

# Agenda for Scrutiny Committee

## Thursday, 19 April 2018, 6.00pm



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### [Members of the Scrutiny Committee](#)

**Venue:** Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

**Contact:** Debbie Meakin, 01395 517540 (or group number 01395 517546): Issued 5 April 2018

- 1 [Public speaking](#)
- 2 To confirm the minutes of the meeting held on 22 March 2018 (pages 3 - 8)
- 3 Apologies:
- 4 Declarations of interest  
Guidance is available online to Councillors and co-opted members on making [declarations of interest](#).
- 5 [Matters of urgency](#) – none identified
- 6 To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.
- 7 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview Procedure Rules. There are no items identified.

### **Matters for Debate**

- 8 **Election report** (pages 9 - 32)  
A report from the Chief Executive.
- 9 **Draft Annual report of the Scrutiny Committee** (pages 33 - 35)  
A draft report for submission to Annual Council. The report will be updated with content on the previous item and agreed by the Chairman and Vice Chairman on behalf of the committee before the report is submitted.
- 10 **Scrutiny forward plan** (pages 36 - 37)

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## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 22 March 2018**

#### **Attendance list at end of document**

The meeting started at 6.00pm and ended at 8.59pm.

#### **\*34 Public speaking**

There were no public speakers at the meeting.

#### **\*35 Minutes**

The minutes of the Scrutiny Committee held on the 22 February 2018 were confirmed and signed as a true record.

#### **\*36 Declarations**

Councillor Rob Longhurst – minute 39 – pecuniary interest – user of Exmouth Pavilion.  
Councillor Pauline Stott – minute 39 – personal interest – user of Exmouth Pavilion.  
Councillor Bill Nash – minute 39 - personal interest – council representative on LED Board.  
Councillor Alan Dent – minute 39 - personal interest – council representative on LED Board.  
Councillor Phil Twiss – minute 37 – personal interest - client and supplier to Voneus.

#### **37 Broadband update**

The Chairman welcomed Graham Rooms of the Talaton Broadband Committee; Paul Laurence the Director of Strategic Relationships at Voneus; and Phil Roberts from Connecting Devon and Somerset (CDS).

Mr Rooms outlined to the committee the story behind Talaton seeking a local solution to their poor broadband speed, beginning in 2016. Preliminary exploration of a BT community solution was too expensive to pursue, but the community were able to take advantage of the CDS scheme as many residents met the necessary criteria for the voucher scheme. They liked the approach to delivery that Voneus offered, and ended up with 120 residents coming forward to be part of the scheme. With infrastructure set up at the Exeter Science Park, Talaton was now able to see speeds between 20 and 25 MB/s. He illustrated with some local examples the difference that had made to the local community.

Mr Rooms also thanked Voneus and CDS for the help in delivering the scheme.

The committee asked a number of questions relating to the fixed wireless solution that Talaton had in place. Discussion included:

- The infrastructure was delivered by the fixed wireless solution provider (in this case Voneus), with that provider covering the capital cost of the infrastructure to provide the service;
- Fixed wireless worked on the need for line of sight, so solutions had to be found to get around the topography of an area;
- Voneus did promote their service to local parishes; the Talaton example had received local press coverage;
- Having better broadband speed allowed the use of mobile provider boosters to help improve mobile phone reception in areas where reception was poor;
- Other fixed wireless solutions were available;
- Internal wireless setup within the home was also key to good broadband speed.

In terms of an update from CDS, Phil Roberts reported that:

- 85% of premises had been delivered so far, with the wholesale network holding a kitemark to ensure that a minimum standard for speed was maintained at all times;
- The current voucher scheme was suspended until the completion of Phase 2, after which it would open again for those not covered by that phase and meeting the necessary criteria;
- Phase 2 was due for completion within days and an update from CDS covering statistics on delivery would be issued shortly after that completion;
- Claw back threshold was clarified as at 20% with predicted funds back over a seven year period, starting from a two year period after completion – therefore the trigger point for that money had not yet been reached;
- Gigaclear, contracted for the Phase 2 project, were investing large sums in the infrastructure and implementing points of termination (POTs) at each home, so that it avoided the limitations of copper wire;
- There would always be some remote areas where it was difficult to support a business case because of high cost of connecting up few properties. Some areas could be linked up if on the periphery of an existing broadband solution;
- Residential service is offered to small businesses up to 3 or 4 employees; service level agreements were required for medium to large businesses where a shorter call-out response time was needed;
- There was a provision to business too, with the Gigaclear role out with 2,500 businesses expected to be added in the current phase of work. Statistics on businesses delivered would be provided after the meeting;
- Focus on business need was important, as has been highlighted in the national report “Connected Nations 2017”;
- EDDC had bid for funding in helping to deliver a service for Northleigh, Southleigh and Gittisham;
- Gigabit voucher scheme was available for businesses providing up to £3000 towards costs if meeting the criteria;
- The Church of England is embracing the desire for use of existing structures for fixed wireless.

**RESOLVED** that the Committee welcomed the progress to date on delivery and congratulated the Talaton Broadband Committee on their successful work.

**RECOMMENDED to Cabinet**

1. That Cabinet recommend to Council that a letter be sent to all local MPs seeking their support to help secure superfast broadband provision for all communities despite their rurality;
2. Promote to local parish and town councils the options available to them including the CDS voucher scheme once open again, fixed wireless solutions, and the recent success at Talaton;
3. That a letter be sent to the Diocese asking for their continued support using church premises in providing the infrastructure necessary for a broadband solution for rural parishes.

**\*38 Strata update**

The Chairman welcomed Laurence Whitlock, IT Director for Strata. The committee had received an extensive report outlining the work on delivering the expected savings in the business plan.

The target was to deliver £252K of savings across the three authorities of Exeter City Council, Teignbridge District Council and East Devon District Council. This had been

exceeded in the previous year, and a target had been set for next year at £382K. A strong management team was in place within the company.

A number of key solutions had been put in place and continued to be rolled out across the three authorities, including global desktop and Skype telephony, in order to deliver a modernised infrastructure and a better level of resilience. A recent example of this was the ability of staff to continue working from home and other locations during recent inclement weather.

Members discussed:

- Expectation of Members in reaching officers by telephone, suggesting more use of direct numbers instead of through the switchboard, which may be receiving a high volume of calls;
- Merits of exploring provision of equipment to Members rather than use of own devices, and related IT support to Members;
- Strata were well placed to deal with cyber attacks, and a team of four were in place to cover this area of work. Mr. Whitlock assured the committee that the level of protection was excellent and compared well with other local authorities;
- Well planned and executed migration of officers to the Exmouth office; planning was in place for Honiton, where the majority of existing equipment was being relocated, so a phased approach was being arranged;
- Strata staff engagement had substantially increased and the quality of staff was excellent;
- Future challenges for Strata included a redesign of their business case request process, as currently they were asked to deliver anything and everything – establishing a mechanism to understand the priority of the work, and if it had delivered a business benefit once completed, was underway;
- Councillors had the opportunity to be involved by attending the Strata Joint Executive or Joint Scrutiny Committees who meet regularly at Exeter Civic Centre;
- The Lead Member for Member Development would work with Democratic Services on the issue of managing expectation of Members in contacting officers and access to committee papers.

