

Comments received – Governance Arrangements – External Consultation

| Name | Comments |
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| Margaret Taylor - Bradninch | I am not in favour of the current system of leader and cabinet. I dislike the idea that a small group can overrule the majority. Also not impressed that the leader can appoint his supporters to cabinet. All councillors voices should count, after all they were elected to represent the people. |
| Steve Batt | See attached document* Appendix 6 annex |
| Frank Rosamond | See attached* |
| Mary Nation | See attached* |
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To whom it may concern

I am responding to your invitation to comment on the governance of MDDC (as best as memory serves) as I feel I had a part to play in the current set up, having served as a Member of MDDC from 1999 until 2019.

If I may be permitted to step back into history, my introduction to the Council coincided with a period of No Overall Control, under the aegis of various groupings/ungroupings from a majority of Independents. The main committees then were Policy and Development, in theory providing the leadership to the Council, Finance, Housing and Health, Environment and Leisure plus traditional regulatory committees such as Planning and Licensing. They all reported to full Council where recommendations in reports were debated at length. There was no Corporate Plan setting out the objectives of the Council, and no concept of assessment of Value for Money and consequently direction often came from Officers which was not infrequently disputed at length by Members in Council. The Council meetings were often long, tedious and repetitive, with potential financial overruns, largely addressed by recourse to raising Council Tax. There was often a shortcoming in service provision identified in external inspection reports eg inadequate provision of decent housing

The then Labour Government worried by the inadequacies of Local Government introduced a major reform of Governance arrangements in early 2000s based primarily on an Executive or Cabinet model to bring greater direction and efficiency. The Government also established the Improvement and Development Agency. (IDeA) However, for smaller LAs such as MDDC a 4th Option was permitted based on a continuation of the Committee system but with the introduction of Scrutiny as mirrored by the House of Commons Select Committees .MDDC adopted the 4th Option with a revised committee structure of a Resources Committee shadowed by a Resources Scrutiny Committee and likewise with Community Services and Community Services Scrutiny Committee.

The difficulty with the new structure was - where was the locus of power and direction? It was not unusual for one Committee to be overruled by another Committee with the issue referred to and determined by Council debate. Delay and confusion was not unusual, with Officers striving desperately to bring certainty to decision making. Member/Officer relations became very strained.

Throughout this period I was appointed as the Independent Peer Representative for the South West by IDeA and I undertook research into the efficacy of the new governance models across the country and it became clear that 4th Option Councils compared to the alternative Cabinet/Executive model were faring badly in Government Office Corporate Performance Assessment reviews of their efficiency and Value for Money, including MDDC. Such were MDDC shortcomings at this time that the Council was placed in Special Measures under the wing of the Government which involved a thoroughgoing reform programme lasting many months. The leadership of the Council was taken to task-the Committees had no leadership, no accountability, only drift. As the phrase has it - *there was nether a soul to be damned or a bottom to be kicked* .

Something had to change. A Corporate Plan was eventually developed setting out clear objectives with a revised Committee structure of Policy Development Groups -Homes, Environment, Community and Economy- that mirrored the objectives- with the Chairs dignified with accountability and reporting to Cabinet which invariably accepted the studied research of the PDGs within the Corporate Plan overlooked by the Scrutiny Committee which has the power to interrogate individual Cabinet Members. The Leader and Members of Cabinet report to Council for final decision making with Council meetings benefitting from greater specificity and clarity of decision making, but with all Members able to contribute.

The current system of Governance gives clear lines of responsibility and in my experience (as ex Chair of Scrutiny) has worked well with the Officers, albeit Members are determining the direction of the Council. Officer/ Member relations have been excellent as a consequence.

I am not sure what lies behind this review. I understand that some Members have felt the loss of greater deliberation at Council versus the contribution of Cabinet, but that can negate the careful iteration of research and discussion through the PDGs and Cabinet . All meetings, including Cabinet are open to all Members who can contribute freely. However if I have one criticism of Members is that too few have in my experience taken the opportunity to attend Cabinet meetings and to participate in debate and thus potentially influence decision making.

