

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 9 November 2020 at 2.15 pm

Present

Councillors

F W Letch (Chairman)
G Barnell, E J Berry, W Burke, L J Cruwys,
Mrs C P Daw, J M Downes, Mrs S Griggs,
S J Penny, B G J Warren, A Wilce and
R F Radford

Apologies

Councillor(s)

R L Stanley

Also Present

Councillor(s)

S J Clist, R M Deed, R Evans, B Holdman, D J Knowles
and B A Moore

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Andrew Busby (Group Manager for Corporate Property and Commercial Assets), Lee Chester (Leisure Manager), Maria De Leburne (Legal Services Team Leader), Simon Newcombe (Group Manager for Public Health and Regulatory Services), Clare Robathan (Scrutiny Officer) and Sally Gabriel (Member Services Manager)

104 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllr R L Stanley who was substituted by Cllr R F Radford.

105 VIRTUAL MEETING PROTOCOL

The Protocol for Remote Meetings was **NOTED**.

106 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-02-42)

Members were reminded of the need to make declarations of interest when appropriate.

107 PUBLIC QUESTION TIME (00-02-50)

There were no questions from members of the public present.

108 MEMBER FORUM (00-03-01)

Cllr B G J Warren questioned as to whether information had been circulated with regard to the number of empty homes currently not in use in the district and a

strategy for garage repairs. The Scrutiny officer stated that this information had been circulated.

Cllr L J Cruwys raised the issue of the Cemetery Lodge and the answer provided to the question posed at the previous meeting which he felt was the best way forward for the use of the lodge. He raised the issue of garage repairs and stated that he would ask for a paper to be brought before the Homes Policy Development Group.

109 **MINUTES OF THE PREVIOUS MEETING (00-07-22)**

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

110 **DECISIONS OF THE CABINET (00-08-13)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 29 October 2020 had been called in.

111 **CHAIRMAN'S ANNOUNCEMENTS (00-08-28)**

The Chairman stated that that the previous week he had had a meeting with the Vice Chairman – Cllr Mrs Daw, the Scrutiny Officer and Cllrs Miss Wainwright and Miss Norton with regard to Motion 564 which had been forwarded to the Scrutiny Committee from Council. It had been decided that the Scrutiny Officer's paper would be forwarded to the Director of Corporate Affairs and Business Transformation to see whether any of the issues discussed were achievable. He also informed the meetings that he, along with Cllrs Mrs Daw and Dolley had attended a chairing skills course the previous week which had been very useful.

112 **CABINET MEMBER FOR COMMUNITY WELLBEING (00-10-39)**

The Committee had before it and **NOTED** a * report of the Cabinet Member for Community Well-Being highlighting areas within his portfolio.

The Cabinet Member outlined the contents of the report by service highlighting the following headlines:

Public Health and Regulatory Services:

- Two lead Environmental Health Officers had gained Chartered Environmental Health Practitioner Status and two other officers were currently working towards that status
- The service had been undertaking non-Covid infectious disease work on behalf of Public Health England to free up PHE capacity
- The service had been engaging with local businesses over Covid compliance and providing advice alongside wider public health and health inequalities work. Officers had also enforced H&S legislation where required and had rolled out multi-contact Covid-secure checklists to support business.
- The service had been mandating adequate Covid risk assessments for (permitted) planned events through the multi-agency Mid Devon Safety Advisory Group.

Licensing

- The team had successfully rolled out new mandatory safeguarding provision and training for taxi drivers following key updates to taxi licensing policy in 2019. The scheme of delegations for officers and the Licensing/Regulatory Committees had also been reviewed and updated

Environmental Health

- The Food Standards Agency had temporarily relaxed all Local Authority inspections requirements on lower risk premises due to the Covid pandemic, which had helped to redeploy some staff into the Covid front line.

Emergency Planning

- Emergency Plan procedures had been updated following severe weather events
- An updated Recovery Plan had been launched and training delivered at all levels
- The Covid response had dominated emergency planning activity during 2020

Community Safety

- The team had delivered strongly against the planning activity in the East and Mid Devon Community Safety Partnership (CSP) Action Plan
- Following the departure of the Police chair of the CSP, the authority had stepped in to take over the chair and was working with all statutory partner agencies.

ICT

- Once the team were back to full capacity there was a comprehensive review planned for upgrades to telephony, the potential roll out of Office 365 plus a new CRM business case would be progressed for consideration early in 2021
- The decision had been taken to use Zoom for virtual committee meetings. MS Teams would be progressed but that was a major project for the future.

Strategic Grant Reviews

- A working group of the Community PDG had been set up to consider the review of the grants programme.

Land Charges

- The team had been very busy, with income up on the previous year.

Leisure

- The current position was outlined which included a reopening strategy following the first lockdown to ensure a continued Covid-19 safe service. (Note: the report had been written prior to the second lockdown)
- The Leisure Service had been key in supporting other colleagues in the Council across other services for delivery during the lockdown and recovery period.

