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## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 17 April 2023 at 2.15 pm

### **Present**

#### **Councillors**

S J Clist (Chairman)  
W Burke, L J Cruwys, Mrs S Griggs, F W Letch, S Pugh and  
R F Radford and Mrs E J Slade

### **Also Present**

#### **Councillors**

Mrs C P Daw

### **Present**

#### **Officers:**

Andrew Jarrett (Deputy Chief Executive (S151)), Maria De  
Leiburne (District Solicitor and Monitoring Officer), David Parker  
(Member Services & Policy Research Officer), Andrew Seaman  
(Member Services Manager) and Angie Howell (Member  
Services Officer)

## 86 **APOLOGIES AND SUBSTITUTE MEMBERS**

No apologies were received. Cllr Mrs E Lloyd was in attendance via Zoom.

## 87 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:04:12)**

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

## 88 **PUBLIC QUESTION TIME (00:04:25)**

There were no questions from members of the public.

## 89 **DECISIONS OF THE CABINET (00:04:49)**

No decisions of the Cabinet were called in.

## 90 **MINUTES OF THE PREVIOUS MEETING (00:05:00)**

The minutes of the meeting held on Monday 20 February 2023 were approved as a correct record and duly **SIGNED** by the Chairman.

## 91 **CHAIRMAN'S ANNOUNCEMENTS (00:05:21)**

This was the last of the Scrutiny meetings for this administration. The Chair thanked Officers and Members for their participation and noted that it had been a pleasure and an honour to Chair this Committee, he felt the Scrutiny Committee had become a critical friend of Committees, the Cabinet, Council Officers and external bodies.

The Chairman paid tribute to Hon. Alderman Paul Williams who had sadly passed away recently, he had been a very supportive Member of the Council and had achieved a great deal for the Council. Condolences were passed to his family.

## 92 **CHAIRMAN'S ANNUAL REPORT (00:07:21)**

The Chairman's Annual report was **NOTED**.

## 93 REVIEW OF SCRUTINY RECOMMENDATION (00:07:50)

The Scrutiny Committee considered an external investigation into the Council's handling of 3 Rivers Developments Ltd of this matter, including the processes followed, from its inception to the current date. (Minute 76, Scrutiny Committee, 13 February 2023).

The Deputy Chief Executive (S151) brought the Committee up to date since previous discussions.

The Committee had previously spoken about a review or external investigation but hadn't indicated what the scope of that investigation or review ought to be. Full Council had agreed to investigate and look into 3 Rivers. This had gone back to Cabinet as a recommendation and Cabinet had since asked the Deputy Chief Executive (S151) to scope up the terms of reference of an external investigation and also to look into the kinds of bodies that could perform that piece of work for the Council. That work was in hand.

The format of that review was for future options for the company to be considered through an options appraisal investigation.

There were seven or eight large private sector companies that would be interested in that kind of work and the Deputy Chief Executive (S151) would go through a procurement process to secure that piece of work for the Council. In addition, the Deputy Chief Executive (S151) had commissioned a review by Devon Audit Partnership into some of the allegations of fraud and financial mismanagement by the company or the Council that had been put forward over the last few months. That commission would start by 27 April 2023.

The Deputy Chief Executive (S151) advised that a third review without a clear scope would be excessive – but welcomed comments from the Scrutiny Committee on either review due to take place.

It was explained that one review focussed on what the Council could do with the company moving forward, and the other one was looking to either substantiate or not, some of the allegations that have been made about the company and its Officers moving forward. Those were already two quite substantial commissions, to go for a third review would need to be financially reviewed in terms of value for money and risk.

The following was discussed:

The Deputy Chief Executive (S151) advice was welcomed, that the Scrutiny Committee should wait to review the two incoming investigations prior to a third investigation. It was important that the Council had an external analysis from someone with no affiliation for the sake of transparency and openness. It would also help to quell the fears, allegations and stories that have been going around about (a) the company and (b) the Council.

Concerns were raised that the review was only looking forward and that a number of people would like to know what had gone on in the past. Any review needed to look at the whole 3 Rivers history,

In order to protect the budget, Councillors thought it best to go ahead with the two pieces of work the Deputy Chief Executive (S151) had outlined and see what comes back before commissioning a third report. Concerns were raised that the reports would not be commissioned by the end of this term, clearly the reports would not be back by then.

It was suggested that this matter be clearly marked on the new work programme for review by the new administration.

It was therefore **RESOLVED** that:

The Scrutiny Committee await the receipt of both reports and then it be brought back to the Scrutiny Committee to review the position further at that point.

(Proposed by Cllr F Letch, seconded by Cllr S Pugh)

#### 94 **WORK PROGRAMME (00:23:42)**

The Committee had before it the \*Forward Plan and the \*Scrutiny Work Plan. The following items were raised:

1. 3 Rivers – The Scrutiny Committee await the receipt of both reports and then it be brought back to the Scrutiny Committee to review the position further at that point.
2. Increases to Members Allowances. Examine how this was dealt with by the Council, it was felt that this was too close to elections. More work needed to be done on how we encourage greater diversity at local elections.
3. Review recommendations of the Planning Enforcement Working Group.
4. Participatory budgeting review, a lot of work had been done and needed to be carried forward.
5. Motion 583 - Protecting Rivers and Seas, make sure that planning on large development work with South West Water on planning infrastructure was working effectively relating to sewage and so on was appropriate, continues.
6. Motion 564 – Inclusivity and Community Engagement – does Local Government work for women? Work needs to be continued. Some recommendations had been approved by the Scrutiny Committee and Full Council but they still need to be finalised.
7. Ask a local GP to speak to the Committee, to give it an update and insight as to how the services locally were coping? A briefing first followed by a Scrutiny Committee meeting afterwards if necessary.

#### **RESOLVED:**

That the 6 items discussed at 1-6 be added to the Work Plan  
(Proposed from the Chair)

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

The Chairman thanked Cllr Elizabeth Lloyd, who was standing down at the forthcoming elections, for her work on the Scrutiny Committee.

(The meeting ended at 2.49 pm)

**CHAIRMAN**

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