

Agenda for Scrutiny Committee

Thursday, 19 October 2017, 6.00pm



[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 10 October 2017

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507

www.eastdevon.gov.uk

- 1 [Public speaking](#)
- 2 To confirm the minutes of the meeting held on 21 September 2017 (pages 3 - 6)
- 3 Apologies:
- 4 [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 **Complaints and Freedom of Information requests 2016/17** (pages 7 - 12)
As requested by the committee, a report outlining statistical information on the complaints and Freedom of Information requests received by the Council.
- 9 **Scoping topics suggested by committee** (pages 13 - 16)
Two topics put forward by the committee have been scoped:
 - a) Why the Community Engagement Guide is not a Policy
 - b) How sites are put forward for the Local Plan or for future plans, such as the GESP
- 10 **Scrutiny forward plan** (pages 17 - 18)

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

[Decision making and equalities](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 21 September 2017

Attendance list at end of document

The meeting started at 6.00pm and ended at 7.41pm.

***14 Public speaking**

There were no questions from the public.

***15 Minutes**

The minutes of the Scrutiny Committee held on the 20 July 2017 were confirmed and signed as a true record.

It was reported that the Communities and Local Government Committee's inquiry into Local Authority Overview & Scrutiny had not proceeded as a consequence of the General Election. The Committee has now been reconstituted and Members of Parliament have agreed that the inquiry should now resume and will be considering evidence submitted in October 2017.

***16 Phase 2 of Recycling and Waste Contract update**

The Chairman welcomed the Portfolio Holder for Environment, Cllr Tom Wright, and his deputy Cllr Marcus Hartnell, alongside Gareth Bourton, Recycling and Waste Contract Manager.

The committee had received an update report covering the implementation of Phase 2 of the contract, which covered the remaining areas of the District under the new collection terms. Roll out commenced on the 12 June 2017 as planned, and overall the implementation is successful. Residents of the District have overall embraced the new service, which was reflected in the figures reported to the committee on the recycling rate – now at 57%, an increase of 15% from the previous collection service.

Significant changes have been made for the new contract implementation, including:

- In-cab and back office systems in place with approximately 150 staff trained in its use;
- Over 51,000 recycling sacks and bin hangers delivered; over 10,000 additional recycling containers delivered;
- New routes devised for collecting from over 51,000 properties.

The Portfolio Holder stressed that the team strived for continued improvement to the service, including a desire to add a green waste collection service in the future.

Questions and debate from the committee included:

- The new Materials Recovery Facility (MRF) at Greendale was anticipated to be online from January 2018. This improved facility was to cope with the high volumes of materials;
- Work to ensure that all methods of reporting missed collections were recorded to give clear data. Missed collections level had vastly improved from the initial weeks of implementing Phase 2 and the Streetscene team worked closely with Suez crews to ensure rounds were accurately updated accordingly;
- Good reports from Members on action taken with problems that had arisen, such as helping deal with residents that had difficulty in sorting their waste; and in taking a practical approach to small incidents of accidental mixed recycling waste;

- Suez have strong record on health and safety and work continues to ensure that crews are as safe as possible on what is, by nature, a risky job;
- Container return improvements now a focus for the service, looking at improving the quality of collections;
- Welcomed the recognition of the improvement to the service with the recent Green Apple environmental award;
- Driver retention approach by Suez was explained to the Committee, with a positive approach to training drivers with a two year retention package;
- In cab technology allowed each vehicle to be tracked, and crews updated on route with collection information for example logging each assisted collection;
- Size and number of collection containers would remain an issue for flats and small homes. This was an issue nationally, but a necessity in order to collect the volume of waste that was being produced;
- The cost of additional vehicles put in place to deal with demand was currently being absorbed by Suez. Any future negotiation on costs in the contract would have to be put to Cabinet for a decision;
- Market prices for recycled materials varied due to global influence. Contracts were in place with DCC and Suez for the sale of those materials and a best estimate on the return made for future budgets;
- “Avoided waste disposal savings”, where the County are benefitting from the reduction of waste disposal at the Energy from Waste (EfW) plant and could pass on their savings to Districts, were now agreed with DCC.

