



## Agenda for Scrutiny Committee Thursday, 5th November, 2020, 6.00 pm

### Members of Scrutiny Committee

Councillors: C Brown (Chair), C Pepper, V Ranger (Vice-Chairman), E Rylance, M Chapman, I Chubb, A Colman, V Johns, O Davey, S Hawkins, F King, T McCollum, H Parr, B Taylor and C Wright

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**Venue:** Online via the Zoom App. All Councillors and registered speakers will have been sent an appointment with the meeting link.

**Contact:** Chris Lane, Democratic Services Officer;  
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(or group number 01395 517546)  
Tuesday, 27 October 2020

- 1 Public speaking  
Information on [public speaking](#) is available online
- 2 Minutes of the previous meeting (Pages 3 - 10)
- 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  
Information on [matters of urgency](#) is available online
- 6 Confidential/exempt item(s)  
To agree any items to be dealt with after the public (including the press) have been excluded. There are no items which 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 and Scrutiny Procedure Rules  
There are no items identified
- 8 Requesting Portfolio Holder reports'
- 9 Forward Plan (Pages 11 - 14)

## **Scrutiny Forward Work Plan**

### **a) Proposal Forms received**

Standards Committee and Subcommittee issues referred from Chairman of Audit and Governance and Portfolio Holder for Governance and Transparency following October 2020 Council

5 Year Land Supply situation

### **b) Scoping reports**

None received as yet.

### **c) Timetabling of these reports**

None received as yet.

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Members of the public exercising their right to speak during Public Question Time will be recorded.

[Decision making and equalities](#)

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## EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Scrutiny Committee held via the Zoom App on 10 September 2020

**Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.20 pm

78 Public speaking

There were no members of the public wishing to speak.

79 Minutes of the previous meeting

The minutes of the meeting held on 21 May 2020, were agreed as a true record.

80 Declarations of interest

There were no declarations of interest.

81 Matters of urgency

There were no matters of urgency.

82 Confidential/exempt item(s)

There were no confidential items.

83 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules

There were no items called in.

84 Quarterly monitoring of performance - 1st quarter 2020/21 April to June 2020

Members received the report of Karen Simpkin, Strategic Lead – Organisational Development and Transformation, presented by Henry Gordon Lennox, Strategic Lead – Governance and Licensing, which provided performance information and progress against our performance indicators from across the Council. Members noted that this cumulative quarterly information will be used to provide an annual review of our performance against our service and Council Plan in the Annual Report. This information would provide a clear view of progress against what we said we would deliver in our council plan and service plans and deal with performance issues arising.

It was noted that the above average number of performance indicators showing concern was due to the effects of the Covid 19 pandemic. Members wished to congratulate officers on how well the council had dealt with the effects of the pandemic across East Devon.

**RESOLVED** that the report on performance against delivery of the key service objectives from service plans and performance measures for the 1<sup>st</sup> quarter of 2020-21 be accepted.

85 Car Parking TAFF Membership

Members noted that on 7<sup>th</sup> November 2019, the Committee agreed to establish a Car Parking TAFF (as recorded in the minute below) but following changes in political balance of the Council and membership of the Committee it was necessary for the TAFF to revise the makeup of this membership.

**Minute 40 Establishment of TAFF - Membership**

*Members discussed the establishment of the membership of the Car Parking Task and Finish Forum (TAFF).*

**RESOLVED:** that the following be agreed as members of the Car Parking TAFF:

*Alan Dent, Kim Bloxham, Paul Millar, Bruce De Saram, Jack Rowland, Mike Howe, Eleanor Rylance, Joe Whibley, Val Ranger, Tony Woodward, Andrew Colman and Maddy Chapman.*

The TAFF should be constituted on the basis of political balance of the Council. The Committee will be asked to confirm the size of the TAFF that it wishes to have going forward (usually it is a membership of 7) and for delegated authority to be given to the Monitoring Officer to agree the membership in consultation with the Group Leaders.

Members discussed the size of the membership of the TAFF which had previously been 12 and whether to reduce the size to 10 or 7.

