

**Scrutiny Committee- Public Questions and Answers**

<p><b>Paul Elstone</b></p>	<p><b>Question 1:</b> Agenda Item 7 Q3 Monitoring Report – Freedom of Information.</p> <p>Section 3.2 Future Changes says that Quote - <i>an amended disclosure log on the website is being designed and will be published quarter 1 2025.</i> - Unquote.</p> <p>As a point of reference MDDC recently adopted the main body of the East Devon Council enforcement procedure and in recognition of its quality.</p> <p>Similarly, the East Devon Freedom of Information reporting system is a high-quality process. It is informative. It is open. It is transparent Something the current MDDC FOI reporting is most certainly not.</p> <p>Will this Council similarly adopt the East Devon Council FOI reporting process and procedure?</p> <p><b>Response provided by the Head of Digital Transformation and Customer Engagement:</b> The design process of MDDC's disclosure log is in progress. Examples of other authority formats are being considered, so the design is not yet finalised.</p> <p><b>Question 2:</b> If not, what precisely is preventing this Council from doing so?</p> <p><b>Response provided by the Head of Digital Transformation and Customer Engagement:</b> Please see answer to question 1.</p>
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**Question 3:**

Agenda Item 8 - Establishment Report.

Last week I attended two different Parish Council Meetings. At both meetings complaints were made about lack of enforcement in Mid Devon. In one instance there was deep frustration shown by a Council Member and given the lack of enforcement action being taken against serial offenders.

The Mid Devon public have been promised an increase in enforcement resources in order to help remedy this situation.

If I remember correctly that it even being said there were now 2 officers in the Enforcement Team

On examining the organisation charts it shows a Senior Planning Enforcement Officer reporting to the Development Manager

The Planning Enforcement Assistant is shown as reporting to the Director of Place.

This could be seen as the Enforcement Assistant having multiple support roles and is not fully dedicated to enforcement work.

Why does the Enforcement Assistant not report directly to the Senior Enforcement Officer?

**Response provided by the Director of Place and Economy** The Council does indeed have two enforcement officers – one permanent and one contractor. The Council continues to invest heavily in the enforcement service and is committed to delivering an effective and efficient service – despite the fact that this is a discretionary service which is not funded through any planning incomes. This investment in enforcement is reflected in the fact that the budget for the next financial year continues to make additional financial provisions for enforcement.

The Enforcement Assistant role and the Enforcement Contractor both report to the Director of Place. The Senior Enforcement Officer role does not as it is currently a vacant post. All enforcement officers are totally dedicated to enforcement matters, with this capacity augmented by planning officers, and there is no dilution of enforcement capacity away from this important work function.

**Question 4:**

It is noted that the organisation charts only show role positions that they do not show numbers of personnel in each position. As an example, just one Refuse Loader position is shown.

This is believed to be a key omission.

What prevents this information being included in the organisation charts for the future?

**Response: provided by the Head of People, Performance and Waste**

The organisation charts show the structure of the organisation rather than the number or roles employed or personnel employed in the roles themselves (if we did do this the structure charts would need daily amending).

**Question 5:**

It is noted that the organisation charts do not show positions which are vacant at the time of issue. Or is there any form of listing in the Establishment Report providing this information.

This is believed to be a key omission.

**Response: provided by the Head of People, Performance and Waste**

The organisation charts show the structure of the organisation rather than those roles which are vacant or filled (if we did do this the structure charts would need daily amending).

What prevents this information being included in the organisation charts or establishment report for the future?

**Response: provided by the Head of People, Performance and Waste**

We do report on our vacancy rate as a Council and can include some more specific information in our summary Establishment report if that would be of interest. We will give this some thought ahead of our next report in the autumn.

**Barry Warren**

Barry Warren – Local Resident.

My questions refer to Item 7 on your agenda.

Last week I forwarded a Briefing Note, with suggested questions for consideration, to all members of this Committee and copied in your Clerk. I also attached a spreadsheet for Quarter 4 which was on the public facing section of the website. I hope that you have had the opportunity to read and consider the content, because last Friday the public available quarterly reports had been renumbered and the Quarter 4 sheet I forwarded to you had been removed completely. I note that it is now back this afternoon.

**Question 1: Why is this please?**

**Response provided by the Head of Digital Transformation and Customer Engagement:**

The names of the files were amended to reflect the data within, i.e. financial quarters. The Q3 document was amended to include information for clarification. Amendments were done as a direct result of feedback/questions directed to Scrutiny members from the member of the public asking this question.

If one looks at the spreadsheet on line 109 Reference FOI09915 the Subject is given as '**Willand modular housing**' and received a response within 3 days and it is shown as **Full** disclosure. On line 127 is recorded a request for a Review Reference IFOR09915 the Subject is given as '**Modular Housing**' and received a response in 20 days and is shown as a **Full** disclosure.

**Question 2: Why the change of Subject Heading?**

**Response provided by the Head of Digital Transformation and Customer Engagement:**

Officers were already aware of the subject due to the initial request. The system uses the same number and acts as a cross-reference.

**Question 3: Why is the first request shown as 'Full' when in fact it could not have been as a Review was required which took 20 days to respond to?**

**Response provided by the Head of Digital Transformation and Customer Engagement:**

Under a review we assess whether the data provided was in fact correct. Reviews are considered separate to a request. 'Full' refers to the data provided and not whether the review was necessary.

**Question 4: Why is the review counted as a FOI request when in fact under the FOI Act 2000 it clearly states that review requests are complaints and procedures for dealing with them are laid down separately?**

**Response provided by the Head of Digital Transformation and Customer Engagement:**

That is yet to be determined. Other authorities have different background systems which we may not be able to replicate. This may impact on design decisions.

At your December meeting you were asked a question referring to the East Devon District Council site. On that site there is a short subject heading like that given on the MDDC site BUT when you click on that you get a good summary of the request and the response given. MDDC still makes no such information available other than the brief Subject.

Paragraph 3.2 of the report states: *“An amended disclosure log for publication via our website is being designed and will be published quarter 1 2025.”*

**Question 5: In this stated era of openness and transparency, will the new Disclosure Log give information similar to that available in East Devon?**

**Response provided by the Head of Digital Transformation and Customer Engagement:**

That is yet to be determined. Other authorities have different background systems which we may not be able to replicate. This may impact on design decisions.

**Question 6: If the information were publicly available would it not save some information requests being made as people would be able to clearly see that the matter had already been addressed?**

**Response provided by the Head of Digital Transformation and Customer Engagement:**

We have no evidence to support this currently.

	<p><b>Question 7: Will Scrutiny Committee please carry out a full review as originally requested on my submitted form?</b></p> <p><b>Response provided by the Chair:</b> The committee is minded to keep the subject under review via the quarterly dashboard and annual report for the time being.</p>