The committee were keen to have a report back in future months to ensure that any means of reporting missed collections were handled correctly and promptly, and that the East Devon App was also working correctly and consistently.

RESOLVED

1. that the committee receive a further report from the Portfolio Holder in March 2018 on the implementation of Phase 2 of the Recycling and Waste Contract, to specifically cover:
 - a. Health and safety data and progress
 - b. Reporting mechanisms for missed collections (via app, online, phone and other means), and clear associated data on reporting for performance monitoring
 - c. Staff turnover rate
 - d. Savings realised from the change in contract
 - e. Impact of installation of improved MRF at Greendale
2. That the officers and local communities be congratulated on their hard work and engagement to bring about the success in the implemented scheme;
3. That the committee welcomes the actual reduction in waste disposal at the Energy from Waste (EfW) plant; and
4. That the committee welcomes the actual increase in recycled materials.

***17 Quarterly monitoring of performance quarter 1 2017/2018**

The committee raised issues on the following performance indicators:

- Delivery of Manor Pavilion car park as a pay and display car park. The Chairman expressed his annoyance at the officer remarks to this indicator, which as set out in the report, suggested that the delay to delivery was due to the involvement of the Scrutiny Committee. He reiterated to the committee that had the pending change to pay and display

been consulted upon at the outset with local interested parties, Ward Members and the Town Council, the committee would not have been requested to review the decision and terms of the change of use. He also commented that it was disappointing that Cabinet had not chosen to agree with the committee's recommendation on the charging hours;

- Return empty homes to beneficial use. This is "on track" but with no narrative. The previous shared post of a dedicated officer with Exeter City Council has not been replaced when that individual retired; Exeter City did not have any appetite to continue with a shared arrangement on that post. Therefore the work has been absorbed back into the Housing Team to continue with. The committee decided to refer the issue to the Housing Review Board, with future monitoring reports being updated accordingly;
- Beach Safety Officer – post now filled;
- Fly tipping – many committee members had concerns about the continuing changes in charges at Devon County Council (DCC), and how that directly impacted on the scale of fly tipping. Whilst the charges were the responsibility of the County Council, Members wished to pursue some form of action and agreed to ask the Portfolio Holder for Environment to pursue this issue; roadside litter was also an issue that needed addressing, which had been researched by a member of the committee. Dangerous stretches of road were difficult to clean because of safety issues for Streetscene operatives, but the committee hoped that the Portfolio Holder may be able to work with the team to reach a safe solution;
- Percentage of planning appeals decisions allowed against authority's decision. This has been discussed at both Strategic Planning Committee (SPC) on 11 July and Development Management Committee in August. Members noted the minutes from SPC on the issue;
- Improvement in processing housing benefit/council tax benefit new claims and change events was welcomed;
- Younghayes centre transfer – this was currently awaiting response from the Town Council solicitors, so no solid completion date could be provided at this time;
- District design guide – being monitored by the Overview Committee;
- Member development programme – Lead Councillor for Member Development sought views on how to ensure good attendance by Councillors to arranged information events and training sessions. Previous events had been poorly attended, despite trying a mix of both daytime and evening events. Scrutiny training had been arranged for November and confirmed numbers were being sought, but a program of events needed to be developed. The Lead Councillor agreed to reconvene her Member Development working Group to look at developing a programme and seek views of Councillors on ensuring attendance;
- More detail was requested on the Business rate relief policy in operation;
- If the business plans for the both Area of Outstanding Natural Beauty partnerships were available online yet;
- More information requested on the location of sites for monitoring air pollution, levels of pollution and how that related to new or expanding development;
- Congratulate officers on the current work in refurbishment of Exmouth Town Hall and the start of the build of Blackdown House at Honiton.

RECOMMENDED to the Housing Review Board that work allocated to return empty homes to beneficial use be reviewed to establish if a dedicated officer, shared with other authorities, could be established again to deliver a higher number of homes returned to use.

