

## **Governance Working Group 23/11/2020**

Meeting where 6 Members of the public registered to give their views on governance arrangements

Meeting via Zoom attendee are:

Cllr Jim McKenna (Cornwall Council) (Independent Person) – Chair of the Panel, Cllr Andrew Moore, Cllr Andy Wyer – Vice Chair & Kathryn Tebbey (Senior Officer and Monitoring Officer)

### **Public:**

Roger Cashmore, Carole Edwards, Gill Westcott, Hon Alderman David Nation & Trevor Cope (1 non-attendance)

### **Jim McKenna:**

Good evening everybody and welcome to this evenings meeting. I'm Cornwall Council Council's Jim McKenna and will be chairing this evening event at the request of Mid Devon Governance Working Group. I'm working this evening on behalf of the local governance association and I do have considerable experience with other Councils, looking at things as constitution and governance reviews. I am an independent person and I have no connection what so ever with Mid Devon District Council.

Can I now introduce you to the remainder of the panel, there are four of us this evening, the first of these is Cllr Andrew Moore, who chairs the Working Group, Andrew is waving at you, and he may see him flitter in and out not because he's got other things to do but, because he's got a slight internet issue this evening. So hopefully he will be with us for the bulk of the committee. Cllr Andi Wyer is also here the Vice Chair of the Working Group and we have Kathryn Tebbey the Council's Head of Legal Services and the Monitoring Officer, so Mid Devon's most senior legal officer.

This evening meeting is being recorded purely to ensure that an accurate transcript can be produced, the recording will be destroyed following a decision by Full Council next year, on the matter of future governance arrangements and copies of the transcript can be made available to this evening's speakers upon request, once it been completed.

There are six scheduled speakers this evening, and a total of 2 hours has been allowed for this evenings event, participant's will have around about 5 minutes each to speck which will then allow panel Members to seek any clarification necessary before moving to the next speaker. In particular panel Members would be interested in your thoughts on what works well, what do you value on the current arrangements and alternatively governance could be better, if oblique, because.

Finally before we start on behalf of the Council I would very much like to thank you for giving up your time this evening to contribute. It is appreciated and your views will be taken into account before any decision and future governance at Mid Devon is taken next year by the Full Council.

Ok so are we all clear on the arrangements and are we all happy with that?

(Pause)

Thank you

In which case I will start then by inviting Mr Roger Cashmore who I understand is a Thorverton resident to speak for us, you will have about 5 minute Mr Cashmore, hopefully that will be sufficient and there may be one or two comments or questions from the panel, when your ready...

**Roger Cashmore:**

Can you hear me ok ?

**Jim McKenna:**

Yeah, Loud and clear, thank you

**Roger Cashmore:**

I was hoping for a little bit more than 5 minutes but um...

**Jim McKenna:**

Well we can extend it slightly if needs be

**Roger Cashmore:**

I find it a very interesting time because at the moment the government in Westminster is having a local authority governor's accountability review panel covering exactly the same points that you are and I think our district Councils are under pressure. I know, for example, in Cornwall you're a unity authority and in Somerset you're also chasing unity mirror status. We have county Councils next year.

To be honest, if everybody followed the rules in the constitution, particularly clause 15.2C about the principles of decision making and all the Councillors followed the Nolan Principles then we wouldn't really need to have this meeting tonight.

So, I have a contentious statement to make in my honest opinion national party politics introduces a lot inefficiencies, hinders collaborative and collegiate working, and unfortunately for far too long Councils here in the west have been perceived as a private playground for National party politics.

The Cabinet committee, for example, it's in the constitution that they're allowed to make decisions without referral inside the Cabinet, I personally prefer a hybrid solution and I know that the Cabinet set up in Devon, especially over the sale of the Council offices in Crediton, the 3 Rivers corporation etc. it doesn't always work as well as it should do, um other people can elaborate on that.

Cabinets will only work well if they have effective Scrutiny and overview and that applies to any committee meeting as far as I am concerned. This is a working group and I have just heard you're not going to release a recording of this meeting - well that a shame, I don't see why you shouldn't - as far as I'm concerned a working group is often an excuse to take things off a committee agenda and gently hide them away, they are being replaced by task and finishing groups. The different being they have full public knowledge of what the objectives are and a time, date bound of when they are going to be completed and public and fiscal targets and objectives are set and made known to the public.

So what is good governance, what is a definition of governance, if you go on to the ombudsman website there are hundreds of different examples I've chosen the World Bank definition and that is promoting fairness, transparency and accountability. Governance is about developing excellent working relationships between the paid officers and the elected Councillors, not all Councillors are active as they possibly should be and you can see this by the membership of the various committees in Mid Devon.

Good governance is a practice of making decisions on behalf of stake holders, good governance should be normative and really shouldn't be all about only two things - openness and transparency – and it's those two words that should drive every single thing that Mid Devon District Council has done regarding decision making.

Mid Devon District Council should be willing to share all their information freely and with good will and to make all their decisions completely openly in the public domain. Good governance is the framework for defining medium and long term objectives. Good governance is about accountability and responsibility, I'm not certain that everybody in Mid Devon knows the difference.

Accountability and responsibility should drive every single part of Mid Devon's performance and behaviour, they should be completely responsive to their stakeholders, from whom they derive their authority to do their daily business. Accountability and responsibility should be part of every job description of every employee in Mid Devon and they should all be made available in the public domain. Governance without enforcement or sanction will never work properly, especially I noticed in planning, where I've had most interaction with Mid Devon, and in that particular department they are truly conflicted as they continually appear to act in the interest of the individual applicant rather than the local stakeholders.

Governance without pre prescribed sanctions or enforcement will not work. Governance without the confidence of the public or their involvement of the public will also not work. Governance in Mid Devon is really about fostering a good relationship between the officers, the Councillors and the public. Who are the officers working for? The stakeholders or the Councillors? Who are the stakeholders of Mid Devon? There is only one stakeholder and that's people like me, Members of the public and the rate payers, not an individual business, not an individual planning applicant - just the public.

Governance is about performance, each officer's job description, targets and performance measurement framework and criteria should all be held in the public domain. Officers should be prepared to work to commercial business norms and practices i.e. job descriptions.

Governance is about managing money well. I personally have very little confidence in the published fiscal data I've seen on the MDDC website. Responsibility for budget performance variations, there is one on your website where a department head, I assume the department head is responsible - 227% variation on budget, if that had been in the private sector somebody would have been disciplined to say the least, if it was a school and that was an Ofsted report, they would be put into special measures.

Finally, technology, I don't find the Mid Devon web site particularly user friendly, I find it difficult to navigate and find my way around. During Covid-19 I was so surprised to see that we didn't grab this opportunity to broadcast all virtual committee meetings and put them online. East Devon put all their 'all their' meetings on to 'YouTube' and you could subscribe

and could actually pull them down quite easily off 'YouTube'. theSound Cloud is fine for what it is, but it is very old fashioned now, so a few simple recommendations to improve governance - all committee meetings should be easily made available to all view online; all Members should be encouraged to speak to contribute to committee meetings, especially those such as Cabinet, after public speaking but before committee members. One of the problems you've got is not every Councillor in Mid Devon is active and fully engaged in day to day business and this could be one way to encourage them to get more involved.

And just one other little thing I would like to say: one would never make any aspirational commitments such as the fiscal forecast for 3 Rivers performance, or such as a **climate** emergency target, without first knowing that it is both achievable and affordable, in private enterprises and sectors we call these smart objectives, they're specific, measurable, attainable, relevant and time bound. So that's all I want to say at the moment, thank you very much.

**Jim McKenna:**

Mr Cashmore, thank you very much, can I just ask before inviting the panel to see if there any points for clarification they may have quickly, do you have anything which you like about Mid Devon District Council? In the interest (LAUGH) Other than the fact that their bold to go ahead with their decision.