The Council is charged with significant responsibilities by Government and by the Community to provide a complex range of public services It increasingly has to be run with business efficiency as budgets become ever tighter whilst operational demands are subject to increased public expectations. The current governance arrangements have served the District well during a desperate period of austerity during which the Council has maintained services at a high operational level (eg decent housing, modern leisure facilities) with limited Council Tax increases whilst seeking alternative funding in the face of the Government withdrawing financial support. Hard decisions have had to be made and by and large the recommendations to Council by Cabinet have been endorsed by Members, having travelled the appropriate democratic/governance route.

Unless very good reasons for change have been articulated I would maintain existing arrangements as any changes may well be disruptive and fundamentally unproductive so that any gain will be outweighed by the loss of a well-functioning system In the circumstances *if it ain't broke, why fix it?*

A rider.

The pandemic has willy-nilly brought about unheralded changes in the ways that local communities have faced up to the challenges of maintaining support for local services which has engendered a

greater interest in local democracy through volunteering. Could that interest creativity and energy be sustained beyond the pandemic? Should the Council be looking more widely about engaging with energised community activists to provide a different dimension to local services? Are there structures in place to capitalise on such energies. Should MDDC be looking beyond conventional representation to greater grassroots democracy to complement the existing Governance arrangements? As one commentator put it, having proposed a new Community Power Act, using deliberative democracy, participatory budgeting and citizen assemblies*to create the plural public space we need*

Does the Council need to review its approach to engaging with local people to secure a big increase in the number of people getting involved in where they live and looking for more ways to do more of it and how to respond *in a very direct or even human way.*

That seems to me to offer the potential of a much more productive way forward than a change to existing Governance arrangements

Frank Rosamond

25 November 2020.

Dear Sirs

I believe that the present governance arrangements should be changed because the Cabinet should not be able to act against the wishes of full council as they did when the cabinet sold the Crediton Town Council Offices on the open market instead of to Crediton Town Council. The fact that Crediton Urban District Council had owned the Town Offices before the transition to Mid Devon District Council was totally ignored and has left the Town Council operating out of small lockup premises with no Council room of any status in which to meet visiting dignitaries.

My recommendations would be:

1. Ensure that the Cabinet can always be overruled by a majority of all Mid Devon Councillors. The reason for this is to prevent the Cabinet ignoring the majority wish of the Council as a whole and riding roughshod over the views of all other Councillors. The Full Council should be the final arbiter of decisions. They can delegate decisions to a Committee but if it disagrees with what that Committee decides, they should be able to override the Committee. This used to happen in the old Committee structure but there could be other ways to ensure the Cabinet can be called to account.
2. Ensure that all meetings are open to the public except for matters put in Part 2. There seems to be a growing trend to hide information and rely on people applying under freedom of Information legislation to get hold of information.. The Council should not be frightened of being open and should endeavour to act in public as much as possible.
3. Enable ALL councillors to have more input into decision making by reverting to some form of Committee system rather than a Leader and Cabinet system. This would enable all Councillors to take more interest in what the Council is doing and would enable more than one Councillor to put views and ideas into discussions. It would extend the breadth of information available to a Committee.

4. Development Groups should be renamed to be called Committees. On your website there is a good description of how the current system of governance is structured. It talks about the 'Council Committee Structure'. The general public, knowing plain English, knows that councils are run by committees. To call the major committees 'Development groups' implies they are like working groups and the title does not sound important enough. In my view the main committees should be called Committees, with maybe sub-committees where necessary. A Planning Committee could have a sub-committee called Development Control which would just deal with planning applications. There should then be in place permanent Working groups to each Committee that **only** meet when there is actually any matter that the committee feels that working group needs to discuss. Having permanent Working Groups in place means that there is no need to waste time setting one up - if something needs to be looked into, the working group is already there. But it would be important for that group not to meet on a regular basis just because it exists - it should only meet because something has cropped up it can deal with. It should of course be held in public barring Part 2 items and be able to ask non councillors to its meeting to give advice and information.

I would add that my views are coloured by having been a councillor on West Devon Borough Council in past years when the old Committee system worked well. Of course, the calibre of the councillors often makes a difference no matter what structure of Governance is in place.

Your sincerely

Mary Nation

Crediton

Devon.