RESOLVED to ask the Portfolio Holder for Environment to approach the County Council on the issue of increasing costs to residents for using their recycling facilities and the impact that has on the District with increasing fly tipping; and to look into what safe practices could be adopted to deal with roadside litter

***18 Scrutiny Forward Plan**

Work continued to pursue agreement from the Cabinet Member for Adult Social Care and Health Services of Devon County Council (DCC) to attend the committee to discuss mental health services in the District. There had also been no response from the Chairman of the DCC Health and Adult Care Scrutiny Committee to the letter sent on behalf of the Scrutiny Committee on 26 June 2017.

RESOLVED that local County Councillors be asked to assist in requesting attendance by the DCC Cabinet Member.

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

Scrutiny Members present:

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

Other Members

Marcus Hartnell
Tom Wright
David Barratt
Pauline Stott
Brian Bailey

Officers present:

Gareth Bourton, Recycling and Waste Contract Manager
Anita Williams, Principal Solicitor
Debbie Meakin, Democratic Services Officer

Apologies:

Cathy Gardner
Cherry Nicholas
John O'Leary
Jill Elson
Darryl Nicholas
Iain Chubb
Dawn Manley

Andrew Hancock, Service Lead Streetscene
John Golding

Chairman Date.....

Report to: **Scrutiny**
Date of Meeting: 19 October 2017
Public Document: Yes
Exemption: None
Review date for release None



Agenda item: **8**

Subject: **Complaints and Freedom of Information requests 2016/17**

Purpose of report: This report provides information on complaints and information requests received during the year.

Recommendation: **That Scrutiny considers the number of complaints and requests for information dealt with and their outcomes**

Reason for recommendation: To continue to improve the way we handle, process and learn from, complaints and requests for information

Officer: Henry Gordon Lennox, Monitoring Officer

Financial implications: There are no direct financial implications. Costs incurred have been identified in the report.

Legal implications: As the report is for information there are no direct legal implications arising. However, the outcomes do highlight some learning points which should be taken on board to avoid similar complaints in the future.

Equalities impact: Low Impact

Risk: Medium Risk
Potential criticism, deterioration in reputation and failure to improve. Loss of credibility in complaints procedure.

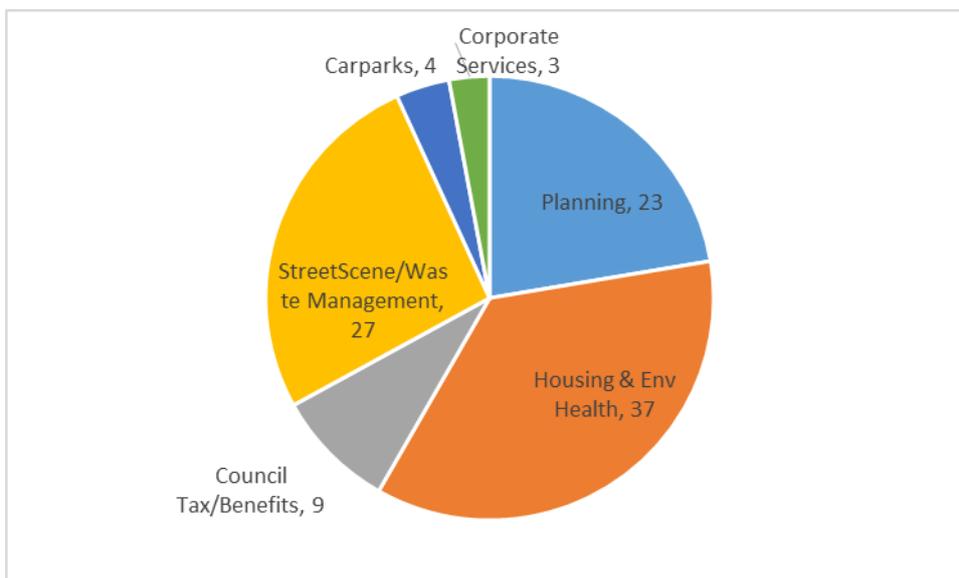
Links to background information: <http://eastdevon.gov.uk/feedback-and-complaints/making-a-complaint/complaint-outcomes/>
<http://eastdevon.gov.uk/access-to-information/>

