

Public Questions Cabinet meeting 2 April

Name of person submitting	Questions
<p>Barry Warren</p>	<p>In the 'Risk Description' it says "A decision has now been made to soft close the company, so the remaining reputational risks are that public debate in future inadvertently damages the value of assets by hindering the remaining sales."</p> <p>Question 1: Do Cabinet consider that just closing the company will stop any debate about the reputation of the council when perfectly proper questions have been asked - but not answered openly and honestly, over a considerable time?</p> <p>Response from Cabinet Member for Finance: No. But we can confirm that all questions have been responded to in an open, honest and timely manner – subject to any commercial sensitivities/regulations.</p> <p>Question 2: Do Cabinet consider that the closure of the company will reinstate the reputation of the council given the history of the setup of 3 Rivers and taking four years and a new administration to finally get senior officers to commission reports from external agencies which resulted in some 33 recommendations being made for improvement?</p> <p>Response from Cabinet Member for Finance: No not immediately. But it is hoped that the prompt and effective company closure that has been delivered by the current Administration will begin to rebuild some of the reputational damage done by previous ones. In 2019/20 the Council commissioned and then acted upon external advice to make governance and financial changes to the company. All 33 recommendations were implemented (some of these actually came from our own Committees). The fact that the trading position of the company significantly deteriorated, after this period, might reflect that external factors, such as Covid, COL crisis and supply issues impacted by the war in Europe, were also contributory factors. It is fair to reflect that many public and private development companies have experienced difficult trading conditions over the past 3-4 years.</p>

Question 3:

Public money has been, and is being, used to cover the losses on 3 Rivers. This means the projects the money would have been spent on, will be delayed or lost completely. Are Cabinet expecting the public to ignore what has happened and forget about it whilst those losses are made good?

Response from Cabinet Member for Finance

As a previous Council Leader and Chair of Scrutiny one would imagine that you would understand how investment losses are funded. We are certainly not expecting the public to ignore what has happened – but at least reflect on when, how and why it happened and consider, in part, whether it was in some way a direct consequence of the Central Govt. imposed funding cuts that forced local govt. in to more innovative ways of generating income. Operating in any commercial environment exposes the funder to both risk and reward.

Question 4:

St. George's Court will still have the potential to cause problems, even under HRA Management, and there will be knock on effects with regard to the handling of Post Hill, Knowle Lane and other sites taken on from 3 Rivers. If accurate and complete information is not made available regarding these sites, and members of the public have to repeatedly ask questions to try and get the truth, this will continue to damage the reputation of the council. What are Cabinet putting in place to ensure that this does not happen?

Response from Cabinet Member for Finance

The Cabinet has been provided with regular updates on the progress of the soft closure of the company. Much of these updates are commercially sensitive and have therefore only been included in part 2 reports. Once all associated transactions have been concluded they will be a matter of public record at both Companies House and in Council reports and Accounts. It is also unhelpful to include unsubstantiated or incorrect information in the body of your questions. It would be appreciated if you could liaise with our officers to source your information and refrain from making emotive and misleading comments.

Question 5:

The notes state: "Any remaining reputational influences relate predominantly to external instigators who may choose to oppose the council activity or policy direction...". Was the attempted introduction of restrictions on public speaking into the Constitution an indication that the Chief Executive would like to prevent or restrict public involvement?

	<p>Response from Cabinet Member for Finance: Absolutely not.</p> <p>Question 6: There is little doubt that harm has been caused to the reputation of the Council as evidenced in the recent public survey. What are the Cabinet doing to ensure that those hard working officers who are providing excellent day to day service in regards to refuse collection, recycling, Customer First and Leisure Services, to name but a few, are not demoralised by the shortcomings within senior management?</p> <p>Response from Cabinet Member for Finance: As can be evidenced in our Resident Survey report, most of the national scores that we have used as a benchmark have also deteriorated over the past 12 months. Your final comment is noted, however I simply don't share your views or the inference you are attempting to make. However, we at least agree on one issue, that our officers are hardworking and provide excellent day to day service for the residents of our District.</p>
<p>Paul Elstone</p>	<p>This administration has repeatedly stated that it will be more open and transparent. However, it is noted that the results of the Residents Survey have been manipulated. This so as not to reflect the seriously worsening position related to this Councils and its Councillor's lack of trust. See sections 2.6 thru 2.8.</p> <p>Yet a further example of why resident trust is increasingly eroding under this administration. What the published survey results don't show is:</p> <p>That the trust in this Council has dropped from 50% to 40% over the last 12 months That the trust in Councillors has dropped from 55% to 49% over the same period.</p> <p>Seven (7) of those months when this administration has been in control and despite what this administration would perhaps like to argue against or even politicise.</p> <p>Question 1: Will the Council Leader ensure the Residents Survey is re-issued with all information, this including last year's reference data fully revealing this deteriorating level of trust?</p>

