding infrastructure and when in the plan this would be provided. The Head of Planning and Regeneration explained that the Planning Service would work to ensure that the infrastructure was in place as soon as early as possible and that this was being addressed in the Local Plan.

Junction 27

This had been looked at by the Cabinet in December 2014 but the promoters scheme had since been modified. Further work had been commissioned by the Council. A report would be put to the Cabinet and then to Council on the progress with the Local Plan Review.

Air quality within the town was raised.

Tiverton Urban Extension

With regard to schools it was confirmed that there was a timetable within the masterplan for provision of a primary school. In this instance demand for the school would depend on the new housing whereas in Cullompton there was already a demand.

Devon County Council (DCC) had commenced the process of detailed design work for the junction (LILO) on the A361. The Head of Planning and Regeneration considered that it would take approximately 2 years to complete.

St Andrew Street Development

Discussion took place regarding refuse collection and parking issues at the new development. The Head of Planning and Regeneration confirmed that the properties had outdoor space for the storage of waste and recycling bins. Bins being out early and parking on double yellow lines was discussed. This would be reported to appropriate officers.

Economic Development

The Committee discussed economic development and the long term vision for the District. The Head of Communities and Governance confirmed that the Corporate Plan was in draft form and that a Members Away Day had been booked for the end of October for Members to feedback.

Discussion took place regarding the formation of a cycle route from Bampton to Exeter via Tiverton making use of the old railway line. Members considered that this was the sort of project that would create tourism and jobs as well as lowering the number of cars on the road. An emphasis would be put on tourism including cycling, walking, heritage and pulling the three towns together as a destination.

Tiverton Road, Cullompton

The Head of Planning and Regeneration explained that the road was currently closed due to works on the Manor House Hotel. When the road re-opened it would resume the no right turn exit from the road and no right turn entrance to the road, in order to reduce congestion. As far as she was aware Devon County Council would review this at some time in the future. Initially it might reopen on a one way basis to allow traffic out of Tiverton Road.

LEADER Funding

LEADER Funding would be launched nationally on 14th October and it was hoped that the local launch could coincide with this.

Note: * Position statement previously circulated; copy attached to the Minutes.

65 LISTED BUILDING AND CONSERVATION AREA CONSENT (02:18:48:)

At its meeting on 13th July 2015 Members of the Scrutiny Committee recommended to the Cabinet that performance on listed building and conservation area consent applications be identified as a matter of concern.

The Committee had before it a briefing paper * from the Cabinet Member for Planning and Economic Regeneration updating it on performance in this area and the work of the Conservation Officers.

Discussion took place regarding staffing levels and whether they were sufficient. The Head of Planning and Regeneration informed the Committee that she considered the current staffing to be adequate. She explained that there had been some time consuming large areas of work in recent months but that the team were working efficiently and could cope with current levels.

Note:- * Paper previously circulated and attached to signed minutes.

66 POLICE COMMISSIONER - QUESTIONS

The Chairman reminded Members that the Police Commissioner would be attending the next meeting of the Committee and asked that questions to be put to him be submitted to the clerk in advance of the meeting.

It was **AGREED** that an email to all Members be sent to ask them for any questions.

67 PARTNERSHIP WORKING

This item was deferred to the next meeting of the Committee.

68 TIVERTON TOWN CENTRE DEVELOPMENT AND ECONOMIC DEVELOPMENT PLAN FOR THE DISTRICT

Councillor Mrs J Roach had requested that the Committee consider the Tiverton Town Centre Development and the Economic Development Plan for the District. This item had been discussed in detail during agenda item 11 and Cllr Roach was satisfied with this.

69 UPDATES AND ITEMS TO NOTE REGARDING OUTSTANDING ITEMS (02:35:44)

The updates were noted.

Safeguarding

It was **AGREED** that a report be submitted to the Committee following the end of the financial year providing statistical information regarding Safeguarding and that an officer from Devon County Council be invited to attend.

Safeguarding updates would continue to be reported to the Committee. Members also requested regular updates regarding Early Help (formally Targeted Families).

Communications Working Group

Members indicated that they were still not receiving responses to some emails. The Head of Customer Services reminded them that the Chief Executive had asked that such instances be reported directly to him so that he could investigate.

Members also raised the issue that they were not always informed when an email that they had been sent had acted upon. The Head of Customer Services would report this to Management Team.

70 RIPA (02:41:41)

Councillor Mrs J Roach had requested that the Committee consider the RIPA report in terms of effective scrutiny. This item was deferred to the next meeting of the Committee.

71 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

Police Commissioner
Update regarding the staff survey
Member Development Update
Tiverton Pannier Market
Town Centre – Chief Executive and Town Centre Manager
RIPA
Partnership Working

(The meeting ended at 5.00 pm)

CHAIRMAN

**SCRUTINY COMMITTEE
2 NOVEMBER 2015**

AGENDA ITEM:

Member Development Monitoring Report

Cabinet Member Cllr Clive Eginton
Responsible Officer Member Services Manager

Reason for Report: The action plan for the South West Charter for Member Development states that Member development opportunities should be monitored.

Recommendation: That the contents of report be noted.

Relationship to Corporate Plan: This relates to the corporate governance of the Council and therefore is supporting all priorities of the Corporate Plan.

Financial Implications: Specific training for Members is funded from the Members Training Budget.

Legal Implications: None.

Risk Assessment: Poor Member development may result in lack of engagement by Members.

