

Public Document Pack

Mid Devon District Council

Special Scrutiny Committee

Friday, 17 March 2017 at 11.00 am
Exe Room, Phoenix House, Tiverton

Next ordinary meeting
Monday, 10 April 2017 at 2.15 pm

Those attending are advised that this meeting will be recorded

Membership

Cllr F J Rosamond
Cllr Mrs H Bainbridge
Cllr Mrs C P Daw
Cllr T G Hughes
Cllr Mrs J Roach
Cllr T W Snow
Cllr N A Way
Cllr Mrs B M Hull
Cllr Mrs G Doe
Cllr Mrs A R Berry
Cllr J L Smith
Cllr S G Flaws

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 MINUTES OF THE PREVIOUS MEETING (TO FOLLOW)

To approve as a correct record the Minutes of the last meeting of this Committee.

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.

4 **CHAIRMAN'S ANNOUNCEMENTS**

To receive any announcements that the Chairman of Scrutiny Committee may wish to make.

5 **MEMBER OF PARLIAMENT MEL STRIDE**

The Committee to welcome the MP and put questions.

6 **SCRUTINISING SCRUTINY** (*Pages 5 - 8*)

An informal discussion regarding the role of Scrutiny.

7 **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:

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

Police and Crime Commissioner
Communications Working Group – annual update
Cabinet Member for Working Environment and Support Services
Community Safety Annual Report
Chairman's Report

Stephen Walford
Chief Executive
Thursday, 9 March 2017

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 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.

This page is intentionally left blank

Scrutiny report (for peer review w/c 6 March 2017)

Scrutiny is an integral part of the governance of the council. It has normally been described in terms of four principles of good scrutiny:

1. It provides a “critical friend” challenge to the executive policy and decision makers. That does not mean scrutiny is oppositional. It is about supporting better decision making through a process of public challenges. Scrutiny should sit closely by the executive. It should understand and engage with the executive’s priorities (Centre for Public Scrutiny). It should monitor the achievement or otherwise of the corporate plan objectives.
2. It enables the voice and concerns of the public - about being open and being prepared to have conversations with local people about the services that are important to them – which may come from members in their role as ward representatives.
3. It is carried out by independent minded members who lead and own the scrutiny process – with an understanding of the resources available – and may examine issues that are politically contentious.
4. It leads to improvements in public services – perhaps the most important of the four principles.

Local government is undergoing radical change, driven by severe financial challenge, with devolution and/or partnership, the potential impact of Brexit, transformation programmes, growing inequity, accompanied by an ageing population impacting on health and housing. The Select Committee for Communities and Local Government, mindful that there has been no inquiry on the effectiveness of scrutiny committees, has called for written evidence as to how well the current arrangements are working. It seeks written evidence on:

- Whether scrutiny committees in local authorities in England are effective in holding decision-makers to account
- The extent to which scrutiny committees operate with political impartiality and independence from executives
- Whether scrutiny officers are independent of and separate from those being scrutinised
- How chairs and members are selected
- Whether powers to summon witnesses are adequate
- The potential for local authority scrutiny to act as a voice for local service users
- How topics for scrutiny are selected
- The support given to the scrutiny function by political leaders and senior officers, including the resources allocated (for example whether there is a designated officer team)
- What use is made of specialist external advisers
- The effectiveness and importance of local authority scrutiny of external organisations
- The role of scrutiny in devolution deals and the scrutiny models used in combined authorities
- Examples where scrutiny has worked well and not so well

The deadline for written submissions is Friday 10 March 2017.

How well does MDDC match up to these aspirations?

1. Critical friend challenge to executive policy and decision makers

Each meeting a cabinet member is invited to attend to report on their portfolio and to consider success or failure in achieving their responsibilities and, where appropriate, their contribution to the implementation of the corporate plan. A briefing paper is circulated before the meeting and the cabinet member is subject to often intensive questioning.

Challenge may occur through call-in, particularly relevant where the cabinet/portfolio holder has acted beyond their constitutional responsibility or policy, expressed as beyond the remit of the corporate plan. Two call-ins were; the commitment to the construction of a Premier Inn as part of the multi-storey car park and, secondly, concern that housing construction failed to take sufficient account of the need to make provision for mobility scooters in the aids and adaptations policy. Both were aired but not actioned by the Scrutiny committee.

Each meeting examines performance and risk to monitor progress against the corporate plan and local service targets, as well as an update on the key business risks.

Scrutiny of the draft budget is an important function of the committee. The Chairman of the Scrutiny committee and other members attend Cabinet meetings and comment where appropriate in the "critical friend" capacity. However, it is worth noting that the structure of governance, with most policy proposals being first considered by PDG members which cover the main business of the council and subsequently largely adopted by Cabinet, means that policy has been well considered as acceptable by members. This tends to limit the scope of scrutiny examination or concern of potential inappropriate executive action, but does provide the opportunity for Scrutiny to pull together and provide update and an overview of council policy and progress, eg devolution.

2. It enables the voice and concerns of the public to be examined

The regular public question slot has been well used by parish representatives to challenge mainly planning issues such as the perceived failure to communicate enforcement or deal with burgeoning AD concerns.

Members have established a task group to scope a project for consulting with the public in Tiverton, Crediton and Cullompton to ascertain their views on MDDC.

Scrutiny provides the means to act as examiner of the contribution of external public services to the welfare of the district. External agencies invited to attend have been the two local MPs, the Clinical Commissioning Group on proposed health changes and the Police and Crime Commissioner. Members forward a list of detailed questions and request a briefing paper prior to interrogation.

The contribution of the Portas executive to the regeneration and wellbeing of Tiverton town centre was explored in detail.

Scrutiny members are able to bring forward items of public concern for the agenda, eg failure to implement a planning condition.

3. Carried out by independent minded members who own the scrutiny process

A task group has been established to examine aspects of partnership with neighbouring authorities as a precursor to potential devolution developments. A task group was established on reviewing the cost of efficiency which made a series of recommendations to Cabinet to generate efficiencies. The relationship between MDDC and town and parish councils is much valued by members who established a task group to evaluate and improve the relationship by enhanced communication, eg Parish Matters.

A number of important areas for investigation were requested by Members:-

- Safeguarding of children following a worrying incident in Tiverton
- The plans and progress for the Tiverton Pannier Market and Tiverton town centre with recommendations to Cabinet for action
- Increases to leisure centre charging
- Equalities and hate crime in the light of Brexit
- Car parking charges
- Establishment figures, staff stress and turnover
- Flood prevention
- Management restructuring
- Control of pigeons
- RIPA; whistleblowing

4. Leads to improvement in public services

The Committee requested the Chief Executive to review the planning service which led to an initial report with 11 recommendations for improvement. A subsequent report in October 2016 outlined the progress made, with recommendations on operational, structural and procedural changes which helped inform the merging of Planning, Regeneration and Economic Development teams. The Committee was also instrumental in introducing the potential of a LGA 'Productivity Expert' resource to help shape the council's planning function.

A report on the overview of S106 process for collecting financial contributions from development via the planning system.

Member development update.

Frank Rosamond
Chairman of Scrutiny

This page is intentionally left blank