Response from the Leader:

We are one of only a handful of Councils locally that undertake a Resident Survey. This clearly evidences our openness and transparency and that we positively want to hear from our residents and highlight the things they feel we do well and focus on the things they think we should do better. We will reflect on all of the findings from the survey and embed them into our future service decisions and they will also be utilised in shaping the content of this Administration's emerging Corporate Plan. I can confirm that the survey will not be reissued, but we will repeat the exercise next year in order to establish where trends of improvement, or otherwise, are identified, so further actions can be taken. This is fundamental to a Council that takes stock in embedding the values of continuous improvement at its heart. I would again thank all the residents that engaged in this process.

Why is public trust in this Council and its Councillors in rapid decline and something that has become very much worse over the last few months?

Some examples.

- The attempted full-frontal assault in preventing or suppressing the public from asking questions or making statements at committee meetings.
- As statement by the Scrutiny Committee Chair no less. One which they would not retract, about "*cooking the books*" related to 3 Rivers financial losses. A statement I and others fully support, this as more information becomes available.
- A virtual complete lack of appropriate Statutory Officer oversight in regards to 3 Rivers. This has recently identified by the Grant Thornton Audit.
- A complete failure to hold those primarily responsible for the gross 3 Rivers failings to account and by any measure. In fact, all too frequently singing their praises.
- The apparent cover up culture that seems to pervade this Council, and with irrefutable evidence available.
- Awarding Statutory Officers extortionate pay awards based on increased role responsibilities when there is good evidence to show these officers failed in exercising their previous roles. Even a dereliction of duty it's believed.
- The back pedalling on the Committee System.
- The hypocritical approach to proportional representation. The Lib Dems holding all committee chair's including Scrutiny. Having all seats on external committees. Making up 100% of Cabinet. This despite having only 48% of the electoral vote.
- There are others.

Question 2

A fundamental Sigma 6 continuous improvement principle is Stakeholder Engagement, something the Leader will know full well. Will the Council Leader fully consider calling a public stakeholder meeting this to get everything into the open, to clear the air?

Response from the Leader:

This Council prides itself on public engagement. This can be evidenced by the recent State of the District Debate held on the 20/3/24 to engage with all of our local Town and Parish Councils (so a very large and public representative group). These 62 bodies who spent 3hrs in public discussion at Phoenix House did not raise any of the matters that you have drawn to our attention. So it may be interesting to reflect/speculate the purpose of this stakeholder meeting you refer to. When reviewing and reflecting on the above 9 bullet points (which aren't questions) it is apparent that many of them are your own personal views, don't correctly reflect what was written in the findings of external reports and the refutable evidence you constantly refer to has, either not been provided, or when it has, been deemed, by external parties, to not substantiate your allegations. Clearly, if you feel you have any new evidence you are most welcome to provide it to us, or the appropriate authorities, as you have been reminded of on numerous occasions.

Supplementary Question:

You have the full opportunity come May to realign some of the committees, particularly Scrutiny where it has previously been suggest your marking your own homework. Would you give full consideration to at least Scrutiny and perhaps adding an opposition to Cabinet.

Response from the Leader of the Council:

There are always things taken into consideration and will be discussed.

Leader of the Council made a comment:

The public trust is an important part of the Council and the results in May last year were 48%. Were in a First Past the Post (FPTP) not in proportional representation. I would prefer a proportional representation unfortunately we are not in that system and Mid Devon District Council does not have the ability legally to change this. I will always be an advocate and campaigner for proportional representation.