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

Report in full

1. Formal complaints received

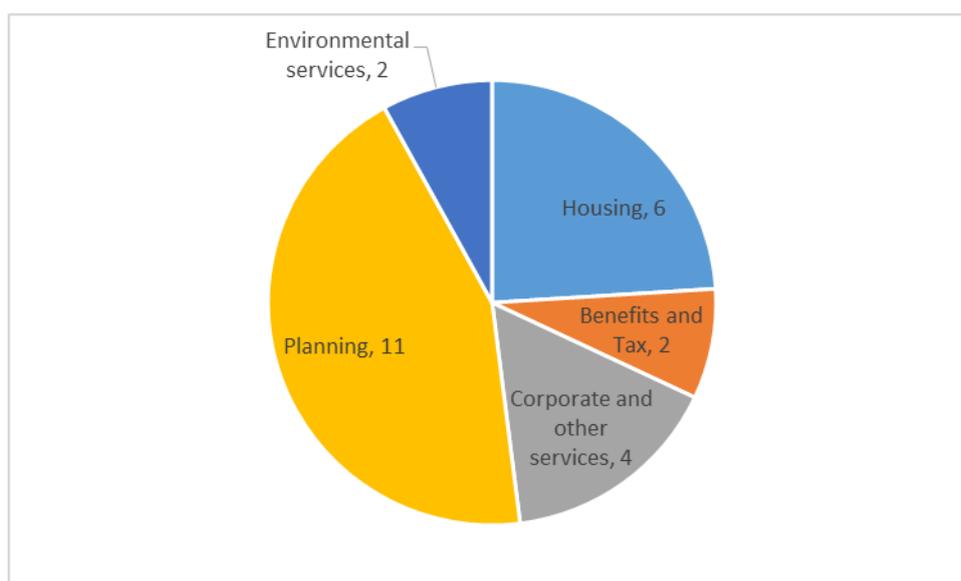
1.1 During the year we received 103 formal stage 1 complaints. These can be broken down by service area as shown below:



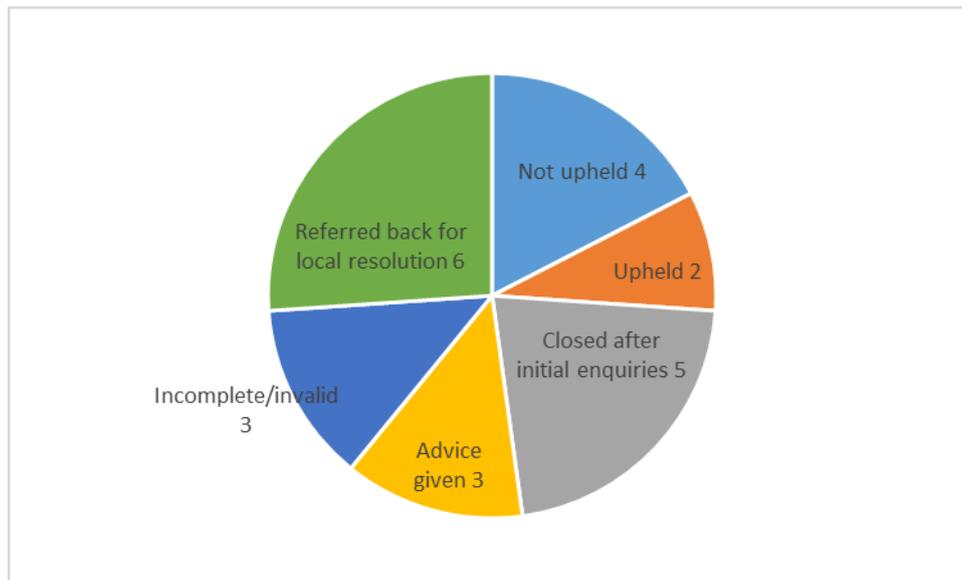
1.2 Of these complaints, two thirds were resolved at the first stage of the complaints procedure whilst 34 proceeded to the next stage and were considered by the Monitoring Officer. The number of referrals to stage 2 has followed a very similar pattern during the last two years with 33 referred in 2015/16 and 35 the previous year.