**Roger Cashmore;**

I don't want you to get the impression that I'm just dumped on the district Council, of course there are lots of things that are good about it but I've been a Councillor for 12 years, I've been a management consultant, I've worked on Scrutiny committees at county level and there are other business models and there are lots of simple little things that Mid Devon are just plainly not doing, and it's not just about the Cabinet, for example, (if we can see), I can see every single Member of the East Devon Cabinet on the 'YouTube', I can see anywhere up to 20 odd other Councillors getting involved in their Cabinet meetings and I can go and speak publicly and I can see the levels of engagements between people on the East Devon Cabinet meetings, so, to me the more openness, the more transparency and the less decision making behind closed doors, that is what I want to see from Mid Devon District Council.

**Jim McKenna:**

Mr Cashmore, thank you again, um Cllr Andrew Moore, Cllr Wyer or Kathryn Tebbey do you have anything you wish to ask Mr Cashmore for clarification purposes.

**Cllr Moore:**

I was just intrigued, you made a strong point about transparency and openness and you said that it should drive everything that Mid Devon does and I entirely agree with you on that particular point, but I am just a little intrigued about what evidence you have that the Council is not transparent and open. You were very vociferous in your comment then about it and for example, I have done a little bit of work and the classic ones is meetings that are Part 1 and Part 2 which you will be familiar with, and I have done a bit of work and Part 2 forms, the Part 2 Reports, form a very small, and I think it is about five percent of the reports that go through the Council, and typically they are for because there are specific issues to do with personnel, or commercial information like a contract that is being let that is in the commercial domain, and those tend to be the main reasons.

\*Cllr Moore's audio froze\*

**Roger Cashmore:**

Can I just make a comment and will try and answer...

**Jim McKenna:**

Mr Cashmore, can I just ask the other two members of the working party if they have anything more they wish to ask and then maybe you can wrap it up with that point as well.

**Roger Cashmore:**

Sure

**Cllr Wyer:**

I had a query in terms of whether Mr Cashmore has any particular issue with the Cabinet Strong Leader model of governance within Mid Devon or whether or not he would prefer committees or any other form of governance or if it is more of just a case of openness and transparency across the Council and it wouldn't matter how we worked within the Council.

**Roger Cashmore:**

Like other people on the Zoom call I don't have a particular axed to grind about the reason we are here meeting here tonight...

**Jim McKenna:**

Mr Cashmore, I'm sorry to butt in, but can I just check if Kathryn Tebbey has anything that she wishes to comment on or ask and then you can wrap up if that is ok...

**Roger Cashmore:**

Sure

**Jim McKenna:**

Thank you.

**Kathryn Tebbey:**

No, I'm still listening, because I would like to hear what Mr Cashmore has to say, he was just about to reply and then I may have something.

**Jim McKenna:**

In which case, Mr Cashmore, sorry to interrupt.

**Roger Cashmore:**

My prime concern is this, that officers, and this is not just about Mid Devon, but officers do not communicate well with the public, not ever Ward Councillor is interested in taking your concerns and issues and working on your behalf to give you the information back again, so, to answer Andy's, Cllr Andy's comments, then to my mind the most important thing is to make it very easy, very easy, for any member of the public who has got an interest in a particular subject to find it out for themselves – so this is about the amount of information that is available on the website. This goes back to you know making it very easy for members

of the public to engage with the Council's day to day workings. I shouldn't have to get in my car and drive the Phoenix House to get a question answered and I shouldn't always have to go to my Ward Councillor and ask him to spend his time to get an answer coming back the other way. There must be better ways of engaging with the day to day runnings of Mid Devon District Council.

As I say, most of my interactions have been with the Planning Department and they are particularly conflicted because they are... they are particularly seen to the odd observer to be working always in the interest of the applicant and very seldom in the interests of their community and this goes on all of the time, and there must be a better way of communicating with your public, the stakeholders are the public, not the Members, not the Leader, not the head of, you know, the chief executive and the officers, not the leadership team. There is only one stakeholder and you should be working flat out to share as much information as you possible can with your stakeholders and if we did that, we wouldn't need to have these sort of discussions (people would be) and incidentally to see a good working Council is a blessed thing, it's a fantastic thing, and you have got a long way to go in my opinion before you engage with your community better than you're doing at the moment.

**Jim McKenna:**

Thank you, you have made your points very clearly which has been very helpful. Cllr Wyer do you want to come back?

**Cllr Wyer:**

I was merely going to say then the biggest issue Mr Cashmore has got is more about communication rather than necessarily governance. How we do it is largely secondary to how we are not communicating with you or you are not able to communicate with us.

**Roger Cashmore:**

Governance, as I said the definition I gave you about the World Bank, governance is all about openness and transparency and working for your stakeholders, in this case the rate payers of Mid Devon. You have got it Andy, that's a pretty good point for me.

**Cllr Wyer:**

Yeah.

**Jim McKenna:**

I think the point has been well made and Mr Cashmore, thank you very much for being first. Next on my list I have Carole Edwards, who I believe is present and then I am going to invite after Carole, Gill Westcott, because I gather Gill you have to be somewhere else so you would like to be somewhere other than last on the list, is that correct?

**Gill Westcott:**

I could say a brief word but my contribution will be less useful and I would prefer to go after one more speaker. Thank you.

**Jim McKenna:**

No problem at all. OK. So, Carole are you there (and can you hear me?)

**Carole Edwards:**

Yes, good evening, I will start by saying I think the current model works well. I don't pretend to know a lot about governance but since I accepted this invitation I have been reading quite a bit and I think that the current model works well. However, any governance will only work well when Members and officers work well together and share the same values – that is important – and Scrutiny is very important and it is important that the Council takes on board all of the recommendations of the Scrutiny Committee. It is important to have representation from all political parties on the Cabinet and I note it that earlier this year there were changes in the Cabinet and I didn't have time to find out what had gone on and why it seemed Independent Members had left or gone and Conservative Members came in.

It is important that all Members and officers keep in mind that their task is to do the best to all those, we, living within the Mid Devon District area. I'll come to what Mr Cashmore was saying, my concern is openness and transparency. In the last few months I have had more time to look at Council agendas and minutes and some things are not clear. It is very difficult for one to read and not see, and as Mr Cashmore was saying, although I have not experienced it, whether or not YouTube joining the meeting would be a good idea because then you do get an idea of who is taking part, whether all Councillors have an active role in the decision making or whether or not that are not saying very much at any of the meetings. It is important for them to engage.

As well as openness and transparency it is important for there to be engagement and communication. I know it is very difficult and I don't have the answers as to whether communication can just be through the media, . through press releases, there is always going to be somebody that doesn't see it or perhaps isn't interested, but I think it is important for the Council to do all they can to cover every avenue to get out all the decisions and engage us in the decision making.

I have been asked for views if there have been local issues which I think in particular on planning, I can't remember, anything else, and that was useful, but I wasn't sure that all my views or the views of other residents were taken on board and fully considered.

I have just got a few random comments to make here as well. It is important that the finance officer should feel able to provide challenging information to Members. Again, I'm not sure how that works and as I said first of all, governance only works well when Members and officers work well together and share the same values and respect each other. Another thing is, I do think about the Cabinet Members having to make difficult decisions – important decisions involve a lot of money in tens of thousands of pounds – and whether they are fully supported or given enough information or expertise and that is what I would like to see or be reassured that is happening, that the decision makers are fully informed.

I do think our Council does a lot well, a lot of good things, and over the past few months, reading on our cooperation between neighbouring Councils and authorities and going into it a bit deeper to see how it works, there are cost savings and there are obvious benefits on both sides so I do think they do a lot well and I think they have improved in many ways in the last few years and looking back - well there has been spending cuts it has been difficult

times, but there is a lot more to do and I suppose for me it is openness and transparency to have the right information and I know where to go if I have a question. I will leave it at that at the moment, thank you.

