

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 21 March 2022 at 2.15 pm

### **Present**

#### **Councillors**

B G J Warren (Chairman)  
E J Berry, S J Clist, Mrs F J Colthorpe,  
L J Cruwys, Mrs S Griggs, F W Letch,  
Mrs E J Lloyd, S Pugh and Mrs E J Slade

### **Apologies**

#### **Councillor(s)**

P J Heal and R F Radford

### **Also Present**

#### **Councillor(s)**

Mrs C P Daw, R M Deed and R Evans

### **Also Present**

#### **Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Richard Marsh (Director of Place), Jill May (Director of Business Improvement and Operations), Maria De Leiburne (Operations Manager for Legal and Monitoring), Dean Emery (Corporate Manager for Revenues, Benefits and Recovery), Carole Oliphant (Member Services Officer), Clare Robathan (Policy and Research Officer) and Jessica Watts (Member Services Apprentice)

## **129 APOLOGIES AND SUBSTITUTE MEMBERS (0.04.42)**

Apologies were received from Cllrs P J Heal and R F Radford.

## **130 ELECTION OF VICE CHAIRMAN (0.06.48)**

There were no nominations for Vice Chairman for the remainder of the municipal year.

## **131 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0.08.10)**

Members were reminded of the need to make declarations where appropriate.

## **132 PUBLIC QUESTION TIME (0.08.20)**

A member of the public referring to item 9 on the agenda asked:

1. Can Members, now that the growing season has started, assure those directly affected by Anaerobic Digesters (AD) planning breaches, that the participation or non-participation of neighbouring Council/agencies, will not impede commencement of enforcement proceedings?
2. Appraisal of the recent EA update to SR8 and 9 for on farm AD generic risk assessment, which states the likelihood of nuisance emissions of gasses,

- odour, bio aerosols and particulates escaping from uncovered slurry/digestate storage and spreading activities?
3. Reference to the proposed nutrient neutrality rules which will affect Mid Devon new housing; and how this should be considered within the context of present AD planning breaches and over production? How would allowing this be compatible with Mid Devon's declared climate change and CHG position?
  4. Will legal advice be sought to provide specific agricultural and environmental expertise?

The Chairman advised that answers would be provided when the item was discussed.

### 133 **MINUTES OF THE PREVIOUS MEETING (0.12.19)**

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

### 134 **DECISIONS OF THE CABINET (0.13.06)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 8<sup>th</sup> March 2022 had been called in.

### 135 **CHAIRMAN'S ANNOUNCEMENTS (0.13.34)**

The Chairman welcomed Cllrs S J Clist and Mrs E J Slade to the Scrutiny Committee and thanked Cllrs G Barnell and A Wilce for their service to the Committee.

### 136 **RECOMMENDATIONS FROM THE MOTION 564 SPOTLIGHT REVIEW (0.18.38)**

The committee had before it a \*report from the Scrutiny and Policy Research Officer providing details of the work carried out for the spotlight review for motion 564.

The Scrutiny and Policy Research Officer explained that in February 2021 councillors Lloyd and Norton brought motion 564 to Full Council to encourage discussion on equality and diversity.

The recommendations of the spotlight review were:

1. That the Council considered ways to better promote the role of a Councillor
2. That all Chairs of Committees and PDGs be required to attend formal training
3. That a Councillor is identified to be the equalities and accessibility champion
4. That the Council develop a mentoring scheme for (new) members of the Council
5. That the Council supports and facilitates the building of councillor networks, in particular between women councillors and councillors with families or caring responsibilities to grow peer to peer support
6. That the Council develops a (password protected) private members area on the Council website, in order to create a bank of shared training materials and documents for reference and ongoing learning
7. That the Council ensures all officer roles are offered flexibly (unless there is a business need) and give consideration to the option and promotion of job shares for officers

8. That further research is carried out into member experience of equality in the Council

Consideration was given to:

- The proposer of the original motion who stated that the review had taken over year and had been very comprehensive
- That the LGA had stated that the report was excellent
- The motion was about how the Council could be opened up to all people from all walks of life
- The views of some Members that recommendation 3 should include specific reference to people with disabilities

On such being moved by the Chairman, it was **RESOLVED**:

Subject to delegated authority being given to Scrutiny Officer and Cllr Mrs Lloyd to be signed off by the Chairman of Committee, to make the amendment necessary to meet the point raised by Cllr Letch so that the reference in recommendation 3 to 'a councillor being identified to be the equalities and accessibility champion' also cover disabled persons: The report be passed to full Council in response to its request of the committee.

Note: \*report previously circulated and attached to the minutes

#### 137 **UPDATE FROM THE PLANNING ENFORCEMENT RECOMMENDATIONS (0.31.15)**

The Committee had before it, and **NOTED**, a \*report from the Director of Place giving an update on the recommendations of the Planning Enforcement Working Group.

The Director of Place provided the following responses to public questions asked:

1. There was no link between other authorities and enforcement action
2. If there was a new emerging policy it would be considered
3. The issues had not effected Mid Devon to date but the Council would consider how new developments effected such matters
4. As part of the Council's declared climate change targets, all alternative forms of energy productions would be considered which may include Anaerobic Digesters.

The Committee then discussed the progress against the recommendations.

A question was raised in relation to the recruitment and retention of enforcement officers. The Director of Place explained that there were ongoing issues within the both the sector and region which was making recruitment and retention of enforcement and planning officers more challenging. The Director also referenced work underway at an organisational level relating to recruitment and retention with the aim of considering what measures may assist in addressing the issues across the organisation as a whole.

The Committee requested a further progress report in 6 months.

Note: \*report previously circulated and attached to the minutes

138 **FORWARD PLAN (0.53.07)**

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

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

139 **SCRUTINY OFFICER UPDATE (0.53.50)**

The Scrutiny and Policy Research Officer informed Members that with regard to the Broadband work, that two employees had left AirBand and that they were waiting for replacements before further meeting could be scheduled.

She stated that she was waiting to hear back from one other Council with regard to joint Scrutiny of Anaerobic Digesters and would bring the findings on this approach back to a future meeting.

140 **WORK PLAN (0.55.33)**

The Committee had before it, and **NOTED**, the Scrutiny work plan for the remainder of the municipal year.

The Committee had before it a proposal form submitted by Cllr Lloyd on participatory budgeting (PB).

Cllr Lloyd explained that she would defer the proposal form to a future date to give her time for further investigations.

The Committee **AGREED** that all future 3 Rivers Developments Ltd Business Cases for new sites would be brought for pre scrutiny before being presented to the Cabinet.

Note: \*Work Plan previously circulated and attached to the minutes

(The meeting ended at 3.27 pm)

**CHAIRMAN**