2. Local Government Ombudsman complaints received

2.1 25 complaints were received by the local government ombudsman during the year, compared to 23 received during 2015/16. A summary of the subject of the complaints is provided in the diagram below:



2.2 23 complaints were closed (decided) by the Ombudsman during the year



2.3 2 complaints were upheld and a copy of the decision notice for each is published on our website – see links to background information above.

Complaint 1: The council was at fault for refusing to allow tenants the right to buy their property. The council felt that the property was exempt from the right to buy because it was suitable for occupation by tenants with disabilities. During our consideration of the complaint we re-considered whether or not the exemption applied to this property and concluded that the right to buy did apply. We apologised to the complainant for any inconvenience caused and offered a small payment to reflect their time and trouble in bringing the complaint.

Complaint 2: During the bidding process for the lease of industrial units, an officer of the council wrongly accepted a bid outside of the stated time period. This was fault but it did not cause the injustice claimed by the complainant.

3. Links to council priorities

- 3.1 The council made one small payment of £300 to reflect the time and trouble one complainant had gone to in pursuing their complaint. This reflected the fact that the council's decision in the matter had changed and provided clarity in terms of this aspect of the Right to Buy process.
- 3.2 This complaint links in with the council's priority to continuously improve to be an outstanding council. We re-considered our policy position and gained clarity in dealing with this type of right to buy application in the future. This also links in with our priority of encouraging outstanding communities by providing good quality homes for local people.
- 3.3 No other procedural changes were identified by the two upheld complaints and so there is no further impact upon the council's priorities.

4 Housing Ombudsman

- 4.1 Complaints about the council as social housing landlord are considered by the Housing Ombudsman. This does not include complaints about allocations or bandings as these matters still fall within the jurisdiction of the Local Government Ombudsman. Complaints referred to the Housing Ombudsman tend to focus on matters such as property repairs and maintenance and estate management issues.
- 4.2 In 2016/17, two complaints were decided with no finding of maladministration in either case. At the time of writing this report, one complaint remains open.
- 4.3 In one complaint a tenant alleged that the council did not provide adequate repairs or redress following reports of the malfunction of the warden pull system in the property and reports of damp.
- 4.4 The Ombudsman decided that the council had acted reasonably in offering a refund of the service charge paid and in offering an alternative alarm system as a temporary measure. The Ombudsman also stated that it was reasonable for the council to rely on the opinion of a maintenance surveyor who concluded that the damp in the property was caused by condensation and to provide a new central heating programmer to resolve the problem.
- 4.5 The second complaint was about the council's handling of works to remove cavity wall insulation. The Ombudsman concluded that the insulation needed to be removed due to it becoming damp and that there had now been agreement with the tenant that the insulation would be replaced.

5. Requests received under the Freedom of Information Act and Environmental Information Regulations

- 5.1 658 requests have been dealt with under the Freedom of Information Act (Environmental Information Regulations) during the year 2016/17.
- 5.2 This figure has risen from 588 in 2015/16.
- 5.3 There continues to be a trend for requests originating from commercial organisations asking questions relating to council contracts; information pertaining to businesses and their payment of business rates; and topics of general news interest like the impact of changing legislation.
- 5.4 The council's major projects, such as the office re-location and the regeneration of Exmouth seafront are also continuing to generate interest amongst local residents, and campaign groups, although these requests form a relatively small proportion of the overall number received.
- 5.5 The service areas receiving the highest number of requests are Council Tax, Environmental Health and Planning.
- 5.6 Requests received from organisations include news agencies and press enquiries which tend to centre around national news topics such as welfare reform, council income streams and legislative changes.