**Jim, McKenna:**

Thank you Carole, and thank you for summarising at the end. I think you mentioned earlier about appropriate Scrutiny as well didn't you.

**Carole Edwards:**

Yes

**Jim McKenna:**

Thank you very much, that was really well expressed and thank you for that. Can I invite panel members then to ask any questions or comments on what Carole said? I can see Andy, I can see Kathryn but I can't see Andrew on the screen. It looks like he is back

\*Andrew Returned\*

You go first Andi if you have got anything to say.

**Cllr Wyer:**

I noticed that you were talking about Scrutiny and that it was important for Cabinet decisions. Are you happy that there is a suitable level of Scrutiny at the moment, or are you not really sure about that, or are you just think that it is an important aspect...

**Carole Edwards:**

I think it is a very important aspect and in particular in respect of risk and understanding risks and the outcomes. Taking a risk is not an easy thing to do so you need as much information as possible and I think I read somewhere that sometimes decisions are published, or can be published, before they have gone to the Scrutiny committee – am I right in thinking that?

**Cllr Wyer :**

Yep

**Carole Edwards:**

Thank you, so a decision can be taken but it can still be scrutinised. I think it is also important...

**Cllr Wyer:**

Yeah, that's fine, because I am the vice chair of the Audit Committee which is one of the other committees that has a certain level of scrutiny over the Cabinet decisions and we concentrate purely on risk so that is very gratifying to hear that it is an important one.

My other query was you mentioned that sometimes agendas and minutes are not clear. Do you have any particular examples or is that just a general.....?

**Carole Edwards:**

I'm sorry, I could probably go back and look but there was one particular set of minutes that I was looking at and there was lots of information that wasn't given and perhaps it could have been personal information or certain individual interests in a particular idea or subject, but I know in minutes are sometimes tedious – I wish I could find another way of writing minutes without seeming so turgid but unfortunately it doesn't happen and you have to say what people are saying. And that's, as Mr Cashmore was saying, one reason why live time committee meetings are quite useful because there is no doubt as to what somebody has said.

**Cllr Wyer:**

OK, thank you, that is fine, very helpful.

**Jim McKenna:**

Andi, thank you, Carole, thank you. Cllr Moore, are you going to hazard a questions or comment?

**Cllr Moore:**

I daren't take up too much bandwidth because it disappears..... No I think everything you said was clear to me. There are some interesting observations and I am stopping myself replying because this is about finding out what you think, but yes are some interesting points about finance and your perceptions of that, so thank you for that

**Jim McKenna:**

Councillor Moore, thank you. Kathryn are you content?

**Kathryn Tebbey:**

I would just be interested to hear whether Mrs Edwards had the opportunity to join one of our meetings via Zoom previously – we have this meeting this evening but I mean one of our formal meetings via Zoom - have you had that opportunity yet?

**Carole Edwards:**

No I haven't, I have thought about it actually...

**Kathryn Tebbey:**

It is not a criticism and I'm not trying to put you on the spot... I just wonder whether.....

**Carole Edwards:**

No I haven't because I understood that I needed to give notice that I was going to join a meeting and I haven't had a chance to do that yet but I will do. When I feel that I'm competent enough to ask questions, because I like to find out the background of things before I go in and not waste peoples time. If there is something that, as I say, because I have a bit more time now, I will look and I will join a meeting and I will ask questions.

**Kathryn Tebbey:**

That would be most welcome.

**Carole Edwards:**

I forgot that I could actually that I could join by Zoom.

**Jim McKenna**

Kathryn thank you, Carole thank you. It sounds like you might make an excellent Councillor at some point in the future Carole, so bear that in mind.

You are very welcome as is everybody to stay until the end of the meeting and next I have Gill Westcott. Gill, if you wish to speak?

**Gill Westcott:**

This will be very quickly because as a Parish Councillor I have only operated under the Cabinet system so I am not familiar as I know some of the other people who are going to speak are with the committee system, so that limits what I can say but I would say that I have experienced some very good and professional work by officers of the Council – that Mid Devon has been extremely helpful towards Cheriton Bishop Community Land Trust in getting affordable housing with it, so this is not relevant to the question at hand which is whether the committee or Cabinet is best.

I have two observations, one is that it seems to me that under a Cabinet system there is a more concentrated power and that therefore Scrutiny committees need to be really strong as well and that the Cabinet needs to respond to them and that the chairs should ideally be independent or not Members of the same party as dominate the Cabinet. So, I'll leave others to speak about the committee system.

The other thing is about this process and as somebody who is not that knowledgeable about both systems I would find it extremely helpful if this kind of thing could be done, you know, as it might be in a public meeting in other times or as a deliberative process where people like me who are coming along are helped to benefit from other's experience and discuss things, so un-deliberative form is a citizens jury, which is like a kind of mini citizens assembly, so it would help me to hear somebody talk about how a committee system works and their experience of it and somebody to talk about how a Cabinet system and how it works and their experience of it, and then to hear the reactions of other participants as well, maybe discuss it in groups, then to come back with the groups answers to the questions being posed and further discussion and maybe a vote.

Or it might be that some other proposal comes forward and people might agree on one system or another or a hybrid system. So, I know Covid makes things very difficult and obviously there could have been a much bigger response to this, but to hear speakers and then to deliberate with perhaps some mutual facilitation would be very helpful and I know this isn't the end of the Governance working groups work so there is a suggestion for a possible way for wider engagement should that be needed.

**Jim McKenna**

Jill, thank you very much. Questions from panel members? My go to is generally Cllr Wyer, he has done a good job so far, so is there anything you want to say Andi

**Cllr Wyer:**

No, I agree pretty much with everything that you have said and you're not the only one who has not got experience of the old committee system. I joined Mid Devon back in May 2019 so I have never seen the committee system. A lot of us are working from the same situation/from the same starting point that you are.

**Jim McKenna**

Andy, thank you. Cllr Moore? Cllr Moore did give us advance warning that he was having bandwidth issues.

Cllr Wyer, unfortunately I have no idea what he would have said or I would have tried for him.

**Mr Cashmore:**

Could I suggest that Cllr Moore turns his video off and then he should be able to contribute via audio quite easily?

**Jim McKenna**

Yes, I'm not necessarily sure he could hear us but if you heard that helpful suggestion from Mr Cashmore, Cllr Moore, feel free. Failing that, Kathryn is poised... Kathryn, is there anything you wish to say, or question?

**Kathryn Tebbey:**

We've had three speakers so far who have all in particular emphasised the need for a strong scrutiny function, that's been a consistent thread throughout and that is certainly something that we need to reflect on.

**Jim McKenna**

Jill, I can see in the chat box your comments and observations which we will feed into the process as well as the video recording.

Cllr Moore, you were with us very briefly but now you appear to have frozen again. I'm not sure it is Cllr Moore's fault, Mr Cashmore, but there you go.

OK so, (looks like he might be about to ring him) , so Gill are you content that there seems to be broad agreement with what you are saying, particularly in relation to future engagement and doing it in a slightly different way should the opportunity arise. Thank you, your written comments will be taken into account and it appears that Cllr Wyer is broadly in agreement with what you say so result I would say – so thank you. Again you are very welcome to stay but I gather you have other commitments so thank you very much for participating.

Next then is Alderman David Nation, do you require honourable before that Mr Nation, so the Honourable Alderman David Nation, that is what it says in my brief, so I am just treading carefully. David, take it away.

**Hon Alderman David Nation**

Can you hear me? I'm never quite sure if I should take it off mute or if Sally or someone else does it.