The Chairman thanked Mr. Whitlock for his report.

**RESOLVED** that the committee acknowledges the savings to the Council made by Strata and thank the Strata staff for their continued efforts, in particular in keeping the council operating during recent inclement weather.

### **39 Exmouth Pavilion Car Park**

The committee had received a comprehensive paper on the background to the Exmouth Pavilion Car Park. It outlined that the car park had been included in the Parking Places Order since 2008 with a charging regime applied from April to October, but the charging tariffs for that and the Elizabeth Hall car parks were not implemented at that time. During the car park review of 2012, this was picked up as part of the order and noted that it was used exclusively for the patrons of the Pavilion.

Cabinet, following consideration by the Overview and Scrutiny Committee, recommended that “the arrangements for LED to control and manage the Esplanade Car Park, Exmouth, be formalised in consultation with the Portfolio Holder, Economy – following which, negotiations took place between LED and the Council.

The need to resurface the car park brought back focus to the issue of the land still being in the ownership of the Council. The Council, as well as LED, had not identified a budget to undertake such work, and neither party was managing the car park on a charging tariff that would generate income against which to offset maintenance cost. Detail on continued discussions between the Council and LED were set out in the report.

A consultation exercise for a number of car parks was approved by Cabinet in February, covering such aspects as extending charges to throughout the year, and on concessions to support events. This consultation will now include the concession proposed for the Exmouth Pavilion car park of refunding up to £2 parking charges for the Exmouth Pavilion customers subject to a minimum spend in the Pavilion of £3.50. Charging for use of the car park does not form part of the consultation because it is already in place under the existing Parking Places Order. Dialogue had already been undertaken with users of the Pavilion, including Councillor Longhurst whom had requested an examination of the issue to the Scrutiny Chairman.

Member discussion included:

- Confirmation that a concession for free parking for dance class users was in place for a year but would then be reviewed; this was seen as a reasonable measure to ease patrons into paying a charge for use of the car park;
- Concern from Exmouth members that there was continued pressure on parking locally whilst the redevelopment of the area was underway, and it would be better to defer any charge until the regeneration work was complete;
- Concern that introducing a charge would lead to some groups not using the Pavilion and therefore impact on LED and the council's asset;
- An additional 13 spaces had been found nearby that, although small in number, would help alleviate some demand;
- The consultation covered the level of concessions, not that the car park would become fee paying;
- The area was a public car park that should have been a fee paying area for many years;
- Concessions were not intended to become permanent but as a means of phasing towards a car park that aligns with all other fee paying car parks owned by the Council;
- Authority to resurface the car park as the liable landowner is covered in the Council's standing orders with a delegated authority, and therefore does not require Cabinet or Council agreement;
- Consultation period runs after Easter for a month and will be publicised;
- Lack of Ward Member and Exmouth Town Council involvement was acknowledged and it was conceded that it would have been better to do so; it was hoped that adding in the concession proposal for the car park into the consultation exercise went some way to amend that error;
- Detail on when the contract to resurface the car park, which was part of a larger contract for a number of works, would be provided after the meeting;
- Desire from some Members to see a concession on the Exmouth Pavilion car park to be a permanent concession.

**RESOLVED** that the committee regret the failure to consult with Ward Members on the changes to the Exmouth Pavilion Car Park

**RECOMMENDED** to Cabinet that:

1. That there must be early consultation with Ward Members for any matter of substance in their local ward;
2. That the proposed concession of refunding £2 parking charges for the Exmouth Pavilion car park customers subject to a minimum spend in the Pavilion of £3.50 be a permanent concession, for reason of ensuring existing local people who are regular café customers are not discouraged from continuing to support the Pavilion.

The Chairman thanked Andrew Ennis for his honest and forthright approach in responding to questions from Members and commented on his quality as an officer, as excellent.

\*40 **Forward plan**

The forward plan was noted. The Tree Team would attend the committee's June meeting to provide an update on their work.

Information on beach huts was requested in relation to impact since the phasing in of the fee changes. Some of this information had already been reported to the committee through updates.

**Attendance list (present for all or part of the meeting):**

**Scrutiny Members present:**

Dean Barrow  
Cherry Nicholas  
Maddy Chapman  
Roger Giles  
Alan Dent  
Bill Nash  
Marianne Rixson  
Bruce de Saram  
Simon Grundy  
Val Ranger

**Other Members**

Brian Bailey  
Tom Wright  
Geoff Jung  
Ian Thomas  
Pauline Stott  
Peter Faithfull  
Megan Armstrong  
Rob Longhurst  
David Barratt  
Steve Hall

**Officers present:**

Andrew Ennis, Service Lead Environmental Health and Car Parks  
Simon Davey, Strategic Lead Finance  
Laurence Whitlock, IT Director for Strata  
Giles Salter, Solicitor  
Debbie Meakin, Democratic Services Officer

**Apologies from Scrutiny Members:**

Cathy Gardner  
Darryl Nicholas

**Apologies from Non – Scrutiny Members:**

Jill Elson  
Iain Chubb  
Mike Howe  
Graham Godbeer

Chairman ..... Date.....



**Report to:** **Scrutiny Committee**

**Date of Meeting:** 19 April 2018

**Public Document:** Yes

**Exemption:** None

**Review date for release** None



**Agenda item:** 8

**Subject:** Elections update report

**Purpose of report:** To update members on matters arising since my last report to the Scrutiny Committee in July 2015, and to highlight relevant issues in terms of preparation for the May 2019 District and Town/Parish elections.

**Recommendation:** That the Committee note the actions being taken by the Returning Officer.

**Reason for recommendation:** To observe the actions being taken by the Returning Officer.

**Officer:** Mark Williams, Returning Officer

**Financial implications:** To be assessed

**Legal implications:** There are no legal implications arising which require comment.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:** Contained in the body of the report

**Link to Council Plan:** Continuously improving to be an outstanding council.

## 1. The Past

### 1.1. May elections 2015

- 1.1.1. Following the combined General, District, Town and Parish Council Elections I prepared a report for the July 2015 Scrutiny Committee. The report was a full one and drew attention to a range of matters that had arisen. It can be found online as [Appendix 1](#).

1.1.2. The Committee duly resolved as follows:

**RESOLVED**

- that the Scrutiny Committee endorses the report by the Chief Executive on the local elections 7 May 2015;
- that the Scrutiny Committee recognises the hard work of all staff involved in the running of the national and local elections on 7 May 2015;
- that a brief financial statement on how the elections are funded be provided to the committee.