- 5.7 Our current average response time is 7.75 working days – well within the statutory deadline of 20 working days. This is a significant improvement on 2015/16 where the average was circa 16 days over the year.
- 5.8 During 2017/18 we will continue to actively monitor response times to seek to ensure continuous improvement.
- 5.9 The council recently contributed to a benchmarking exercise involving 92 district and county/unitary councils across the country. This was looking specifically at FOI requests responded to during the first 6 months of 2016/17.
- 5.10 EDDC was one of only 5 councils with a 100% record of responses provided within the statutory deadline. The council was also within the top 1/3 in terms of numbers of requests received.
- 5.11 During the year as a whole, only 1 response exceeded the statutory deadline.

6 Referrals to the Information Commissioner

- 6.1 If a customer feels dissatisfied with the way we have responded to their request for information, they have the right to complain to the Information Commissioner (ICO).
- 6.2 6 decision notices were issued in respect of complaints made to the ICO by 2 individuals during 2016/17. This represents less than 1% of the total number of requests received, indicating a very high level of satisfaction with information request handling overall.
- 6.3 2 complaints were upheld in full. These were complaints from a local individual who wanted the council to disclose a copy of the conditional contract it had entered into with Pegasus Life for the sale of Knowle, and also to disclose the price Pegasus had agreed to pay for the land. At the time of the requests the council felt that this disclosure would prejudice the project as the contract was still conditional upon planning approval being granted. The ICO did not agree with this stance and required the council to disclose the information.
- 6.4 The council felt that the ICO had misinterpreted the legislation in respect of commercial confidentiality and prepared an appeal to the first tier tribunal on that basis. However, before the appeal was heard, the council disclosed the information once it became clear that planning approval had not been granted and there was therefore no longer the same degree of commercial confidentiality attached to the information.
- 6.5 In respect of the relocation project, and as the council repeatedly informs any requester, we remain committed to making information available to the public at appropriate project milestones and at a time when disclosure will not harm the economic interest of the council itself, or a third party. However, it is important to note that it is often a difficult balance between what may be “of interest” to some sectors of the community as opposed to what is actually in the greater public interest in terms of enabling the council to achieve best value in its commercial dealings.
- 6.6 In a separate complaint, the same requestor asked for information relating to the predicted energy costs for Knowle, in respect of the re-location project. The council had provided some information in response but had not specifically referred to a

computer model containing further calculations. The ICO required the council to issue a refusal notice to the requestor outlining the reasons why this model is currently being withheld from publication.

- 6.7 The same requestor also asked the council to disclose information relating to estimated build costs for its new office premises. The commissioner agreed with the council that the balance of public interest rests in withholding this information and that the council applied the correct exception under the Environmental Information Regulations.
- 6.8 In two further complaints, the commissioner found no fault in the way the council had responded to the requests – in terms of the information provided or exemptions applied – but did point out that in both cases the response times had exceeded 20 working days. No steps were required to be taken in either case. It should be noted that the complaints related to requests received in 2015 and that the council has since successfully taken steps to improve its response times.
- 6.9 We are continuing to be proactive in making information available to the public in a timely way and to only hold documents as confidential where it is necessary to do so. We have a dedicated section on our website for documentation produced in connection with the office re-location project.
- 6.10 In addition we continue towards publication of historic information which has previously been withheld as confidential. Reports which were previously considered under part B at our committee meetings (in closed session) are now being published, where it is appropriate to do so.
- 6.11 Generally we have also seen a significant reduction in the number of reports being presented to Cabinet under part B. In 2016/17, 2 reports were considered in Cabinet's closed session which compares with 32 in 2014.