Thanks for the opportunity to join this panel this evening. As some of you may know I spent twenty years as a district councillor, most of that in Mid Devon, and I retired in 2011. That was three years after the system changed from committee to Cabinet, and I happened to be the first chairman of the Scrutiny committee because I was leader of the opposition on the Council at that time, and because we were getting a huge amount of support in making that change to the leader and Cabinet system from the LGA and elsewhere, I think another government department, I was provided with a mentor, a very experienced Dorset County Councillor, for twelve months period I think, during the start of the Scrutiny committee, and I actually supported the decision to switch to the leader and the Cabinet because of various assurances I had and because of the way I was led to believe the system would work.

Now, I found that it pretty much, a few years I was there, after it started, I was content with all of that, but I have to say that my experience since then has been very different and I am extremely unhappy about what I believe... \*interruption\* I am extremely unhappy about what I regard as a very undemocratic way in which certain important decisions on Mid Devon District Council are now made, the exclusion of most Councillors, although you can argue that they have the opportunity to address the Cabinet etc. and so on at different times, but I think as Gill Westcott or someone said just now, you have got to make it easy for people and that goes for Councillors as well and it seems to me that the present system – Covid-19 restrictions apart – doesn't actually make it terribly easy and I don't think a lot of Councillors feel that can contribute, change or influence anything and that is a very unhealthy state of affairs for democracy

I think. Most Councillors feel quite disempowered by the present system and they are certainly excluded from a lot of decisions. I think another downside to all of this in my experience in recent years has been an increase in secrecy – I think Roger Cashmore mentioned something about this. I know that Part 2 will apply and it is governed by statute and from time to time that is quite properly used, but it strikes me, that rather like this meeting and I would say all the meetings of the working group and the work of the working group so far, has been in secret, and I myself have had to make two Freedom of Information Requests in order to find out what has been going on – and I haven't been particularly impressed by what I have read by the way.

The working group I think has been going on for around twelve months now and it seems to have done very little to have addressed the concerns that the people have, myself included. I know that a lot of people have been interested in this process but the fact that the meetings have been held in secret has not facilitated that at all. They simply haven't known what has been going on. Now what I want to know is what has Mid Devon got to hide? Why cannot the leadership at Mid Devon accept that they have nothing to fear from including people and making, giving people a role, as you are doing tonight? But why did it take until now for this to happen? Why have all of the other meetings been in private?

I am told as well that on 1<sup>st</sup> December, I think, there is to be a Full Council opportunity to consider the situation – now I learnt of that by chance. It is nowhere in any public statement and as far as I know that is going to be yet another secret meeting. This will do nothing except breed suspicion and resentment amongst the general public and I thought the day was long since passed in local government when these sorts of tactics would be used to keep people in the dark.

I ought to say as well that my involvement in this, it was admittedly prompted by one particular incident here in Crediton – sorry, I should have said at the outset that I live in Crediton – but of course I have heard over many years of concerns like this, but my interest in challenging the present arrangements and the present structure, is in no way, and I hope everybody will accept this whether you agree with my views or not, is in no way designed to reduce the efficiency of the way that Mid Devon operates.

I was there when the system was introduced, partly and probably substantially to improve the efficiency of the District Council and I am totally in favour of that, so I'm not intent on doing that at all. But I do believe very strongly that the structure has to either be amended, and I'm not sure that the present structure can be amended in a way that would meet my objections, but if it can be all well and good, but if not, strenuous attempts should be made by this working group and the Council as a whole to modify the structure in such a way that addresses the concerns that you have been hearing about tonight.

So I hope people will accept that anyway. I don't want in any way to reduce the efficiency of the Council, but I feel very strongly about this and I know that thousands of other people across Mid Devon, and I mean that literally, thousands of other people are very unhappy with the way the system works at the moment and I fear that if this working group is not serious about addressing the problem that the Council may find in a year or two that they are being obliged to hold a referendum because a petition will be created to require that to happen, with a view as I understand it, that there are limited options if we should we ever reach that stage, of reintroducing the committee structure.

Whereas I am quite happy to accept that if the work is done properly and all of the options are looked at then there may well be other versions of governance which might meet needs of complainants like myself. Lots of other local authorities have actually tweaked their system of governance in the last what six or seven years I think since the legislation was introduced to allow Council's to revert to a committee system or the like if they wanted to, so all things are possible it seems to me and I hope ways can be found with the most efficient manner and with the least use of resources to bring about the desired changes. Thank you.

**Jim McKenna**

Mr Nation, thank you, and from my perspective I do accept what you say in terms of acting in good faith and being interested in the better operations of the Council, rather than anything else, so thank you.

Questions from the panel? I get the impression that we might have our panel chair on the phone as I see a number I don't recognise on the bottom, so that could be, but I'm going to go with Andi Wyer first just in case. Oh, hang on, is that Councillor Moore?

**Cllr Moore:**

Yes, I'm listening in because there is a lot of noise on the line so I will just listen if that is ok.

**Jim McKenna:**

Ok, and you heard Mr Nation clearly?

**Cllr Moore:**

I did.

**Jim McKenna:**

Cllr Wyer, you are doing a sterling job as Vice Chairman so over to you again...

**Cllr Wyer:**

Good evening David. I don't know if you can answer this one or not, but you said when the Cabinet system started you were relatively happy with it, are you able to identify what changed from those days to where we are now...?

**Hon Alderman David Nation:**

Yes, thank you Andi. I probably should have mentioned this, part of the mentoring that I benefitted from during that first year was an assurance that although this might not be written in black and white in the constitution, in the event that the Cabinet is aware that Scrutiny is totally opposed to something they intend to do or want to do, or indeed if what they want to do is contrary to the wishes of the entire Council, then the Cabinet would conform with those wishes. And I suppose what led me into all of this was the fact that in that particular instance the Cabinet totally ignored both the Scrutiny committee and the majority views of the Council, so that was a really big shock to me because, as I say, I had been assured that's the way the Scrutiny committee, sorry the new governance worked and that is the way I had always seen it work whilst I was chairman of Scrutiny.

**Cllr Wyer:**

I have nothing else because I am very aware of David's opinion and where he is coming from. He lives in my Ward, so...

**Jim McKenna:**

Thank you, Kathryn, is there anything you wish to add or questions?

**Kathryn Tebbey:**

Yes, there is an interesting point here, David, with to what extent do you think it is necessary for Councillors to be decision makers as opposed to the point you made that a lot of them felt they don't have the ability to change or to influence - , so decision making and being able to influence, where does the balance lie? Do you think it is the influence we need to focus on rather than getting bogged down with "we are a decision maker or we are not a decision maker"?

**Hon Alderman David Nation:**

Well subject to what I said about the fact that in terms of democracy in my view the Cabinet should always conform to the clear wishes of the Full Council and respond to the wishes of the Scrutiny committee as well – subject to that, I think that we should all accept and all Councillors need to accept that they won't all be able to have decision-making powers on everything. I think there is obviously a lot to be said for Councillors having a good deal of decision making with regard to what is going on in their area or their Ward, but aside from that I think that everyone accepts that they can't be deciding everything, but they should

have the opportunity to influence, certainly, and that is lacking under the present system, the way it works.

Now I know, one can say about, I mean I wasn't as critical as many are about the way that the old committee structure worked because I think, and I think this was referred to obliquely by Roger Cashmore earlier on, that a lot of the issues that one might see from time to time occur because of the Councillors and not the system, so I think that if you make it easy... I'm saying... you got to make it easy for the public and Councillors to contribute but if you do and they don't then you can hardly blame the system for that. So, Councillors have responsibility for this as well, however it works.

**Kathryn Tebbey:**

Thank you, that is really helpful.

**Jim McKenna:**

Mr Nation, from my perspective, you have expressed that you were around as a Councillor when the Cabinet system was introduced and you are clearly, and I understand a little bit of the background, you are clearly not happy with how elements of the Cabinet has determined things in the last sort of eighteen months I guess. Is it in terms of governance, are you basically saying from your perspective that you would like to revert back to committees or possibly a hybrid, or are you saying if there is something in relation to, not necessarily behaviours but sort of governance methodology associated with the Cabinet that might be acceptable to you as an individual rate-payer?