**1.2. Complaints**

1.2.1. Post July 2015, a number of complaints in respect of the various elections that have been held have been received in respect of myself and my elections staff. In the main these have been submitted by the East Devon Alliance (EDA).

1.2.2. As a point of reference, I consider it important to outline that, prior to the May 2015 elections, the conduct of candidates and agents was experienced as collaborative (in the sense that participants at election time irrespective of their political party or affiliation understood that the complexity of managing elections required a collective endeavour to ensure elections were run effectively); since 2015 the conduct of elections as experienced by myself and my officers, is, unfortunately, more confrontational. This, combined with the lack of resource and increasing workload, has created a difficult working environment for the team. I refer to this in more detail later in this report.

1.2.3. In September 2015 the EDA submitted a report to myself, the Electoral Commission and the Scrutiny Chairman which contained their assessment of the May 2015 elections. It included a considerable number of criticisms/complaints aimed at myself, the Electoral Commission and also the Mid Devon Returning Officer. No further action was taken by any party in respect of this report as the matters raised were either legally irrelevant or otherwise covered by the performance standards assessment that the Commission undertake. Reference has also been made to an assessment from the Electoral Commission which contained a number of observations: [Appendix 2](#). This was shared with my team of Count Supervisors and was useful in highlighting the issues that arose as a consequence of counting multiple elections without adequate recuperation periods, an inadequate count venue, and the traditional candidate expectation of an accurate, legal and speedy result (which was duly delivered).

**1.3. Workload of Elections Team**

1.3.1. Since the May 2015 Elections we have now conducted in excess of 30 elections/referenda. This is a noticeable increase in activity compared to previous years and has meant that the team are working under almost unrelenting pressure. Members will also be aware of the impact of Individual Elector Registration which has also increased the workloads of elections teams. A partial list of elections/referenda follows.

1.3.2. List of elections:

Election on Thu 08 Oct 2015 Sidmouth Town West Ward

Election on Thu 11 Feb 2016 Seaton Town Council

Election on Thu 31 Mar 2016 Newton Poppleford and Harpford Parish Council

Election on Thu 31 Mar 2016 Sidmouth Town Council

Election on Thu 14 Apr 2016 Exmouth Town Council

Election on Thu 14 Apr 2016 Exmouth Town Council  
 Election on Wed 20 Apr 2016 Exmouth Town Poll  
 Election on Thu 5 May 2016 Police and Crime Commissioner Election  
 Election on Thu 23 June 2016 EU Referendum  
 Election on Thu 21 Jul 2016 Cranbrook Town Council  
 Election on Thu 21 Jul 2016 District and Town Council Election – Exmouth Littleham  
 Election on Thu 21 Jul 2016 District Council Election – Honiton St Michael’s  
 Election on Thu 21 Jul 2016 Exmouth Town Council  
 Election on Thu 6 Oct 2016 Exmouth Brixington  
 Election on Wed 19 Oct 2016 Honiton Town Council St Michael’s Ward  
 Election on Thu 24 Nov 2016 Stockland Neighbourhood Planning Referendum  
 Election on Thu 26 Jan 2017 Bishops Clyst Neighbourhood Planning Referendum  
 Election on Thu 9 May 2017 Honiton Town Council St Pauls Ward  
 Election on Wed 29 Mar 2017 Sidmouth Town Council  
 Election on Thu 4 May 2017 Devon County Council (9 DCC + 2 District + 1 Town Council ward)  
 Election on Thu 25 May 2017 East Budleigh with Bickton Neighbourhood Planning Referendum  
 Election on Thu 8 Jun 2017 UK Parliamentary Election – Central Devon  
 Election on Thu 8 Jun 2017 UK Parliamentary Election – East Devon  
 Election on Thu 8 Jun 2017 UK Parliamentary Election – Tiverton and Honiton

1.3.3. One to note was the EU Referendum 2016 where according to the Electoral Commission we conducted the most efficient count in the whole country.

#### **1.4. General Election 2017**

- 1.4.1. The calling of the General Election took most by surprise, in that it was an unscheduled election. It is important that members understand the impact that it had on the elections team.
- 1.4.2. The teams approved establishment is 3 officers, with capacity for 4. The additional capacity was increased from the previous 3 as a result of the experiences of the combined 2015 elections. At the time of the County Council Council elections we had 3 staff in post and had been out to external advert for the 4<sup>th</sup> post, but had been unable to find a suitable candidate. Nonetheless, we felt reasonably confident that we could cope for the duration of the County Council elections. However, also prior to the County Council elections, a second member of the team resigned to go and work for the County Council. This double whammy effectively became a triple whammy when the Prime Minister announced the General Election.

1.4.3. The following table records our staffing establishment:

Type of Election	F/T Staff Resource
2015 Combined General, District, & Parish	3
2016 Police & Crime Commissioner	4
2016 EU Referendum	4
2017 Devon County Council	3
2017 General	2

1.4.4. One of the unique features for us is that at a General Election we ‘give’ voters to West Devon (for the Central Devon constituency) and to Mid Devon (for the Tiverton & Honiton Constituency).

1.4.5. We also receive voters from Exeter for the East Devon constituency. The relevance of this is that before the County Council elections had concluded there was a considerable amount of liaison and additional administration that needed to be undertaken to prepare for the General Election. My 2 remaining members of staff demonstrated acute signs of stress during this period. Although we recruited 2 temporary members of staff to try and ease the workload, they were fully engaged in dealing with requests to go on the register, become a postal voter and appointing a proxy voter (the unscheduled nature of the election meant that quite a surprising number of voters were away from the constituency or said they wouldn’t be able to vote in person on the day). [Appendix 3](#) is a press release from the Electoral Commission which highlights all the extra work involved in the current registration process.

1.4.6. Members will be aware that a mistake was made with the first issue of postal ballot papers. A press release was issued ([Appendix 4](#)) to reassure postal voters and an effective remedy was put in place.

1.4.7. As matters transpired no postal voters were disenfranchised as a result of the error, and the final postal vote turnout figure was a high 87.1%. The General Election turnout figure for the East Devon constituency was 73.4% which was higher than the 2015 turnout figure.

1.4.8. One other interesting feature was that I hosted a delegation of Commonwealth Parliamentarians who acted as observers during the election. Their final report can be viewed as [Appendix 5](#) and provides a useful, objective assessment of the conduct of the General Election in the East Devon constituency. Their observations on the process were also reflected by the comments of the High Sheriff who declared the result, [Appendix 6](#).

1.4.9. The Electoral Commission has recently issued its report into the conduct of the 2017 General Election. It can be viewed as [Appendix 7](#) and I would highlight the following in particular;

‘...this positive overall picture should not mask wider risks to the administration of well-run elections, which are becoming increasingly apparent. ROs and electoral administrators face reduced resources and a growing number of skilled professionals are leaving local authority elections teams. They are also increasingly reliant on a relatively small pool of specialist software and print management suppliers’.