During discussions the following points were noted:

- ) The need to relook at the terms of reference.
- ) The possibility of the TAFF investigating, amongst other things the following issues:
  - Tourist tax - how would this work in towns where the seaside car park is also the shopping car park eg Ham, Sidmouth.
  - Town and parish councils – to make contact asking if they wish to take on their currently free or loss making car parks this year, next year, within 5 years etc?
  - Electric hook-ups - cost, income, number, timescale, future proofing. Would this include planting or greening up space.
  - Campervan management in Exmouth - parking overnight on a residents permit but not sleeping in them, provision of dedicated campervan parking with additional facilities.
  - Cashless and carbon neutral ticketing trial in Exmouth.
  - possibility of inviting chamber of commerce reps to the meetings?
- ) All Councillors would be welcome to attend meetings of the TAFF.
- ) How long would it take to complete its work and what were the key things it should consider. There was no definitive timeframe for finishing
- ) Balancing the needs of the budget with the needs of residents.

**RESOLVED** that the membership of the Car Parking TAFF be 10 Councillors on the basis of political balance and delegated authority be given to the Monitoring Officer to agree the membership in consultation with the Group Leaders.

86 Forward Plan

Members considered a Scrutiny Forward Plan proposal form received from Cllr Mike Allen on Review of Poverty reduction actions by EDDC in 2020 to date.

During discussions the following points were noted:

- ) The first meeting of the Poverty Working Group had been arranged for Monday 12 October.

- ) The Scrutiny proposal from Cllr Allen required a look back on what the Council had done so far, what had worked and what needed to be looked at further.
- ) Importance of not duplicating the work of the Poverty Working Group.
- ) Possible increase in unemployment and poverty following the withdrawal of the Furlough scheme in the coming months.
- ) The meeting of the Cabinet on 30<sup>th</sup> September would be considering a report on the recovery work undertaken by the Council and this would include covering the poverty agenda.

Members also noted that a Scrutiny Proposal Form for items had been received from Cllr Peter Faithfull on feedback for elections. This had been received after the issuing of the agenda for this meeting but would be considered for scoping at a later date.

**RESOLVED:** that the Scrutiny Forward Plan proposal form received from Cllr Mike Allen on Review of Poverty reduction actions by EDDC in 2020 to date be passed for scoping by the Monitoring Officer, Henry Gordon Lennox.

#### Attendance List

##### **Councillors present:**

C Brown (Chairman)  
V Ranger (Vice-Chairman)  
E Rylance  
M Chapman  
V Johns  
F King  
H Parr  
B Taylor

##### **Councillors also present (for some or all the meeting)**

M Armstrong  
P Arnott  
J Bailey  
D Bickley  
P Hayward  
N Hookway  
G Jung  
P Millar  
M Rixson

##### **Officers in attendance:**

Simon Davey, Strategic Lead Finance  
John Golding, Strategic Lead Housing, Health and Environment  
Henry Gordon Lennox, Strategic Lead Governance and Licensing  
Susan Howl, Democratic Services Manager  
Sarah Jenkins, Democratic Services Officer  
Christopher Lane, Democratic Services Officer  
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

##### **Councillor apologies:**

A Colman  
S Hawkins  
T McCollum  
P Jarvis

A Moulding  
G Pratt  
T Wright

Chairman .....

Date: .....

**PROPOSAL FORM FOR ITEMS  
FOR CONSIDERATION BY SCRUTINY**

**Submitted by :** Colin Brown Chairman

**Item for Consideration:** Standards Committee and Subcommittee issues referred from Chairman of Audit and Governance and Portfolio Holder for Governance and Transparency following October 2020 Council

**Expected outcome:** Review and/or scrutinize equality, transparency and procedures of the two Committees including the way complaints are assessed by the Council and investigated by the independent investigator which may lead to new policies, new procedures, in relation to its policy objectives of fairness and justice when Councillors are accused of breaking the code of standards. The role and voting rights of non-EDDC Councillor members should also be considered

**Priority for matter to be considered:**

High (up to 3 months)  Medium (3-6 months)  Low (over 9 months).