**Hon Alderman David Nation:**

I think it might be, the information I've given to me by Kathryn I think and others, suggests that it is not possible to alter the Leader and the Cabinet system so that the Cabinet can be subject to the wishes of the Full Council and if that is the case then somewhat sadly I would want to depart from the Leader and the Cabinet structure and look for a hybrid or in the last resource, the committee structure, which did allow that.

You see, I certainly.... If I go back far enough I can obviously recall many occasions when Councillors feeling strongly about whatever the issue might be have put a spanner in the works and prevented things happening until they have had the opportunity to address the Full Council on the issue and they have done that and now obviously if that is used excessively or inappropriately or recklessly then it can introduce delays and I know we all want to avoid those. But nonetheless, if the only system that will be responsive to the democratic wishes of the Council and the people is to deviate from the present structure and introduce the old committee structure then I would have to go with that.

**Jim McKenna:**

Thank you very much. Again, I am hoping you will stay for the final one, possibly two speakers that we have. Thank you very much indeed, that was very clear and very helpful in terms of the debate we are actually taking with the authority.

Next on our list then, is Mr Trevor Cope, the Honorary Alderman Trevor Cope, so I will say the Honorary Trevor Cope. You are very welcome to speak Mr Cope whenever you are ready.

**Hon Alderman Trevor Cope:**

Thank you very much, yes, Honorary Alderman, a bit like David and we probably go back about the same and I know David and I'm sure he remembers me. I served on East Devon District Council for twenty years and I went through the two systems in the same way as David did and at the same time in fact and I think we were probably talking to each other whilst it was happening.

The issue that I have really is to do with the way which Scrutiny and overview committees work. If they don't work then there is no way that decisions that are being made by the Cabinet can be firstly be tweaked and secondly altered, and if Cabinet has total authority then it makes it very, very, difficult for any other Councillor to have a say. Now I served on, I'm just looking at the list of committees I served on through my time at East Devon, I was on the policy committee because I was the leader of the group, I was on transportation and tourism, I was on the environmental and planning committees and local area planning committee, the climate change committee that nobody ever heard of called the Local Agenda 2021, the finance and budgeting committee and a refuse and recycling committee. Now those committees were specific and what they gave to the people who were on them was the opportunity to become involved in the day to day running of the Council.

Now Scrutiny doesn't necessarily allow that and neither does overview, and certainly a Council that is run in, and I'm going to say it because I feel it that is what is happening to Mid Devon, a Council that is run in an authoritarian system with the Leader and the Cabinet running the whole thing, which is what it feels like to somebody like myself who has seen all other sorts of methods working, if that is the system then other Members of the Council are not likely to take part in discussions because they don't feel that what they have got to say is actually being heard and they don't feel that anybody is taking any notice of it, so the only way they have to bring things up is the way in which the old East Devon Independents did, and that was to take it to Full Council . And the questions to the Leader in one instance at Full Council when the leadership was not Independent, there were 38 questions to the Leader of the Council because the Councillor's themselves felt left out.

Now I don't like the leadership system and I don't like the idea of Cabinet and if you looked at the old walls of the old chambers at East Devon there was a cartoon that was made by a cartoonist who was there for the very end of the systems in East Devon and it is me falling off the ship because that is exactly what happened. I was pushed off the ship and I wasn't given any opportunity to serve on the Cabinet. I did serve on the Cabinet for about a year, but was considered to be a bit of a thorn in their side and therefore eventually they changed the system and there were no opposition Members on the Cabinet at all.

That is where things go wrong, when a particular political party takes over on block is where things fail. Now as far as I can gather there is no overall control at Mid Devon and that puzzles me as to why there is a need for the Leader and the Cabinet to take complete control of the whole system. It doesn't make too much sense to me. So I think on a personal basis and a view really for your committee, the committee structure worked. It gave the Independent Councillor, who was the Ward Member, an opportunity to say things that could not be said elsewhere and it also gave them an opportunity to feel that what they said was heard, listened to and acted upon. Certainly with a large committee structure when you got eight of nine committees, everyone had an opportunity to take things on of their own interest.

Now, I find this again, with Mid Devon, that people are allocated to committees. Now I never did that, I asked the Members which committees they wanted to serve on so it made a lot more sense because those people were more interested in the areas that they were working in. So for instance, I had someone on the refuse and recycling committee who was particularly interested in sorting out the situation that we had where our refuse and recycling was very low and actually did something to it and made it work, because they were interested in what they were doing. I feel that the committee structure is a way forward and if there is a possibility of a hybrid then that is possibly a useful thing, but to finish, if we are going to have a Scrutiny committee, then let's have a Scrutiny committee that is led by an Independent or someone outside of the lead groups, somebody who can actually say things and let's have a Scrutiny committee that actually is able to influence the decisions that are being made by the Cabinet. Thank you.

**Jim McKenna:**

Mr Cope, thank you very much indeed. Questions / comments from the panel, Cllr Wyer?

**Cllr Wyer:**

Thank you, so your biggest problem as such is similar to David's in that with Cabinet basically able to make its own decisions unless Scrutiny can call them in or the Council itself can overrule them, then that is the problem effectively that the Cabinet just has so much power that they can be held to account?

**Hon Alderman Trevor Cope:**

That's right. That's the biggest issue really that no one person, whoever they are and I've never led a Council I've led two different groups, two different political groups, but I've never led a Council because I've never had the numbers to do it, but no one person should have that position where they have complete control and can make complete decisions that are therefore are binding across the whole Council, I think that is completely wrong.

**Jim McKenna:**

Thank you, Kathryn?

**Kathryn Tebbey:**

I was interested about the comment about how seats are allocated. As with every Council we have the allocation scheme based on political parties but then the leader of each group talking to their group hopefully will then nominate who goes on. So, I was wondering, Mr Cope about that comment and whether there was a particular example that led you to that conclusion.

**Hon Alderman Trevor Cope:**

Yes, there is a particular example but I'm not going to mention any political parties because that is not what I am here for, but the situation was that a group was given seats on a committee. They weren't actually asked which committee they wanted to serve on. Now I understand how the algorithm works because I worked it and I know exactly how it works because I set some of it up in East Devon as Roger will probably remember as well, because I know him from the past too. So we set up all sorts of different ways to make sure there were the right number of Councillors on each of the committees, but what we then did was gave

it to the leaders of those groups to make the decisions as to who should serve on those committees if they wanted to serve on them and there was some bargaining going on and all sorts of other things to enable there to be a balance in some instances.

So, just as an example, the Independents might not have anybody who was particularly interested in transportation and tourism but the Liberal Democrats, or as it was in my time the Liberals, had someone so they would swap the committees over so there was still the balance of the number of places and the number of seats that were allocated but not necessarily on the same committees, if that makes sense. I hope that makes sense Kathryn?

**Cllr Wyer:**

In fairness, that's largely how I have seen it happen at Mid Devon. That is not to say there aren't individual circumstances where it hasn't, but in my experience that is how it has happened, especially with the Lib Dem group.

**Cllr Moore:**

Jim, Cllr Moore sitting in the background. Actually I would just like to echo Andy Wyer's comment. I was intrigued as to why Mr Cope thought allocation versus invitation and it is an interesting observation and I certainly know from my particular group that people are invited to join areas of interest and that is certainly the case. If I could ask a question here, you said right at the end, I missed the first bit I'm afraid because my telephone line went down again, but you said Scrutiny should be led by an Independent and I think that is a useful observation and you should it be able to influence decisions made by Cabinet and I just wondered where you felt... there is a process, a very clear process which Scrutiny has which is called the call-in procedure, where they can call in any decision that is made by Cabinet and I just wondered whether you had an observation about how that works in Mid Devon given that the process does actually exist to call Cabinet to account.