## 2. The Present

- 2.1. We have conducted a further 9 elections/referenda since the 2017 General Election and the high workload continues. There are currently 3 staff in the core elections team. I have also taken the opportunity of using training opportunities to encourage a wider range of staff to gain experience in relevant election issues. The Monitoring Officer has attended the Annual SOLACE/AEA elections masterclass and staff in the Legal & Governance Team have participated in the postal vote process for the recent Exmouth by-elections. This should help build greater resilience for the future. In addition, the Electoral Services Manager is working with the Customer Services Manager to ensure her staff are trained in accessing the electoral register in order to deal with registration queries and requests for postal and proxy votes. If this proves successful it should ensure that the core elections team are not distracted at crucial periods of the election process.
- 2.2. In February the team also participated in an AEA 'health check'. This is a new initiative by the AEA and they offered to work with us at no charge to help them develop the health check. The resulting health check document is attached to this report as **Appendix 8**. There are a total of 6 recommendations which are being implemented/further assessed. I would highlight in particular the following from their conclusion:  
'East Devon District Council has an Electoral Services Team they should be proud of. They are delivering a good service to members and to the citizens of East Devon despite significant resource issues. They understand the importance of customer service and have made continued personal sacrifices to ensure all electoral requirements are properly met'

## 3. The Future

- 3.1. The May 2019 elections will be a challenge for a number of reasons: we will be operating with new wards, an additional councillor to be elected, and from new premises which won't have been tried and tested in terms of running a count etc. I would also highlight the Electoral Commission's comments in paragraph 1.4.9. We are finding it increasingly difficult to recruit suitable staff who are prepared to work on polling day.
- 3.2. Longer serving members will also be aware that traditionally we have had a number of decentralised counts around the district feeding into a main count centre. However, as a consequence of the issues I referred to in B1 a number of experienced polling station and count staff have indicated that they are no longer prepared to assist at election time. As it stands I haven't been able to reassure them that the levels of confrontation we have experienced recently will diminish. The prospect therefore of disproportionate behaviour by some candidates/agents not just at polling stations but also at decentralised counts, coupled with the legal requirements regarding postal vote validation are likely to mean that decentralised counts will not be possible.
- 3.3. At the present time I am preparing for the 2019 elections on the assumption that certainly more Polling Station Inspectors and maybe additional security will be required on polling day itself. This will be needed to respond to concerns from Presiding Officers about candidate/agent/supporter behaviour. As regards the Count itself the recommendations in Appendix 6 are being assessed. It may be that there will be no Thursday night count as the time post close of poll will be used to ensure safe delivery and storage of the ballot boxes at Blackdown House. Friday, Saturday and Sunday may be set aside for the counts (working normal hours); the count teams will be larger (but fewer in number) and the rules about attendance and behaviour at the count will be strictly enforced. The budgetary implication of this will be clarified nearer the time but it is the duty of the Council to make

available to the Returning Officer the resources he considers are required.

- 3.4. A final consideration relates to campaigning at polling stations. A new feature that manifested itself at the General Election was the appearance of campaigners outside polling stations, as opposed to the traditional tellers. A number of complaints were received about it happening and the impact it was having on voters. There were certainly reports of voter intimidation and heated arguments outside some polling stations.
- 3.5. The guidance from the Electoral Commission regarding tellers and campaigners is as follows:  
If they are 'tellers' the guidance in sub para (f) states what tellers must not do in terms of displaying campaign material:  
[http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0006/141891/Tellers-dos-and-donts-generic.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/141891/Tellers-dos-and-donts-generic.pdf)  
If they are campaigners, different guidance says they can put their message to voters outside polling places, para 3.1:  
[http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0011/179741/Code-of-conduct-for-campaigners-2015.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0011/179741/Code-of-conduct-for-campaigners-2015.pdf)  
'You should be careful, however, to ensure that your approach is proportionate and should recognise that groups of supporters may be perceived as intimidating by voters'
- 3.6. In the light of recent experience I will be preparing a guidance note for use at future elections.



**ASSOCIATION OF ELECTORAL ADMINISTRATORS**

**REPORT ON THE PROVISION OF  
ELECTORAL SERVICES AT  
  
EAST DEVON DISTRICT COUNCIL**

**JOHN TURNER & LAURA LOCK  
February 2018**

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Officer/Returning Officer to the Council**



# Health check report into the provision of electoral services at East Devon District Council

## Introduction

The Association of Electoral Administrators (AEA) has introduced health checks as a service to members and their employing local authorities across the country in line with the Association’s aims and objectives.

The health check was undertaken by John Turner, AEA Chief Executive, who has more than two decades experience in reviewing electoral services functions in local authorities and Laura Lock, AEA Training Manager, who has been working in electoral services for 15 years.

The themes and criteria for the Health Check are outlined below –

Theme One – Legislation and Guidance	
1.1 Electoral Registration Legislation 1.2 Election Legislation 1.3 Performance Standards 1.4 Employment Legislation 1.5 Information Governance 1.6 Procurement and Contract Management	
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## Background

The information below relates to East Devon District Council at the time the health check was undertaken and is pertinent to the report.

- There are approximately 116,000 electors on the Electoral Register
- There are around 11,500 permanent postal voters
- The Council has 59 members representing 32 wards who are elected every four years, rising to 60 members from 2019 as the result of a boundary review, although the number of wards will be reduced to 30
- The Council has 68 Parish or Town Councils
- The area has four parliamentary constituencies, with responsibility for one. The Council 'gives' electors to Mid and West Devon and 'receives' electors from Exeter.
- The Council was a Cabinet Office pilot for the 2017 annual canvass
- The Council uses the Express electoral management software

For the purposes of local government elections, the Chief Executive, Mark Williams has been appointed as the Proper Officer for electoral matters and therefore the Council's Returning Officer (RO). He has also been appointed as the Electoral Registration Officer (ERO) under the appropriate provisions of the Representation of the People Act 1983 and accordingly acts as the Acting Returning Officer (ARO) for any UK Parliamentary elections held within the East Devon District Council area.

## **Theme One – Legislation and Guidance**

### **1.1 Electoral Registration Legislation**

The Chief Executive has a legal background and keeps up to date on changes and legislative requirements impacting on his role and responsibilities. The Electoral Services Manager reports directly to the ERO and this structure greatly assists with the sharing of information, as well as the ERO being very actively involved with the management of the service and having a clear understanding of his personal responsibilities.

In addition, all members of the Electoral Services Team are members of the AEA and therefore receive regular updates from the Association.

The Council subscribes to legal updates from Schofield's Election Law.

### **1.2 Election Legislation**

In addition to the areas outlined in section 1.1, the RO attends all Electoral Commission events and is in regular dialogue with the Electoral Commission.

The Council's Monitoring Officer is an appointed Deputy and has recently attended the Solace Elections Conference.