1.0 Introduction

1.1 The South West Charter for Member Development was originally awarded to the Council in November 2010 following a lengthy evidence gathering exercise which also included Members and senior officers attending interviews with the examining body. Reassessment to secure the Charter for a further three years took place on 3 March 2014.

1.2 As a commitment to the Charter, Member Services officers working alongside the Member Development Group will continue to address Members' development issues through briefings on key issues, one to one Personal Development Plan interviews which help to identify a Member's specific training/development requirements and specialist presentations at Committee meetings.

1.3 This report informs the Committee of training events that have taken place between May and September this year and includes the induction sessions for new Members following the elections in May.

2.0 Training Delivered

2.1 The information set out below covers details of the events that have taken place since the new Council was formed in May 2015

12 May	Meeting with Member Services
14 May	ICT and the Role of the Ward Member
19 May	Corporate Governance, Ethical Standards and Legal
20 May	The role of the Committee Members, Cabinet and Committees
26 May	Council Finance, Corporate Governance, Performance and Risk.
28/29 May	Planning Training
1 June	PDG Training
4 June	Information Security
8 June	Licensing Training
9 June	Waste
10 June	Audit Committee Training
16 June	Planning Training for Non-Members of the Planning Committee
19 June	Essential Skills – SW Councils
25 June	Housing Issues
30 June	Council Tax
7 July	Procedure Rules
8 July	Media Training
16 July	Overview of the Community Safety Partnership
21 July	Emergency Planning
6 August	Domestic Violence
25 August	Estates
3 September	Broadband Issues
8 September	Economic and Community Development
15 September	Digital Transformation
16 September	2 Members additional Licensing training session
22 September	Waste – Phase II of the Project
24 September	Q&A Session with Chief Executive
8 October	Universal Credit
13 October	Affordable Housing

- 2.2 A wide range of learning opportunities have been delivered and training sessions have taken place to provide additional skills and knowledge linked to specific committees. The records show that 39 Members have attended at least one recorded training session and that 355 places have been taken up on the various learning events. The majority of the opportunities are provided at low cost due to being delivered in house by appropriate officers.
- 2.3 Records show that attendance at the initial induction process for new Members was outstanding compared to previous years. This may be due to improved advertising of the sessions prior to the election taking place.
- 2.4 As part of our commitment to Member Development, evaluation of every training session does take place, an email is sent to those who have attended asking a variety of questions specific to the event and always with an invitation to suggest any improvements that could be made; feedback is generally encouraging with any issues that arise being fed back to officers facilitating the sessions.

3.0 Member Development Group

3.1 The Member Development Group is a group of Members who work alongside Member Services Officers to promote the Members learning programme, this group is made up of 6 Members and includes Group Leaders. This joint working approach was highlighted in the feedback from the Charter reassessment in March 2014...."During the assessment visit, the assessment team found many indicators of good practice, there was clearly a cross-party political commitment to Member Development and a strong commitment from all the Councillors the team interviewed to development.....it was also clear that Members were in the lead on their development".

3.2 The new Member Development Group met Tuesday 6 October and discussions took place regarding the work of the group, feedback from the induction programme and future activities. The following suggestions were recorded:

- Pilot holding some briefings prior to Full Council
- Briefings to be web-linked to the Meadow Suite at Lords Meadow Leisure Centre from Phoenix House to save Crediton Members travelling to Phoenix House to attend briefings
- Consider holding an afternoon of briefings

4.0 Attendance

4.1 It was suggested earlier in the report that attendance for sessions organised to date has been outstanding. Member Services started a process of reminders following reduced attendance in the previous council, electronic appointments are circulated to Members a few weeks prior to the event to book a place in their diaries and encourage attendance; also same day reminders have been introduced which seem to have been well received, this process continues.

5.0 Future Planning

5.1 All Members are encouraged to take part in personal development planning (PDP) in which they identify the type of training they would like to take part in. This process will start in the next few weeks; however as speed reading and chairing skills are usually high on the request list we are in the process of making arrangements with South West Councils to deliver these training sessions in house by the end of the year. The Member Development Group also suggested that venues be booked in Crediton and Cullompton to host PDP sessions for local Members on a specific day.

5.2 The current timetable of evening training sessions is attached at appendix 1. This includes a visit from the local Police Inspector in November to address issues raised by Members. The Scrutiny Committee may like to suggest further additions to the timetable.

5.3 Members of the Planning Committee require on-going training as there is a need for them to consider new legislation and guidance when determining planning applications.

- 5.4 All Members use electronic communication to some degree and the number of Members now using iPads is encouraging; Member Services continue to support Members with regard to ICT training and iPad use.
- 5.5 The Council also shares development opportunities with other Devon Councils, with Members being advised of sessions that are taking place via the Weekly Information Sheet.

Contact for more Information: Sally Gabriel 01884 234229
(sgabriel@middevon.gov.uk)

Background Papers: Training records, individual evaluation forms and Member Development Group minutes.

Circulation of the Report: Cllrs: C J Eginton, Management Team and the Member Development Group.

Appendix 1 - Member Briefings for the remainder of 2015

21 October	Audit Committee Training – specific
22 October	Understanding Financial Monitoring
3 November	Sickness Absence
10 November	Policing in Mid Devon – Inspector J Alford-Mole
19 November	Budget Meeting – Crediton
24 November	Budget meeting – Phoenix House

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By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

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