**Hon Alderman Trevor Cope:**

Yes, I recognise that, thank you Andrew. I do recognise that but the trouble that I see and the ways in which things work here are very different to the ways in which they certainly worked in East Devon. If I called something in, the decision I called in would be frozen and the decision would not be made by the Cabinet until the Scrutiny committee had an opportunity to investigate further what those decisions were and it appears to me that sometimes the decisions that are being made by Cabinet are not being fully scrutinised because the Scrutiny committee is being told that is the decision, we've made it and we are moving on, and that really comes to the thing that David was talking about previously where a decision was made by the Cabinet which kind of overruled the decisions that were being made by general Membership.

**Cllr Moore:**

I'm just going to come back to you with one observation on that. The process is very clear actually in which is that the decision that is made by Cabinet, it then doesn't become an extant and implemented decision is after that point, and the Scrutiny chairman or a Member of the Scrutiny committee has up until that actuation date, sorry I cannot think of the right word, to actually perform the call-in and then the Scrutiny meeting is then able to discuss and then the decision is held .....\*inaudible 1.03.09\* it has no force if it is called in so again I am a bit intrigued as to, I recognise there was one decision which in the past where

Cabinet made a decision and despite all of the good advice it was ignored, but you made a specific comment there about influencing decisions made by Cabinet and there is a call-in procedure and it does stop a decision coming into force if it is called in, but there again I am also intrigued as to why you are saying they are just... that doesn't work either. Why doesn't it work if the decision has no force?

**Hon Alderman Trevor Cope:**

That's interesting. That is not what I said actually and I think...

**Cllr Moore:**

OK, clarification then please...

**Hon Alderman Trevor Cope:**

That's fine, I'll give the clarification. I didn't want to go to this clarification but it seems that it is necessary to do so. The Cabinet decided, Mid Devon Cabinet decided, the Leader decided, that a decision that was made was not actually what he wanted and therefore kicked a whole load of people off the Cabinet and replaced them with Members of his own party. Those kind of decisions are the ones that are very difficult to call in to scrutiny because the decision had been made by the Leader. He decided to remove those people from the Cabinet and there was no recall and there was no recourse. Meetings were held afterwards to try and solve that problem and to try and come to some agreement to enable those Members who were booted off the Cabinet an opportunity to answer and to get back on again.

It appeared to me that the decision was made because they disagreed with him; now that is an outsider looking at it, perhaps there were better ideas or perhaps other things that happened but that is how I saw it. Those people were, for want of a better word, removed from the Cabinet and replaced in this instance by Members of the party. I don't want to get political, that wasn't what I was here for, and I'm here to talk really about the difference between the system that you are presently running and that of the committee structure. I wasn't going to go political but if you need me to, I am quite happy to. They were people who were chucked off the Cabinet because they disagreed with the Leader and that to my mind is not acceptable.

**Cllr Moore:**

That is helpful to understand where you are coming from, thank you.

**Jim McKenna:**

Mr Cope, thank you. Kathryn, Andi, anything else that you would like to ask before we move on? I'm not sure if we have, Sally, do we have Louise Doyle who was due to be the last speaker?

**Sally Gabriel:**

No, we don't.

**Jim McKenna:**

OK, in which case that is the speaking done. What I would say though bearing in mind we are ahead of schedule if those who have spoken who are still on the line, if there is anything they want to possibly add that they have omitted to say, in a minute or two, I am very happy to allow that to happen just to make sure that we maximise the benefit of being here in the time that we are giving. So, I had Mr Cashmore, you have listened with interest, I can see you. Is there anything you wish to add or any new points that you wish to add in, in relation to this evening?

**Roger Cashmore:**

I really would welcome some questions from Kathryn.

**Jim McKenna:**

You would like some questions or like to ask some questions?

**Roger Cashmore:**

I was under the impression that Kathryn was going to come back to me with some questions?

**Kathryn Tebbey:**

I think they were actually answered when you spoke again, but I'm just reviewing what I have noted down so if there is anything else you wanted to add I can always come back to you in a moment because I don't think there is anything else that I wanted to clarify.

**Roger Cashmore:**

Thank you to the Chair for giving me the opportunity to comeback. The principle thing from where I am coming from you have already got and that is that we have to work a lot more harder in my opinion to make information easy to find and as far as I am concerned there should be no excuse, apart from the commercially sensitive stuff, section 2 stuff, everything, repeat everything should be in the public domain. And I urge you, I am using East Devon District Council as a little bit of a flag ship at the moment because I am very enthused by the fact that I can subscribe if I wanted to, through a public channel like YouTube and they push information to me if I want them to.

Now the big difference / the best way to get more involvement by the community is to make it interesting for them and to be able to encourage them to come and get involved in local Council affairs at your level and at the moment there is huge steps that we can make to increase community involvement and technology I think is at the forefront of that and so I would urge to look at other, for example, this question about committees and sub-committees as opposed to Cabinet, if you believe as I do in openness and transparency, the actual structure is not as important as the fact that anybody can very quickly and very easily see what is going on.

And that would overcome a lot of the problems and discussions that you have got, so I would urge Kathryn and her team and all of you to try and think hard of ways where you can push meaningful information out to the community. At the moment, the way it all goes, is to the parish clerk. Ninety nine times out of a hundred you disseminate your information and your notices through a parish clerk, which is fine, but ninety per cent of people don't engage

with their parish clerk. The only reason or the way they get it is that sometimes it may, if they are lucky, end up on a notice board, so I would urge you to work really, really, hard on finding new ways of getting people to subscribe to receive information from Mid Devon District Council rather than waiting for the outcome of a decision or waiting to read about it in Devon Live or the local press or so on and so forth. There is so much more you can do in that regard.

Thank you very much again for giving me the opportunity to speak.

**Jim McKenna:**

It's fine, it has been really helpful Mr Cashmore, so thank you. Kathryn did you want to come back...

**Cllr Moore:**

Jim can I jump in there Jim. Mr Cashmore, I didn't get a chance to ask my questions and I'm not going to go back there but I wanted to say thank you to you as well because you have made some interesting comments there about communications which I have certainly taken on board and will have a think about. I am very keen to see greater public engagement and you have put some ideas forward there so that is good, thank you.

**Roger Cashmore:**

Just finally, Chair, a message for Kathryn. I have just sent you an email Kathryn. I did prepare some aide memoire notes if you wouldn't mind taking the liberty to... I have just emailed them to you

**Kathryn Tebbey:**

That's fine.

**Roger Cashmore:**

I'm going to say good night, thank you.

**Jim McKenna:**

Thank you very much for participating, thank you Carole is there anything you wish to say or add to what you said earlier?

\*no response\*

I am about to take that as a no then, OK thank you.

**Andy Wyer:**

She is on mute if she does want to say anything.

**Jim McKenna:**

Carole you are on mute as Andi has pointed out

**Carole Edwards:**

Thank you. After listening to the other gentlemen, I had assumed that Councillors beyond the Cabinet could be engaged in and influence decision making. I had assumed it, I didn't

know, but that appears not to be the case, and I think it is very important that a Councillor for a ward within which a project is being developed or taking place should be engaged in the consultation of the decision making. And that is my last point.

**Jim McKenna:**

Andrew, Cllr Moore, I can see your light alternating did you wish to speak?

**Cllr Moore:**

No, I just wanted to thank Mrs Edwards for her comments.

**Jim McKenna:**

OK thank you. Trevor, were you signalling a wish to speak on that particular issue?

**Hon Alderman Trevor Cope:**

I was actually. It is a very quick point really...