Report to: **Scrutiny Committee**

Date of Meeting: 19 October 2017

Public Document: Yes

Exemption: None

Review date for release None

Agenda item: 9

Subject: **Scoping topics suggested by committee.**

Purpose of report: To set out the options available to the committee on the topics requested:

- a) Why the Community Engagement Guide is not a Policy
- b) How sites are put forward for the Local Plan or for future plans, such as the GESP

Recommendation:

- 1.No further action be taken on the Community Engagement Guide**
- 2.The committee to debate fully and provide detail on what they want to achieve as an outcome in relation to how sites are put forward for the HELAA or to be considered for allocation;**
- 3.If the committee agree that a scrutiny review in (2) above be developed, to seek involvement from the all the GESP authorities.**

Reason for recommendation: Topics put forward by the committee for future work are always scoped initially.

Officer: Debbie Meakin, Democratic Services Officer dmeakin@eastdevon.gov.uk

Financial implications: .There are no direct financial implications arising from the report.

Legal implications: There are no direct legal implications arising from the content of the report.

Equalities impact: Low Impact

Risk: Low Risk

Links to background information: Links to related reports are in the body of the report.

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



Report in full

1. Community Engagement Guide

- 1.1 The draft community engagement policy was put before Cabinet in August 2015 and recommended to Council for adoption as a guide.
- 1.2 The committee received a scoping report on engagement and consultation on 14 April 2016. During debate the committee expressed a view that the guide was sound and narrowed their focus to specific consultation exercises. These specific cases were debated following submission of a scoping report on the 7 July 2016, with a number of recommendations made. This included recommendation (Minute 10, 4) “that consideration be given to the creation of a consultation policy to replace the existing guide”.
- 1.3 Cabinet resolved on the 14 September 2016 to note the recommendations.
- 1.4 Councillor Val Ranger had requested a re-examination of this issue in June of this year.
- 1.5 At the present time, the guide, based on the Devon County Council community engagement policy, is still deemed as fit for purpose by officers – therefore a review of the content of the existing guide is not currently planned.
- 1.6 If the committee are minded, and agree, to recommend to Cabinet that a review is undertaken with a position of the reviewed document being recommended for adoption as a policy, the committee need to give clear reasons.
- 1.7 My recommendation is that, as advice is that the guide is still fit for purpose, no further action be taken on this issue.

2. How sites are put forward on the Local Plan or for future plans, such as the GESP

- 2.1 It is worth reminding the committee that a report was received on the 2 February 2017 on the availability of the Planning Advisory Service (PAS) to review the production process of the Local Plan. Discussion at that meeting centred on specific elements of the Strategic Housing Land Availability Assessment (SHLAA), but some members felt that with the changes from SHLAA to the Housing and Employment Land Availability Assessment (HELAA) and the creation of the Greater Exeter Strategic Plan (GESP), there was no point in reviewing a process that had fundamentally changed. The proposal for employing the PAS to review the Local Plan production process was put to the vote and lost.
- 2.2 The focus of this scoping exercise, therefore, is on the HELAA which feeds into the GESP.
- 2.3 A HELAA is an assessment of land in a specific area that is likely to be available and capable of development for new housing or employment within a certain timeframe – typically 15 years or the period of a Local Plan. The HELAA process provides a mechanism for landowners, agents or any other interested party to promote land for development, and the assessment process will consider its technical potential and suitability to accommodate development. It is stressed, however, that this does not afford the land in question any planning policy status. The policy making process, specifically choices about actual sites that may be allocated for development in a plan, is a choice of the local authority/authorities. In this respect the HEELA can be looked

upon as a database of site options that the Council/Councils can look to and draw from when choosing sites to allocate.