Play Areas

- Refurbishment projects were explained

Market Square

- The town square in Crediton was being resurfaced to improve appearance and drainage

Consideration was given to:

- Licensing – the work of all agencies with regard to the 2 Sisters plant in Willand and the fact that modern slavery issues had been mentioned in the report. The Group Manager for Public Health and Regulatory Services stated that the report referred to migrant workers; issues such as unlicensed taxis and transport to and from the site had been addressed along with one issue of modern slavery
- Food safety issues
- Emergency Planning - liaison with Parish Councils who had a Parish Plan and whether official training sessions had taken place and whether the emergency plan covers all major incidents. Devolved responsibilities with regard to the pandemic
- ICT and the use of Zoom, how Zoom was performing compared to MS Teams; remote working for officers and the roll out of equipment and the plans for the telephony system
- Help for the public who had problems accessing online functions
- The closure of the leisure centres as of 5 November, in line with national restrictions.

The Chairman thanked the Cabinet Member for his report.

Note: *report previously circulated and attached to the minutes

113 3RDL - CABINET REPORT OF 29TH OCTOBER (00-57-06)

Members had requested that consideration be given to a report that had been presented to the Cabinet at its meeting on 29 October 2020.

The Chairman indicated that the decision of the Cabinet with regard to 3 Rivers Developments Limited had not been called in and therefore the decision stood.

Consideration was given to:

- The purpose of the committee discussing the report and if protocols had not been followed in the decision-making process then maybe the decision should have been called in for further discussion.
- Whether the Cabinet had been exceeding its authority by making the decision
- The need to understand the strategy for the company going forward
- The funding involved
- Whether a complete options report should have been considered
- Whether the new ventures should have been considered
- The need to involve the whole council in the decision-making of the company and for the Audit Committee to consider the risks
- The information provided in the report with regard to ongoing ventures and that the funding had been requested for exploratory work

- The need for the Audit Committee to look at the risk and for the Scrutiny Committee to consider governance issues
- The role of the Scrutiny Committee with regard to 3 Rivers Developments Limited
- A request for questions asked to be answered

It was therefore **AGREED** that an informal briefing for both the Scrutiny Committee and the Audit Committee take place where further discussions could take place and that the Chairman of the Scrutiny Committee progress the setting up of such a briefing with his Vice Chairman and the Chairman and Vice Chairman of the Audit Committee.

(Proposed by Cllr A Wilce and seconded by Cllr J M Downes).

114 **FORWARD PLAN (1-43-09)**

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

The Clerk informed the meeting that the Regulation of Investigatory Powers report had been moved to the January meeting of the committee.

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

115 **SCRUTINY OFFICER UPDATE (1-43-54)**

The Scrutiny Officer gave a verbal update on the items that she had been working on and informed the meeting of the following:

- She reminded the committee of the planned informal workshop that would take place on Monday 16 November and requested that any ideas brought forward should also consider impact and outcomes
- She provided feedback on the number of responses received to date from the menopause survey
- The Planning Enforcement Working Group would commence when the other working group had completed its work.
- She had circulated a paper with regard to pre-scrutiny

The officer then reported the actions from previous meetings for Members information

- Members had received responses to the questions asked to the Cabinet Member for Housing and Property Services, including:
 - Average cost of bringing empty property back into use;
 - The programme of garage repairs;
 - The number of landlords involved in Cullompton working with the Council to increase the supply of quality housing above shops in the town centre;
 - How rents were set in Market Walk.
- Members had received information on the current number of empty shops in Tiverton, Crediton and Cullompton.

- Information had been provided on the percentage of customer complaints answered.
- Members had received responses to questions asked with regards to 3RDL, including information on contaminated soil at the St George's site. Members had also received a further briefing on 3RDL from Cllrs Evans and Moore in time for the discussion today, with information on borrowing and lending, profitability and scheduling of developments.

A full update on all committee recommendations would be provided at the next meeting.

116 VIABILITY OF COUNCIL OWNED COMMERCIAL PROPERTY

The Committee had before it and **NOTED** a *report of the Group Manager for Corporate Property and Commercial Assets providing an update on the viability of Council owned commercial property.

The officer outlined the contents of the report stating that the Council worked with local agents to fill voids in any council owned property. The overall objective of the Council in the management of its property portfolio was to utilise and manage its commercial property in accordance with the principles of best value which enabled high quality services to be provided to tenants. The portfolio included commercial property and properties such as Market Walk and properties in Fore Street, Tiverton. He outlined the Asset Management Strategy and Capital Asset Management Plan and the work of the Capital Assets Management Group.

Consideration was given to:

- The list of premises owned available within the report
- Income received from rents
- The draft audit report

As Members wished to consider some of the information within the Part II appendices it was:

RESOLVED 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)

(Proposed by the Chairman)

Following consideration of income received from commercial properties the meeting returned to open session.

Note: *Report previously circulated.

117 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

In addition to those items already listed within the agenda pack for items for future meetings, consideration took place with regard to inviting the Police to attend a meeting to consider the impact of the pandemic on the police force, however it was

AGREED that the Police should not be distracted at the current time and therefore the idea was withdrawn for the time being.

(The meeting ended at 4.35 pm)

CHAIRMAN