**Jim McKenna:**

I'm hoping Mr Nation doesn't mind giving way at this point (it may seem appropriate for him to finish)... if you want to carry on then Trevor.

**Hon Alderman Trevor Cope:**

It's a very quick point really, I think that Full Council meetings, to answer Carole's question, I think the Full Council meeting is the opportunity for Members to take that opportunity to get involved in what is going on, but what worries me about it is the situation we had in East Devon in the past where there were 38 questions to the Leader. If Members do feel left out then that is their last resort, their last resort, to ask questions of the Leader and that shouldn't be necessary, it should be possible for Members to be able to be involved and to be able to put their point of view, but the only opportunity they have it appears is through the Full Council meetings and I think that is something that we need to address.

**Carole Edwards:**

Yes, that's what I now know and I don't think that is right. As you say, the only means of doing anything is going to a Full Council meeting and that seems a bit long-winded and to be able to be involved in an earlier stage, an easier way round, a simpler way round, if you are the person representing a particular ward.

**Cllr Moore:**

Can I just jump in there? (I am now completely blind, so I cannot read the room at all) Just on that, I just wanted to check that Carole Edwards and Trevor Cope are aware that, sorry, let me explain. I'm trying to work out where the actual problem is because any Member can go to any meeting and they are all invited to make comments and can make comments at any meeting and I am just wondering if the issue is not so much not being able to engage because they do have the opportunity but whether we need to find a better way of them engaging. Your thoughts on that please?

**Jim McKenna:**

Are you asking Trevor?

**Cllr Moore:**

Yes, Trevor, why not.

**Hon Alderman Trevor Cope:**

I'll come back on that then. Perhaps it is an understanding or a feeling by Members of the Council that yes they can attend but is anybody going to pay any attention to what they say. We have a leadership and a panel that makes the decisions. They make the decisions, am I going to change their minds, unlikely... so... I won't bother

**Kathryn Tebbey:**

Can I just come in at this point... It won't cover all of the decision makings of Cabinet functions, but one of the things that we have in this Council, which you know is up for review along with everything else at the moment, are for policy development groups who are the starting point in terms of policies. All new policies, revised policies and other actions go through them, whether it is environment, community and so on, and then they make recommendations up to the Cabinet. And I was wondering if you were aware of that, either Mr Cope or Mrs Edwards?

**Carole Edwards:**

No, I wasn't aware of that.

**Hon Alderman Trevor Cope:**

Would you like me to come back again?

**Kathryn Tebbey:**

Yes, I'm just interested in hearing...

**Hon Alderman Trevor Cope:**

Yes, I am aware of those committees and they are virtually task and finishes aren't they. They put a of particular piece of legislation together and then bring it back but I think I come back to that same point that I have been making for most of the evening and I perhaps continue perhaps to over-do it, but the situation I see is one is a Leader and a Cabinet who are automaton they run the lot. And whatever people put in through task and finishing or through special interest groups, the end decision is made by the Leader and the Cabinet, so if something is put to them that they don't actually like they can chuck it out.

That is my concern about the system as it is working and that was my concern at East Devon and David and Roger will both remember the situation at East Devon where anything I said to do with the Local Agenda 2021 or to the environment was immediately kicked into the long grass. It happened all of the time. We put all sorts of policies together and they ended up in the long grass, and the grass got longer, and that's my biggest concerns about the way in which Mid Devon are doing things. I don't think that the Leader and Cabinet system is the best way of getting involvement from Members or representing those decisions that should be being made in the best interest of the people of Mid Devon.

**Jim McKenna:**

Thank you, Mr Cashmore, you were waving furiously about a minute ago...

**Roger Cashmore:**

I was nodding basically nodding my head because basically Trevor has nailed it there as far as I am concerned. It is not as democratic as it could be and I do not want to involve politics as Trevor said. It is not just in Mid Devon but in many of the districts in the West Country if you look at any map there has been traditionally one colour all its life and unfortunately it does affect the day to day running of most of these lower tier Councils.

**Jim McKenna:**

Thank you. OK Kathryn, could I ask you a question. I resist too often to give a degree of personal experience but in Cornwall we have Overview and Scrutiny committees rather than just Scrutiny committees, so, I chair one of them, I chair the economic growth and development one which includes housing, transport, planning and economy, and we do have the ability, we have sight of the next three months of Cabinet agendas and we do have the ability to request reports in advance of Cabinet decisions, which I use reasonably regularly. So I wondered if that is something the Council had considered and if so, do you think it might possibly be worth having a look at. Like a pre-Cabinet Scrutiny.

**Kathryn Tebbey:**

It is something that at a previous meeting of the working group, I said I would look at and I have talked to you about it Jim - and I am also looking at other Councils to see what they do regarding this so that Members considers the pros and cons in doing that. We call it a Scrutiny committee but it is in effect an overview and Scrutiny committee, so it has both the ability to scrutinise decisions that are being made or issues that are in the past and see how they can do things differently, but it has that overview function as well - and it does as you said have access to the forward plan, that's on each and every agenda. There is certainly a shift amongst some Members in terms of how they might want to go about this and that is a conversation we have got to have.

**Jim McKenna:**

OK thank you. I just thought that might be relevant to the conversation we are having so..... That brings us on to the Hon Alderman David Nation.

**Hon Alderman David Nation:**

There is only one thing that I would like to say actually at this stage. I think that every speaker tonight has enthused about the need for openness and transparency and I have made mention of the fact that I have made two FOI requests in order to find out anything at all about anything this working group has been doing. And only a few days ago did I discover that yet another meeting is happening which the public know nothing at all about and that is some Full Council might be a workshop on the 1<sup>st</sup> December.

**Cllr Moore:**

Sorry, could you just clarify what you think is happening, because we might correct you on that.

**Hon Alderman David Nation:**

Well I have interpreted it, well I have looked at, some sort of workshop run by the LGA. Am I right?

**Roger Cashmore:**

The Leader of Mid Devon District Council happens to be my Ward Councillor and lives around the corner from me. I was chatting to him today and he confirmed pretty much that he is expecting the output of this group / this meeting, to be presented to them on the 1<sup>st</sup> or 2<sup>nd</sup> December, I can't remember which. I am also incredibly disappointed for example, we have got the technology, we are using Zoom, I can see in the top left hand corner that it is being recorded and yet it is only being used for note taking. That is so disappointing.

**Cllr Moore:**

Can I just clarify as chairman of the working group which I took over from **Cllr Wilce** in September, just to be clear what is happening, we have had a couple of internal sessions and I hope you will agree that we've moved things forward considerably in the last couple of months and this session is evidence to that I hope, and what is scheduled for 1<sup>st</sup> December, is the LGA is hosting a working group where we are going to do exactly the same with Members, as we are doing with you, and the idea is to give Members an opportunity to have their say in a safe space about what they think and put their sides of the argument are.

\*interruption\*

Can I just say what is happening, because setting the facts of what is happening; and so that is their opportunity to do a warts and all discussion and after that there is a meeting set up with the working group who will sit down and try and pull out the threads of what it has heard from both of those sessions and I will report back to Council on the 6<sup>th</sup> January with an update as to what the outcome has been from that and the next steps going forward. So that is what is happening, there is no secrecy about the process here and I think I have said that about the mechanics of it.

I'm being completely open about what the mechanics are and that is what we are doing and I believe that is what I said when I spoke in Council at the end of October. That is what's happening. Now you might not like what is being done by the Members having a warts and all discussion and you might not like the fact that the smaller working groups is going to sit down and try and work out what it all means but that is what the group is doing. I would rather not get into the ins and outs as to whether that should be in secret or whatever but I'm telling you what is actually happening because there seems to be a bit of confusion about what is actually happening. And there you have it.

**Hon Alderman David Nation:**

Sorry, can I come back please. Andrew, I'm sorry, I am really shocked at what I have just heard you say.

**Cllr Moore:**

Why?