### **1.3 Performance Standards**

The Electoral Services Manager provides the ERO/RO with information concerning the Electoral Commission's Performance Standards regime.

She submits all returns as required, once the information has been approved by the ERO/RO.

### **1.4 Employment Legislation**

Currently, the Electoral Services Team are responsible for ensuring requirements relating to the RO's legal commitments are met, with HR and Payroll managing the employment and payment of canvassers.

Casual staff are recruited by the ERO/RO in accordance with East Devon District Council's HR principles and complete an application form.

Payroll assist the RO with the payment of election staff and returns to HMRC, but all checks of documentary evidence to ensure compliance with the right to work provisions in the Asylum and Immigration Act 1996 are carried out by Electoral Services staff.

There is a requirement for Returning Officers to have a pension scheme available to election staff and comply with the requirements of auto-

enrolment. We were unable to confirm that there is a pension scheme available and are concerned that, whilst some information has been provided to election staff, it may not be fully compliant with legal requirements. We believe the ERO/RO should review whether he has a pension scheme in place and whether all other requirements are being met as a matter of urgency.

We would also advise giving consideration as to whether there is capacity within the HR and Payroll team to manage the appointment of staff at major polls. This could include ascertaining availability, confirming appointments, making arrangements for the attendance of training and processing all payments. We recommend that as many elements as possible be shared with those who have expertise as part of their Council role. Having access to Express would enable assistance with staffing by HR and Payroll staff using part of the system that is straightforward and easy to learn.

There have recently been various conversations within the electoral community concerning whether election staff are entitled to holiday pay. Whilst there is still no firm decision on whether the RO is required to pay election staff for any holiday entitlement, we would advise the RO to seek his own legal advice on the matter.

Going forward, we would strongly recommend that all matters relating to the employment of casual staff for specific election duties, for example polling station and count staff, are the responsibility of the HR and Payroll team.

## **1.5 Information Governance**

The ERO/RO ensures all information he holds is kept in line with the Council's data protection policy.

The ERO is a registered data controller with the office of the Information Commissioner and he also follows all guidance issued by the Electoral Commission.

There is a Fair Processing Statement on the website, but it is recommended that the Electoral Registration Officer has his own statement making it clear that the data he holds is distinct from data held by the Council. As the function is separate from that of the Council, a clear separate statement should be available.

Staff receive information regarding relevant data protection principles and canvassers receive training prior to them undertaking any duties. It is recommended that canvassers also receive written guidance and sign to confirm that they have read and understand the guidance and will act in accordance with it.

Consideration should also be given regarding the new requirements of the General Data Protection Regulation and how the ERO/RO will ensure the service is not in breach of this rules.

## **1.6 Procurement and Contract Management**

The ERO's print provider is Electoral Reform Services. The RO's print provider is Latcham Direct.

Both these companies are specialist electoral printers and we believe this approach mitigates some of the risk of errors occurring, as has been the case in the past.

Whilst there appears to be a good working relationship between Council Officers and the suppliers, work is currently being undertaken regarding a framework agreement or a tendering process.

Whilst the AEA agrees that a procurement exercise should be undertaken and all necessary legislation complied with, it would advise caution with drafting any tender documents to ensure that quality is of at least as much importance as price. There are numerous examples of significant issues at elections as a result of procurement processes where the evaluation consideration was one primarily of cost.

The contract for the Electoral Management Software (EMS) (Express) is renewed annually.

No concerns were raised about the EMS and all staff believe the software is delivering the service required.

## **Theme Two – Delivery**

### **2.1 Customer Focus**

It is clear that the both the Council and Electoral Services Team put customer service at the forefront of delivery. Ensuring that customers receive the correct information in a timely fashion is very important to the Team.

There are customer commitments governing the service in line with those for the Council.

Currently, the Electoral Services Team take all phone calls relating to elections or electoral registration. This puts the Team under significant pressure particularly at peak times in their workload.

Consideration is currently being given to using the Customer Service Team to answer election phone calls. We would strongly recommend that the Customer Service Team answer all calls to the service throughout the year and have the ability to provide a comprehensive service to electors contacting the Council. This could include ensuring anyone contacting the Council as a result of moving house is offered the option of registering to vote over the telephone, allowing the Customer Service Team to send absent vote applications and invitations to register and being able to make amendments to the register to correct errors within agreed parameters.

It would also be worth exploring whether Customer Service staff can work additional hours on polling day in order to take the majority of enquires during the hours of poll.

Once the service is established, consideration should be given as to the ability of the Customer Service Team to respond to emails to the electoral services inbox and whether they could assist with the processing of postal vote applications. It would also be worth considering having dedicated email addresses to assist with this, for example [postalvoting@eastdevon.gov.uk](mailto:postalvoting@eastdevon.gov.uk), [proxyvoting@eastdevon.gov.uk](mailto:proxyvoting@eastdevon.gov.uk) and [register@eastdevon.gov.uk](mailto:register@eastdevon.gov.uk).

### **2.2 Good Practice**

There is clear evidence of good practice in many areas, for example:

- The ERO/RO takes an active involvement with the management of the service to ensure he is fully apprised of its workings and any challenges faced
- The Council ran a Cabinet Office pilot in 2017
- There is a commitment to invest in staff and ensure they have the resources and training they need

- A project team exists for election planning, chaired by the RO to ensure he is fully apprised of all key aspects of the process
- There is also a comprehensive project plan and risk register
- There is a public engagement strategy which shows a clear commitment to engage with residents.

### **2.3 Areas of Challenge**

There are currently several areas giving cause for concern:

- The level of staff in the Electoral Services Team
- The support that is given to the Team by other Council services
- The working practices of the Team
- The relocation of the Council Offices
- The number of additional polls being conducted throughout the year
- The funding of training and development and the ability to improve working practices
- The impact of queries from political parties in advance of a poll
- The inability to recruit sufficient staff to work in polling stations

These areas of challenge will be further discussed throughout this report.

### **2.4 Lessons Learnt**

It was encouraging to discuss areas for improvement with the RO based on his experiences since 2015.

There is a clear understanding of the issues over the last few years and engagement with Councillors on the steps necessary to deliver a robust electoral process.

Steps have been taken to ensure the mistakes of the past are not repeated, but we have some concerns as to whether there is sufficient infrastructure and resilience to put the Team in the best possible place prior to all out elections in 2019.

We would also suggest that consideration is given to the lessons of previous election counts and whether sufficient space will be available in the new Honiton offices. If there is judged to be limited space, then consideration should be given to either splitting counts over two venues or using a Council owned sports hall. The need for space for multi-member counts shouldn't be underestimated and suitable accommodation is an area of key importance.

There should be a strict adherence to access to the count and a system used to ensure only those entitled to be present are able to attend. This will assist with issues relating to the size of the count venue.

We would also stress the importance of considering when is the best time to count any Parish and Town ballot papers next May to ensure staff are not working excessive hours without a break.