- 2.4 The [current HELAA methodology](#), updated in 2017 to take into account changes in national planning policy and guidance, is available online. This has been prepared jointly by the GESP authorities and a panel of representatives from external bodies and the development industry, in accordance with the requirements of legislation. The new methodology was endorsed by [Strategic Planning Committee in November 2016](#). Whilst the latest version has made some minor tweaks to technical specifics, the broad methodology and the process for sites coming into the HELAA through a “call for sites” has not changed.
- 2.5 Section 5.1 of this methodology sets out the methods of identifying potential sites. It includes the “call for sites”, targeted at landowners, agents, developers and town and parish councils to identify sites that do not, at that time, have a planning permission. The [call for sites for the GESP](#) was formally between the 27 February and 10 April of this year, it remained open for late submissions for some time but is now closed. This is the principal means of obtaining detail of sites to put into the assessment process to determine if the site should be added to the HELAA.
- 2.6 Sites are assessed under a two stage process – set out under 5.13 and 5.14 of the methodology – and if the criteria of those two stages is met, goes onto assessment by the HELAA Panel (which includes elected Members) to establish if the site being developed is achievable (section 6), before going onto consideration for potential housing delivery rates.
- 2.7 The GESP team are now undertaking detailed assessment of sites submitted, concentrating on larger/strategic scale sites and groups of smaller sites that considered together could have strategic potential. The intention is that the HEELA panel will meet later this year to review the sites and work undertaken through preliminary assessment, though no date has yet been set. The GESP HELAA Report will then be produced bringing all of these assessments together and published alongside the Draft GESP next year.
- 2.8 Sites may be identified in ways other than through the HELAA including during consultations on any plan where objectors will frequently put forward their own sites for consideration outside of the HELAA process. In this case the Local Planning Authority would have to take a view on whether there is merit in assessing the proposed site as a suitable alternative or not, by means of sustainability assessment.
- 2.9 This answers the question as to how sites are put forward. I am unclear what element of this question is valid as a scrutiny process, as this is purely providing information on a process that has been formed by legislative requirements and government guidance and now formally agreed by the Council.
- 2.10 There are clear processes in place to undertake assessment of sites, either through submission under a “call for sites” or by other means. The HELAA Panel will also offer an element of check and balance for sites in assessing achievability.
- 2.11 There is potential to scrutinise that the process has been consistently undertaken in assessment of sites once the authorities have reached the stage of a Draft GESP and site allocations. I have drawn this conclusion on the basis of the constitution for the committee being of post decision scrutiny. It is not the role of the committee to

scrutinise professional judgement in that process – only to check that the agreed process has taken place.

- 2.12 There is also an added complication of the scale of this exercise, if the committee are minded to pursue it – in that scrutinising the process covers much more than just this authority – it covers all the authorities included in the GESP, and therefore consideration should be given to a joint scrutiny exercise. This will be impacted on the scrutiny plans for other authorities, their appetite for undertaking such work, and the impact on service teams in preparing reports as additional work to the process already in place. Just because something will be difficult to undertake should not prevent it from going ahead, but the committee need to be aware of the impact of undertaking such a review.
- 2.13 There will still be the opportunity for individual comment on any draft documentation as part of the statutory consultation when the Draft GESP is published; and prior to that, the Draft GESP will of course have to be put to Strategic Planning Committee and onto Council, where there will be opportunity to make representation.
- 2.14 The committee need to debate this issue to be clear how they want to proceed and what exactly they wish to scrutinise.

Agenda Item 10**Scrutiny Committee****Scrutiny Committee Forward Plan 2017/18**

Date of Committee	Report	Lead
16 Nov 2017	Crime and Disorder update, plus organised crime Elections report Service Lead Planning Strategy and Development Management report back on performance indicator queries and new working practices 2 nd quarter performance management report	Gerry Moore DCI Hawkins Chief Executive Ed Freeman
17 Jan 2018	Draft budget and service plans with Overview	
22 Feb 2018	Strata update on progress against business plan (tbc) 3 rd quarter performance management report	Laurence Whitlock (CEO Strata)
22 March 2018		
19 April 2018	Agreement on annual report to Council	Debbie Meakin

Work for allocation to the Forward Plan as appropriate:

Proposed date	Topic
tbc	Portfolio Holder update reports being sought; committee can then subsequently ask the PH to attend committee on specific aspects of their portfolio.
tbc	Broadband and mobile coverage - as and when updates are available
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.
tbc	Update from Estates Team one year after recruitment of Property Records Officer and Business apprentice (from approved 2017/18 budget)

Topics put forward for scoping on 9 May 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).