**Hon Alderman David Nation:**

Because it doesn't matter in other words. What is the point in having even this discussion tonight if your attitude is going to be it doesn't matter what anyone else says – that is what's happening? That is precisely the sort of approach which I think people like me are thoroughly fed up of.

**Cllr Moore:**

That is what the working group have agreed. Let's not go into that. I'm just telling you just facts. That is what the working group agreed, not me, I'm just telling you...

**Hon Alderman David Nation:**

Well then I suggest you go back to the working group and ask them to reconsider because that is what this is all about. I also heard you use the word 'a safe place' and I think, I have certainly heard, maybe you, but other people talk like that in the past. Well is this not a safe place where we are tonight? Can you tell me what Council meeting takes place in anything other than a safe place? This is absurd. You've got nothing to hide. If in fact you have a forum which is open to the public by law or your committees and so on have to be in public now anyway unless there is legitimate reasons for putting something in Part 2, why is this whole exercise been under wraps and kept out of the public gaze completely. I don't understand what you've got to lose.

Now obviously I can understand that assuming there was huge public interest in all this and you were having this workshop as the whole Council on 1<sup>st</sup> December, you wouldn't want three hundred people, e.g. Members of the general public, to turn up, but let's be honest, you are not going to and even if that was possible then you've got the power and control to say I'm sorry but we can only have ten of you in or something or whatever it might be, so what have you got to fear? And if you expose these meetings, I mean, it has been appalling, I have never come across something as dramatic as this in all my years on the Council in Mid Devon and another, because all of these meetings that you have had, this is the first opportunity that any of you have had a meeting, and I think it is only two of you here from the working group tonight anyway, at which Members of the public have been present. Now that is shocking.

Openness and transparency? Have you forgotten what it means? Now you are in control totally, Councillors, the leaders, the chairman, Cllr McKenna here tonight, you are all in control of this setting. If people think I'm prattling on too much Sally will cut me off and that is that. So you are in control. What have you got to fear? The more of these meetings you have in secret, the worse it gets.

**Jim McKenna:**

David, if I could just come in. The working group is not a committee of the Council. It is something that has been set up to evaluate the issue and actually to listen to concerns that have been raised previously by you and others and it was Mid Devon's decision to do that. They didn't have to, they chose to, to see actually where the gaps might be on the back of

some feedback. Any reports, any decisions taken by Full Council in public, it won't be a private session...

**Hon Alderman David Nation:**

It's too late for that...

**Jim McKenna:**

I think it is appropriate on occasion where – a safe space is, it has a variety of connotations but actually it is appropriate for people to be in a position to have fairly strong conversations and to express views, possibly forcibly, informally, so that will influence thinking. I don't see that as being anti-democratic. The point of this evening has been to give the public an opportunity, some of you have taken up that advantage and I think there may well have been some written submissions as well. It might be that something else follows and we don't know yet.

But where Members are concerned, and you will know as a former Member, as a former councillor, the more Members that get involved in a process the more credibility it has when a decision is taken and so a conscious decision was taken by the Local Government Association and my role is actually working on behalf of the Local Government Association so it doesn't cost the Council anything.

It is really, really important that we get as many Members to participate in this as possible, because in that way it has a degree of credibility from your elected representatives. I think it will be judged on, the Council will be judged on the results. This is by no means finished yet. There will be other opportunities, and as I say, yes you are correct this is the first opportunity you've had as an individual to make a contribution to this and it may be for the others, but what you say will be written as verbatim as possible and you do have the opportunity to have a look at what is written in advance of it going to any report.

**Hon Alderman David Nation:**

I haven't had the opportunity of seeing what has been written on any of the other meetings that this working group has had and I remember being told at the outset by the then chairman of the working group that the first meeting was a sort of brainstorm and they wanted to kick round how they wanted to approach this and so on, and I accepted that, I wasn't terribly impressed but I thought OK. But the meetings that have happened since have been totally closed and not reported to the public at all, other than I think there was one press release about one particular aspect.

**Cllr Moore:**

That's not actually true, because as I said I stood up at Council at the end of October and said what was going on...

**Hon Alderman David Nation:**

How many meetings had we had by then?

**Cllr Moore:**

Well, Chairman, might I point out, and that was the first meeting after I became Chairman and of course you and anybody else, has an opportunity, as it was presented as a report at Council to quiz and ask questions then. And you can do so again because my opinion is that it needs to be out there in the public domain as a minimum at a Council meeting. I did start this just by saying what we were doing and I am just setting the record straight in terms of, you know, you were a bit 'what's this meeting, it's all in secret', and I'm telling you what is being done and that was my purpose and in some ways I'm wishing I hadn't because I'm being stepped on.

I'm stepping back and I will hand over the Chairman to carry on.

**Jim McKenna:**

That's very civil of you, thank you. I think it is good that it has been aired, but I think what I would come back to is that no decisions have been taken or will be taken by the working group in relation to the future direction of the Council. That has to go to Full Council, not Cabinet, it is Full Council.

What the working group does is I suppose sort of hone things, it will look at further options and produce a number of reports, which will culminate I suspect in something Kathryn, probably in March, followed something to your annual Council in May, so there is ample time for people to get involved, but it is not always appropriate for everybody to have access to everything. Presumably as a former group leader, you will have had, Liberal Democrats, are you one of them? Or Conservatives, you may even be Labour, who knows, or Independent like myself. You will have had meetings which were solely for your Members and that's appropriate and this again, follows accepted practice from the Local Government Association in terms of developing and refining thoughts, but the decision making on this will be made by Full Council. It is not going to be taken by a smaller group on Cabinet. It will be Council that determines the way forward.

**Cllr Moore:**

Can I just add that you did set out our expectations in terms of timing and we did look at this; there is a Council meeting at the end of, sorry, the start of January, and we simply won't be ready we don't think, in time for that. There is a Council meeting at the end of February but that will be taken up with budgetary discussions and therefore, the Councillor Cruwys, who is the Chairman of the Council, has already accepted and has positively I might say, not with his arm up his back, that there will need to be an extraordinary Council meeting purely to discuss this because it will be that significant. So again you probably aren't aware of that or in fact you may be because as I say again, I'm pretty sure that is what I said in my report to Full Council back in the end of October. So, yeah there is work going on in the background but you know it will have its day in front of Full Council and if people aren't happy then that will be an opportunity for lots of comments to be made.

**Jim McKenna:**

David, one final comment from you.

**Hon Alderman David Nation:**

Yes, I accept some of what you have just said obviously Cllr McKenna about not every meeting involving Councillors or officers for that matter is in the public, I accept all of that, but if this had been something referred to a PDG for example, then it would have been in public and correct me if I am wrong, but I imagine that on the 1<sup>st</sup> December at this workshop, other options might be reviewed, considered and explained. Now those are the sort of discussions that I think Members of the public should have access to as well, and the way that you are running it that isn't going to be the case. Thank you.

**Jim McKenna:**

Thank you, Roger?

**Roger Cashmore:**

Thank you, I just wanted to say that this is a classic example... if information was easily able to be discerned and pulled down from the internet then we wouldn't have to have this type of discussion. That's the only point I want to make and I just strongly use the opportunity to reemphasise it. Governance for me is getting easy access by the public to every single working that goes on in Mid Devon Council that you can possibly share with us. Thank you.

**Jim McKenna:**

Can I thank everybody for participating, it is really gratifying that you have given up your time and I know you have got... I know you are passionate about some things and I think that has really come across. There will, as I say, be an opportunity to have a full transcript of the meeting and fairly shortly, so you can make sure that you have been sort of cited correctly, and what you have said will be considered by the working group and, you know, potentially in some cases may well influence the way forward. So I just want to say a huge thank you from my perspective. It is appreciated and I obviously look forward to talking with some of you again. Thank you very much.