## **2.5 Infrastructure**

The Electoral Services establishment list consists of:-

- Electoral Services Manager – full-time
- Electoral Services Officer – full-time
- Electoral Services Assistant – full-time (not currently in post)

This equates to three full-time equivalents for an electorate just shy of 120,000 electors.

## **2.6 Budget Management**

The Council recognises the need to ensure sufficient resource is available to fund both elections and electoral registration.

The Electoral Services Manager is responsible for preparing all budgets and completing national election accounts for sign off by the RO. We believe that consideration should be given to the practice of using the skills and expertise of the Council's accountancy staff to complete national election accounts.

We understand the budget for the 2019 elections will be sufficient to meet all statutory functions. We would draw attention to the need to ensure there is sufficient funding for all necessary registration activities in relation to both the local elections and the duties of the ERO.

Funding for the additional responsibilities relating to IER are only guaranteed until 2020. Consideration should be given now as to how the additional burdens will be funded should the Government grant designed to enable the new ERO duties to be undertaken be removed or not continued at the current level.



## **Theme Three – Resources**

### **3.1 People**

In the past, there has been a clear distinction made in terms of the resources required in advance of a poll or during the canvass period as opposed to the ongoing requirements throughout the year. However, in recent times, this distinction has diminished as a result of new polls being introduced. To illustrate this, excluding scheduled elections or referendums, since October 2015 the Electoral Services Team has run 20 polls including a UK Parliamentary General Election, a national referendum and three Neighbourhood Planning Referendums. The rest of the polls were District or Parish by-elections. The number of unscheduled polls means that resources need to be in place and sufficiently adaptable to meet the ever-growing demands on electoral services teams.

#### **Staffing Structure**

We believe there are insufficient staff in the current structure to carry out the legal duties of the ERO and RO.

Whilst it is difficult to fully assess because of the unexpected national polls, a canvass pilot and frequent changes to staffing levels, based on the size of the authority and the ongoing requirements relating to both elections and electoral registration, we believe more resource is necessary.

Whilst there is no agreed ratio for the number of staff who should be employed per elector, the Electoral Commission quoted an independent review of electoral services which suggested an average of 40,000 electors per full-time member of staff in addition to a full-time manager<sup>1</sup>. However, it is important to note that this report was written in 2008 before the introduction of IER and the plethora of new responsibilities relating to new elections and referendums and the requirements of Community Governance Reviews. It was also based on a London borough that did not have the added complications of parishes.

Using the established ratio and the additional factors outlined above, we would therefore recommend East Devon has four full-time staff employed to undertake their electoral services function, an increase of one full-time member of staff based on the current establishment list.

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[https://www.electoralcommission.org.uk/\\_data/assets/electoral\\_commission\\_pdf\\_file/0018/56034/Designing-A-New-ES-Final.pdf](https://www.electoralcommission.org.uk/_data/assets/electoral_commission_pdf_file/0018/56034/Designing-A-New-ES-Final.pdf)

We make this recommendation on the understanding that other areas of the Council will start to provide additional support. Without this support, at key times in the electoral calendar, further staff would be necessary.

### **Staffing at Election Time**

The suggestion has already been made as to whether the Customer Service Team and the HR/Payroll function could provide additional assistance, but a review of additional requirements needs to be undertaken at least twelve months in advance of any scheduled poll. This would include investigating further options for providing support from other Council staff. For example, ensuring that no member of the core team is required in connection with the issue or opening of postal votes would allow additional capacity at a key time.

At recent polls there appears to be some evidence that the core team are required to undertake duties that were not originally planned and this impacts their ability to deliver their primary role. Prior to any future major poll, staffing resources should be thoroughly considered so it is not necessary to use the Electoral Services Team for tasks outside their planned role.

The new system for using temporary staff appears to mean the Team cannot re-employ those with experience in the electoral services office, as they have in the past. Consideration should be given as to whether this is in the best interests of the service, whilst also remembering that they are being employed by the ERO/RO rather than the Council.

Another area of challenge that is particularly evident at election time is the number of queries and questions generated by some political parties. The volume of enquiries is having a detrimental impact on the Team's ability to deliver the election. Consideration should be given to an officer outside of the core team being the point of contact for enquiries from political parties so that as many questions as possible can be answered without the involvement of the electoral services staff.

It has become clear that there are less people willing to work in polling stations and recruitment is becoming an issue. Consideration should be given to a recruitment campaign early in 2019 to encourage new staff to work for the RO and to promote Poll Clerks to Presiding Officers. This is an area of work which we would be able to support should assistance be required.

### **Working Practices**

During the election timetable, the Electoral Services Manager relocates to another room in the building, based on historic practices when elections and electoral registration were run as two separate functions. This

approach gives several reasons for concern and we would recommend that, going forward, the Team remain co-located throughout the whole election process.

One of the main benefits of the Electoral Services Manager moving out of the office is the volume of calls received and the impact of these interruptions on processes that need a significant amount of concentration. If our recommendations regarding using the Customer Service Team are taken forward, the working environment would be both more conducive and productive.

### **Health and Wellbeing of Staff**

We feel it important to mention that the personal impact of the last few years is clearly still felt by staff and would recommend that consideration is given as to whether sufficient support relating to stress, resilience and change management is in place for members of the Electoral Services Team.

## **3.2 Internal Network**

### **Resource Support**

As has previously been mentioned, we believe the Customer Service Team should take all phone calls to electoral services and ideally be able to help with emails at peak times.

We also think it is in the best interests of the RO and Electoral Services Team to give the responsibility for postal voting to another area of the Council. There are many examples where Democratic Services assist with this function as April is often a quieter time in their calendar and this approach works well. The Monitoring Officer has also indicated that he is interested in taking more responsibilities for elections and may be willing to manage this process.

On the subject of postal voting, consideration is currently being given to outsourcing the process of issuing postal votes. There are benefits and drawbacks to outsourcing so the AEA does not make a recommendation on whether the process should be outsourced or remain in-house (with stationery provided externally). However, outsourcing brings clear capacity benefits, especially if external checks are made by an officer outside of the core team, for example an auditor. We would recommend that a thorough analysis of both options is undertaken.

### **Office Location**

In December 2018, East Devon District Council's main offices will relocate to Honiton.

There are some concerns about ensuring the Electoral Services Team has sufficient storage for sensitive paperwork, such as Invitations to Register and absent vote applications. These applications have personal data and need to be confidentially stored.

There are also numerous documents relating to elections that need to be retained for statutory time periods and are accessible should inspection be required.

In addition to this, there are items of election equipment that need to be safely stored, for example polling booths and ballot boxes.

As well as storage issues, the Team have two large scanners as well as two small scanners that need to be used on a regular basis and they have some concerns as to whether they will fit on the new sized desks. Whilst this may seem like a minor point, it is imperative that sufficient space is available to allow the Team to process A3 forms in significant volumes throughout the year, but especially during the canvass.

