

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 14 January 2019
at 2.15 pm

Present

Councillors

F J Rosamond (Chairman)
Mrs H Bainbridge, Mrs F J Colthorpe, R M Deed,
Mrs G Doe, Mrs S Griggs, T G Hughes, Mrs B M Hull,
F W Letch and N A Way

Apologies

Councillor(s)

Mrs C P Daw and T W Snow

Also Present

Councillor(s)

R J Dolley, C J Eginton, R Evans, R L Stanley,
Mrs M E Squires and Mrs N Woollatt

Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Jill May (Director of Corporate Affairs and Business Transformation), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Maria De Leburne (Solicitor), Carole Oliphant (Member Services Officer) and Kevin Swift (Public Health Officer)

112 APOLOGIES AND SUBSTITUTE MEMBERS (00.01.00)

Apologies were received from Cllr T W Snow & Cllr Mrs C P Daw.

113 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00.01.39)

Cllr F W Letch declared a personal interest in item 9 on the agenda as he was Chairman of the Crediton Community Well-being Hub.

Cllr N A Way declared a personal interest in item 9 on the agenda as he was the Vice Chair of the DCC Health and Adult Care Scrutiny Committee.

Cllr F J Colthorpe declared a personal interest in item 17 on the agenda as she was Vice Chair of the DCC Corporate Infrastructure and Regulatory Services Scrutiny Committee to which the Head of Economy, Enterprise and Skills, Devon County Council reported to.

114 PUBLIC QUESTION TIME (00.02.56)

There were no members of the public present.

115 MEMBER FORUM (00.03.05)

There were no issues raised under this item.

116 **MINUTES OF THE PREVIOUS MEETING (00.03.21)**

The minutes of the meeting held on 3rd December 2018 were approved as a correct record and **SIGNED** by the Chairman.

117 **DECISIONS OF THE CABINET (00.03.56)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 3rd January had been called in.

118 **CHAIRMAN'S ANNOUNCEMENTS (00.04.10)**

The Chairman informed the Committee of the recent passing of Honorary Alderman Alan Griffiths who had been a long standing member of the Scrutiny Committee.

He and the Chief Executive had recently attended an awards ceremony at Tiverton Petroc College and they would both be attending a meeting at the College on 21st January 2019 to discuss future A-Level provision in Tiverton.

119 **CABINET MEMBER FOR FINANCE (00.05.19)**

The Chairman advised that apologies had been received from the Cabinet Member for Finance and requested that the Cabinet Members report be presented by the Deputy Chief Executive (S151). This was agreed.

The Committee received and **NOTED** the *report of the Cabinet Member for Finance presented by the Deputy Chief Executive (S151).

He outlined the main points in the report including:

- Excellent levels of collections
- Medium Term Financial Plan
- Draft Budget
- Budget monitoring position at October
- Highlights over the past 12 months
- Initiatives/changes/achievements
- Bid for 75% Business Rates retention (new pilot potential) and Fairer Funding

He explained the need for the council to focus on the delivery and growth agenda and that the council must accept an increased portfolio of risk as it explored more commercial opportunities.

Members asked for clarification on a statement on page 10 of the report and the Deputy Chief Executive (S151) confirmed that the statement should read as follows:

‘Secured more capital receipts from the sale of surplus assets (circa £1.6m in 2017/2018) – now utilising these funds for commercial acquisitions to help our budgetary position’.

Note: *Report previously circulated and attached to the minutes.

120 CREDITON NHS HUB (00.13.20)

Councillor R M Deed had requested that a discussion take place with regard to the decision made on 18th December 2018. He stated that he fully supported the NHS Crediton Hub project but requested a discussion on the process used for the urgent decision.

He stated that he had asked for the discussion to be included within the agenda so that Members could:

- Fully understand the decision route
- Understand the project details
- Discuss the process for urgent decisions

The Committee discussed the reasons why the decision was urgent and the reason that it had not been presented to a Full Council meeting which was held the day after the urgent decision was made.

The Monitoring Officer explained that the urgent decision was made in line with the Constitution and that Full Council would not have had the power to make the decision as only the Cabinet could do this. Therefore there would have been no reason to raise this at the Full Council meeting when the urgent decision had already been made. She explained that if Members were unhappy with the urgent decision process they would need to amend the Constitution.

There was further discussion regarding the Crediton NHS Hub project and Members expressed their backing for the council to support the creation of the Crediton NHS Hub. Members expressed concerns about exactly which entity the council were lending money to and the due diligence that had taken place.

The Chairman of the Scrutiny Committee explained that before he had signed the decision he had been fully briefed by the Deputy Chief Executive (S151) and had been presented with a business case which outlined the due diligence that had already been completed and which was yet to be completed by both the council and the NHS before the decision was to be implemented. He explained that the urgent decision made was in principle.

Officers were questioned about the information stated on the published decision and requested that the declaration that planning permission had already been granted for the Hub be explained. The Deputy Chief Executive (S151) stated that the information would be clarified to Members.

In response to a question about why the council should be getting involved in this project, the Chief Executive explained that officers felt that this commercial decision was not only of low risk financially, but that he believed there to be significant policy alignment on the issue given that the NHS Hub was generally supported by Members, as had already been stated by members of the Committee.

The Chairman of the Audit Committee explained that the only reason that the decision could have been referred to the Audit Committee was to understand the risk and to ensure that the Constitution had been followed. He said that he did not feel

that members of the Audit Committee had enough experience to complete due diligence on their own and would have had to defer to the officers who had already completed this as part of the urgent decision business case.