Basis on which priority has been set: Urgent issues from the last Subcommittee and following criticism from the Standards Committee

**The suggested item should be included in future programme(s) because: (please tick as appropriate)**

- a) It is a district level function over which the district has some control
- b) It is a recently introduced policy, service area of activity which would be timely to review
- c) It is a policy which has been running for some time and is due for review
- d) It is a major proposal for change
- e) It is an issue raised via complaints received
- f) It is an area of public concern
- g) It is an area of poor performance
- h) It would be of benefit to residents of the district

Which of the Council's objectives does the issue address?

Councillor Standards at Parish, Town and District level

Is there a deadline for the Council to make a decision? It is urgent to review this topic before another Committee or SubCommittee meet

## Members are requested to provide information on the following:-

What do you wish to achieve from the review?

Fair, Just and cost-effective procedures and Independence of each Committee from political bias

Are the desired outcomes likely to be achievable?

Yes

Will it change/increase efficiency and cost effectiveness?

That is the intention

**Additional information** – an explanatory sentence or paragraph to be provided below to support each box which has been ticked:

This has arisen from significant criticism of the processes involved including a 9 hour subcommittee meeting in October

**Please return completed form to Democratic Services.**

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### MO COMMENTS:

At its meeting on 20<sup>th</sup> October the Standards Committee received a report in relation to East Devon's Standards Process. Having discussed and debated the report the Committee resolved (*inter alia*) that;

*'further investigation be undertaken into the practicalities of setting up a Standards Assessment Sub Committee'*

and

*'consideration of whether to revise the standards process, the size of the Standards Committee and possible extra resourcing be deferred until a future meeting to be considered in relation to the report on a Standards Assessment Sub Committee'*

The issues raised appear to duplicate work already being undertaken by the Standards Committee.

The Standards Committee has been given the responsibility of discharging the Council's standards related functions under the Localism Act 2011 and of advising Council on the governance and ethical standards of the Council.

In light of the foregoing it is considered that it would be most appropriate for concerns to be fed into the process currently being undertaken by the Standards Committee.

**PROPOSAL FORM FOR ITEMS  
FOR CONSIDERATION BY SCRUTINY**

**Submitted by :** Colin Brown Chairman

**Item for Consideration:** 5 Year Land Supply situation

**Expected outcome:** Review new policies, new procedures, in relation to its policy objectives of Local Plan legal requirement for a 5 year Land supply

**Priority for matter to be considered:**

High (up to 3 months)  Medium (3-6 months)  Low (over 9 months).

Basis on which priority has been set: Urgent issues following the decline of Council to participate in the GESP

**The suggested item should be included in future programme(s) because: (please tick as appropriate)**

- a) It is a district level function over which the district has some control
- b) It is a recently introduced policy, service area of activity which would be timely to review
- c) It is a policy which has been running for some time and is due for review
- d) It is a major proposal for change
- e) It is an issue raised via complaints received
- f) It is an area of public concern
- g) It is an area of poor performance
- h) It would be of benefit to residents of the district

Which of the Council's objectives does the issue address?

Spatial Development at Parish, Town and District level

Is there a deadline for the Council to make a decision? It is urgent to review this topic before another SPC Committee

**/continued**

## **Members are requested to provide information on the following:-**

What do you wish to achieve from the review?

Legal and cost-effective procedures and Independence of SPC Committee from political bias

Are the desired outcomes likely to be achievable?

Yes

Will it change/increase efficiency and cost effectiveness?

That is the intention, but even more important are the legal ramifications

**Additional information** – an explanatory sentence or paragraph to be provided below to support each box which has been ticked:

This has arisen from significant changes to the Council's Plans in GESP and Cranbrook

**Please return completed form to Democratic Services.**

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### **MO COMMENTS:**

It is not entirely clear what this proposal form is asking Scrutiny to do. Members should be aware that the Strategic Planning Committee received a report at its meeting 20<sup>th</sup> October in relation to the 5 year land supply up to March 2020 and also a report on the production of a new local plan. The committee agreed;

*'That a further report on timescales be brought back to the December Strategic Planning Committee'*

It is understood that the Local Development Scheme (which outlines the documentation and timing for the new Local Plan) will be presented to Strategic Planning Committee in December with, it is anticipated, an onward recommendation to Council for adoption.

In light of this progress, Members will need to determine what Scrutiny would actually be considering and how that will benefit the Council in terms of production of the new Local Plan and, given the timings involved, whether it could be achieved in the time available.