### **3.3 Communications**

The Communication Team has written a Public Engagement Strategy on behalf of the Electoral Services Team and the two teams operate closely on all activity relating to elections and electoral registration. A member of the Communication Team sits on the Election Project Team.

There is good publicity on the Council's Twitter and Facebook accounts to publicise the major polls, but more could arguably be done around by-elections and Neighbourhood Planning Referendums.

The electoral pages on the Council's website are maintained by the Electoral Services Team. This arrangement appears to work well as they are able to ensure information is available in a timely fashion. We would however encourage there to be other options available should capacity become an issue for a particular reason.

### **3.4 Skills and Knowledge**

The Team appears keen to develop their skills and knowledge. The Electoral Services Manager has undertaken the AEA Foundation course, as has the Electoral Services Officer. The Electoral Services Manager is currently studying for her Certificate in Electoral Administration.

Both the Manager and Officer recently attended a course on administering Parish Council elections.

However, the courses mentioned above are the only training that has been provided for the staff and there is limited budget to provide further development.

Particular areas where further development might be beneficial are the attendance on Express User Groups (days designed to ensure users are aware of changes to the Electoral Management System and that they are making best use of the system) and specialist training on matters such as Employment and Information Governance and Community Governance Reviews.

### **3.5 Continuous Improvement**

Whilst it is clear that the Council value their staff and there is a Performance Appraisal process in place across all employees, there appear to be limited avenues for staff to ensure their electoral knowledge remains up to date.

As there are no scheduled elections in May 2018, notwithstanding there will doubtless be a number of polls throughout the year, we believe 2018 would be an ideal time for all Team members to actively take part in job shadowing at Councils with elections. This will enable the Team to see different ways of working and then use this experience to reconsider current practices in East Devon.

We also believe it is important that the members of staff continue to attend AEA South West Branch meetings and to use this support network to continually develop their working practices.

### **3.6 Resilience**

As highlighted in section 3.1, there is limited resilience within East Devon's Electoral Service Team and support network. Whilst the ERO/RO is clearly mindful of how resilience might be improved, clear steps need to be taken to share skills and knowledge in order to mitigate risk, as well as sharing the responsibility for certain functions.

We would also consider it prudent to look at the process notes available for key processes and develop a comprehensive set of notes for all significant duties.

If implemented, many of the suggestions in this report will improve the resilience of both the Team and the delivery of the service, but in addition, we believe the ERO/RO should consider how to address succession planning. There is a clear shortage of experienced electoral services staff nationally as evidenced by the number of vacancies recently advertised. There is great merit in the principle of 'growing your own' and this should be carefully considered, possibly considering career-graded posts or apprenticeships.

## **Conclusions**

East Devon District Council has an Electoral Services Team they should be proud of. They are delivering a good service to members and to the citizens of East Devon despite significant resource issues. They understand the importance of customer service and have made continued personal sacrifices to ensure all electoral requirements are properly met.

The ERO/RO is aware that there is a need to increase the resilience of the Team and provide additional capacity at key times in both the election and electoral registration timetables. He has also demonstrated a clear understanding of his role.

We believe a Council-wide approach to delivering elections is beneficial and will help mitigate risk at future polls. We feel consideration of issues relating to staffing levels and staff development will also assist with future delivery. We would also raise concerns for how well the staff transition to their new working environment.

Whilst none of the issues raised within this report are cause for immediate concern, there are numerous areas worthy of thorough consideration and we believe that if additional resource is not made available, there is a significant risk that the legal duties of the ERO/RO will at some point not be carried out.

## **Key Recommendations**

- To increase the establishment to four full-time members of staff
- To consider expanding responsibilities in relation to electoral services functions to other areas of the Council e.g. using the skills and expertise of the Council's Customer Services Team to answer resident enquiries
- To review processes related to the employment of casual staff to ensure all legal responsibilities are being met
- To ensure comprehensive process notes exist for all key functions
- To consider the arrangements for election counts once space at the new office becomes clear
- To ensure sufficient storage, secure facilities and working space is available to the Electoral Services Team at the new office in Honiton

## **Appendix One – The Legal Position of the Electoral Registration and Returning Officer**

Each Council is required to appoint one of its Officers as the Returning Officer for the purposes of local government elections at principal area level and to appoint one of its Officers as the Returning Officer for the purposes of any parish council elections within the authority's area.<sup>2</sup>

The Council is also required to appoint one of its Officers as the Electoral Registration Officer.<sup>3</sup> The Electoral Registration Officer of the Council becomes the Acting Returning Officer for the purposes of the conduct of UK Parliamentary elections.<sup>4</sup>

The Council which has appointed that officer is required to provide the officer with sufficient resources to conduct local government elections and to pay the costs thereof.<sup>5</sup> In terms of UK Parliamentary elections, the costs are borne by Government through the Consolidated Fund.

The Returning Officer may appoint deputies to assist with the conduct of the election. Such deputies may be appointed with "full powers" (i.e. the power to undertake any duties which are formally the responsibility of the Returning Officer) or with "limited powers" (i.e. the powers specifically identified in the form of appointment).<sup>6</sup>

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<sup>2</sup> Representation of the People Act 1983 (RPA), section 35(1)

<sup>3</sup> RPA 1983, section 8

<sup>4</sup> RPA 1983, section 28

<sup>5</sup> RPA 1983, section 36(4)

<sup>6</sup> RPA 1983, section 35(4)

## **Appendix Two – The Legal Position regarding the relationship of the Electoral Registration Officer/Returning Officer to the Council**

As noted above, a Council has to appoint one of its Officers as the Returning Officer for its elections (or parish council elections) and then provide the necessary resources to allow that officer to properly conduct the election. Once appointed, the Returning Officer is in a statutory office and has a separate legal entity to that of the Council which appointed him/her. The same principle applies to that officer's appointment to the role of Acting Returning Officer (ARO) as it is held directly by virtue of the officer's appointment as Electoral Registration Officer.

On this basis, it could be suggested that the Electoral Registration Officer or the Returning Officer are not fettered by the Council's normal procedures in terms of carrying out electoral registration duties and conducting elections or subject to direction or instruction from members of the Council in respect of the discharge of the responsibilities falling to the statutory offices. This reflects the position enshrined in statute that an independent officer is responsible for the proper conduct of these matters "without fear or favour" and this position was tested and confirmed by a case heard in the Queen's Bench Division of the High Court in 1993<sup>7</sup> and involving Milton Keynes Borough Council and its Electoral Registration Officer.