121 **POLICY FRAMEWORK (01.01.11)**

The Committee received and **NOTED** a *report from the Chief Executive detailing the policy framework which was due to be presented to Cabinet on 7th February 2019.

He explained that the policy framework detailed the Strategies and Policies that went through the council and was for Members to understand what was included within the framework. He stated that the framework could be used by the Committee to form a future work plan of what Scrutiny may wish to consider in the future.

Members asked when the Strategies for Cullompton and Crediton were going to be included within the framework and the Chief Executive indicated that he believed this would be after the relevant master planning work in those towns had been completed.

The Chairman informed the Committee that the policy framework would be included within a future informal meeting to discuss and agree what should be included within a future Scrutiny work plan.

Note: *Report previously circulated and attached to the minutes.

122 **MEMBER DEVELOPMENT ANNUAL UPDATE (01.05.50)**

The Committee received and **NOTED** a *report of the Member Services Manager presented by the Director of Corporate Affairs and Business Transformation.

She confirmed that the action plan for the South West Charter for Member Development stated that member development opportunities should be monitored.

She stated that Member Services were currently organising three potential councillor evenings in Tiverton, Cullompton and Crediton and she urged Members to encourage potential councillors to attend.

She explained that the induction programme was being constructed for the new council and confirmed that it had been designed with input from the Member Development Group.

She agreed to send out the details of the induction programme to all members when it had been completed.

Note: *Report previously circulated and attached to the minutes

123 **WHISTLEBLOWING 6 MONTHS UPDATE (01.11.59)**

The Group Manager for Performance, Governance and Data Security informed the Committee that there had been one potential whistle-blowing incident in the last 6 months and that the issues raised were looked into and found to be without substance so were not pursued.

In response to Members questions the Chief Executive gave assurances that individuals raising concerns would not be victimised.

124 **SAFEGUARDING POLICY AND PROCEDURES (01.13.14)**

The Committee received and **NOTED** the revised *Safeguarding Policy and Procedures from the Director of Corporate Affairs and Business Transformation who explained that they had previously been presented to and approved by the Community PDG on 20th November 2018.

Members expressed concerns that some of the wording in the document was grammatically incorrect and requested that the document was re-examined. The Director of Corporate Affairs and Business Transformation confirmed that officers would ensure the wording was corrected where required.

Note: *Policy previously circulated and attached to the minutes.

125 **UNIVERSAL CREDIT UPDATE (01.17.38)**

The Committee received and **NOTED** a *report from the Deputy Chief Executive (S151) on the impact of Universal Credit.

He outlined the contents of the report stating that it was still very early in the roll out of Universal Credit in the district so it was difficult to gauge the final impact. He confirmed that he would bring a more detailed analysis back to the Committee in six month time. He explained that he could only provide details of the finance and how it affected the council but not the detail on actually how it affected claimants but offered to invite a representative from the DWP to speak to the Committee.

Consideration was given to Members concerns about Alternative Payment Arrangements and the Deputy Chief Executive (S151) said he would provide members with additional information.

Note: *Report previously circulated and attached to the minutes.

126 **BUSINESS RATES REBATES (01.31.36)**

The Committee received and **NOTED** a *report from the Deputy Chief Executive (S151) detailing the business rate rebates.

He explained that a TV item in December had named and shamed the council as giving back one of the lowest levels of rebates.

He explained the rules around the rebate process and that only businesses who had seen a significant level of increase could claim a rebate. The council had set limits of a maximum £1000 and minimum £100 rebate per business.

He further explained that once the policy had been agreed in November 2017 officers had written to the 177 eligible businesses in the district and had sent chaser letters to all non-responders in January 2018 to try to ensure all businesses who were entitled to rates relief had the opportunity to claim.

Note: *Report previously circulated and attached to the minutes.

127 **DRAFT BUDGET 2019-2020 (01.38.58)**

The Committee had before it and **NOTED** a report * from the Deputy Chief Executive (S151) in order that the Scrutiny Committee review the draft 2019/2020 budget and make any necessary comments/recommendations to the Cabinet to be considered at its meeting on the 7th February 2019 and Full Council on 27th February 2019.

The officer outlined the contents of the report explaining that since the first round of Cabinet and PDG meetings the finance team and service managers had been revisiting a range of budgets to deliver more savings or increase income levels.

He explained that the initial £662k budget deficit had now been closed to £253k and that officers were continuing to work hard to reduce the deficit without reducing levels of service.

There were no recommendations or comments to Cabinet from Members of the Committee with regard to the draft 2019/2020 budget.

Note: *Report previously circulated and attached to the minutes.

128 **SCRUTINY OFFICER UPDATE (01.49.49)**

The Scrutiny Officer gave an update on the following:

- Community Engagement Working Group – An update on the progression of the recommendations of the working group would be brought to a future meeting
- Brexit – This was pending on what was happening nationally
- Broadband – A representative from DCC would be attending the March meeting to give an overview of broadband roll out across the district
- An informal meeting would be arranged after the February meeting to discuss Broadband roll out and to look at the policy framework for inclusion within a future work programme

129 **FORWARD PLAN (01.53.57)**

The Committee had before it and **NOTED** the Cabinet Forward Plan*

Note: Forward Plan* previously circulated and attached to the minutes

130 **IDENTIFICATION OF ITEMS FOR FUTURE MEETINGS (01.55.38)**

No items were identified.

(The meeting ended at 4.10 pm)

CHAIRMAN