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<sup>7</sup> Case CO 1781/93



## Annual Report of the Scrutiny Committee 2017/18

1. The Committee has continued to work in alignment with the Council's corporate priorities and regularly considers and comments on performance monitoring data, as well as monitoring decisions by the Cabinet and Portfolio Holders, as part of the scrutiny role as the "critical friend".
2. The Chairman continues to seek agreement from key councillors at Devon County Council that the committee can discuss mental health issues, even if the recognised statutory scrutiny body is DCC. The committee are keen to keep pursuing the issue and will work with Chairman of Honiton Dementia Alliance, Mrs Penwarden again in the future, once officers from DCC and the DPT can be secured to attend a meeting to answer questions.
3. The Governing Body of the NEW Devon CCG have decided to reduce the number of community hospital inpatient beds from 143 to 72. The Deputy Chief Operating Officer and the Chairman of the Eastern Locality of the New Devon spoke to the committee about unpopular but, as the CCG considered necessary decision, making assurances that no bed closures would be made until the new method of care was in place. The meeting attracted a number of public speakers challenging the quality of evidence used to make the decision. The committee questioned on a number of issues, relating to staffing levels, cost of delivery of the new model, inconsistencies with statistics and the user of carers being linked with the care at home model. The committee made a number of resolutions, still retaining the view that the existing level of community hospital beds in the District should be retained, with letters by the Chairman sent to the Devon County Council Health and Adult Care Scrutiny Committee.
4. The committee welcomed representatives from Citizens Advice East Devon, who outlined the valued work of the service and the challenges facing them, such as the introduction of Universal Credit. Questions from the committee established the funding issues facing the service, resulting in a recommendation for the Cabinet to investigate a longer term arrangement for grant funding in order to give more security to CAED. The recommendation was agreed.
5. Implementation of Phase 2 of the new Recycling and Waste contract was reviewed in September 2017. The committee questioned aspects such as missed collections, health and safety of crews and the market pricing for recycled materials. The committee congratulated the staff and crews for the successful implementation and look to receive a further update from the Portfolio Holder for Environment in the next committee cycle covering some specific elements from the second phase.
6. Following a suggestion by a committee member, the Scrutiny Committee received a report on complaints and Freedom of Information (FOI) requests for the year 2016/17.

The committee welcomed the excellent response times of the Council, but had concern of the impact in cost to the authority as the number of requests under FOI legislation and Environmental Information Regulations (EIR) increased. The committee recommended to Cabinet that petition is made through the LGA to government to either exclude land charge requests from the EIR, or that EIR are scrapped as part of the exit from the European Union. This recommendation was approved.

7. The Service Lead – Planning Strategy and Development, updated the committee on the systems thinking refresh for Development Management. Changes in ways of working had helped free up resource to move to an improvement in meeting targets for the determination of planning applications. The committee also took the opportunity to discuss small internal room sizes in new builds and the methodology behind the Housing and Employment Land Availability Assessment (HELAA). The committee recommended to Cabinet that the minimum standards of internal room sizes, as issued by government, is adopted as a matter of priority by the authority. Cabinet amended and agreed this as “the minimum standard of internal room sizes, as issued by Government, be considered by the Strategic Planning Committee in terms of the costs and timing of introducing minimum standards”.
8. Continuing a watching brief on Broadband delivery, the Committee heard about the story behind Talaton seeking a local solution to their poor broadband speed, beginning in 2016. Working with Voenus, they ended up with 120 residents coming forward to be part of the scheme. With infrastructure set up at the Exeter Science Park, Talaton was now able to see speeds between 20 and 25 MB/s which made a considerable difference to the local community.

The Committee also received an update from Connecting Devon and Somerset. Since that meeting in February, the current voucher scheme for those not covered by Phase 2 has now been reopened. Members questioned representatives present on a number of both practical issues and on expected implementation of the Council’s wish for all properties to be connected, be they residential or business, or rural. The Committee recommended to Cabinet to continue pursuing 100% delivery with local MPs, publicise the voucher scheme further and seek continued support from the Diocese in using local churches as infrastructure for broadband, particularly for rural parishes.

9. Laurence Whitlock, IT Director for Strata reported on the delivery of savings to the three authorities that the service covered. A number of key solutions had been put in place and continued to be rolled out across the three authorities, including global desktop and Skype telephony, in order to deliver a modernised infrastructure and a better level of resilience. The committee acknowledged the savings to the Council made by Strata and thanked the Strata staff for their continued efforts, in particular in keeping the council operating during recent inclement weather.

10. The committee had received a comprehensive paper on the background to the Exmouth Pavilion Car Park at their February meeting. A consultation exercise for a number of car parks was approved by Cabinet in February, covering such aspects as extending charges to throughout the year, and on concessions to support events. This consultation will now include the concession proposed for the Exmouth Pavilion car park. The committee discussed a number of aspects, again raising concern on a lack of involvement of local Ward Members, as has been raised by the committee on a number of occasions in the past. The committee recommended this be amended to the Cabinet alongside a request to have the temporary concession of part refunding be a permanent one for the Exmouth Pavilion car park.
11. Joint debate with the Overview Committee covered the draft budget and service plans for 2018/19. Members of the committee held concern that the process of considering the draft plans and budget in January each year was not sufficient to scrutinise fully and effectively. In the coming civic term, the Chairman and Vice Chairman will work with the Chairman and Vice Chairman of the Overview Committee to reach an agreed solution of a rolling programme of review.

**Agenda Item 10****Scrutiny Committee****Scrutiny Committee Forward Plan 2018/19**

<b>Date of Committee</b>	<b>Report</b>	<b>Lead</b>
7 June 2018	Update from Tree Team	Charlie Plowden
	Engagement guide comparisons report	Debbie Meakin
5 July 2018		
6 Sept 2018		
4 Oct 2018		
22 Nov 2018		
16 Jan 2019	Service Plans and Budgets jointly with Overview Committee	
7 Feb 2019		
7 Mar 2019		
4 Apr 2019		

**Work for allocation to the Forward Plan as appropriate:**

<b>Proposed date</b>	<b>Topic</b>
tbc	Portfolio Holder update reports being sought; committee can then subsequently ask the PH to attend committee on specific aspects of their portfolio.
June or July	Communities and Local Government Committee report on effectiveness of local authority overview and scrutiny committees, and Government response.
tbc	Mental health services in East Devon – responses still awaited from Chairman of the DCC Health and Adult Care Scrutiny Committee, and the Cabinet Member for Adult Social Care and Health Services. The intention is for the Cabinet Member to attend a meeting, to which Heather Penwarden, Honiton Dementia Action Group will also be invited.
Update report to be provided to committee for information	Update from Estates Team one year after recruitment of Property Records Officer and Business apprentice (from approved 2017/18 budget)

Topics put forward for further information or for scoping that remain outstanding are:

- The role of the District Councillor in communication with local Town or Parish Councillor in dissemination of information from a district level (as linked to consultation on changes in service provision or charges that impact at a local level);
- Playing pitch strategy (Cllr D Nicholas);
- How the council undertakes food safety and hygiene (request to be made through Portfolio Holder);
- Complaints surrounding development works impact on neighbouring area (Cllr B de Saram)