

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 16 November 2023

Attendance list at end of document

The meeting started at 6.06 pm and ended at 7.32 pm

29 Minutes of the previous meeting

The Chair opened the meeting by noting that Cllr Jess Bailey had stepped down as a member of the Committee. The Committee wished to formally record its thanks to Cllr Bailey for her work and contribution to the Committee.

The minutes of the previous meeting held on 5 October 2023 were agreed as a true record.

30 Declarations of interest

Minute 38. Update on S.106 and CIL Resources and Processes Task and Finish Forum. Councillor Mike Goodman, Personal, Councillor is a Member of Sidmouth Town Council which is in receipt of S.106 monies.

Minute 38. Update on S.106 and CIL Resources and Processes Task and Finish Forum. Councillor Paul Hayward, Affects Non-registerable Interest, Councillor is an employee of Axminster Town Council which is in receipt of S.106 monies.

Minute 38. Update on S.106 and CIL Resources and Processes Task and Finish Forum. Councillor Vicky Johns, Personal, Councillor is a Member of Ottery St Mary Town Council which is in receipt of S.106 monies.

31 Public speaking

There were no public speakers.

32 Matters of urgency

There were no matters of urgency.

33 Confidential/exempt item(s)

There were no confidential / exempt items.

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

There were no decisions made by Cabinet called in by Members for scrutiny.

35 Update on climate change action plan progress

The Portfolio Holder for Climate Action and Emergency Response introduced this item and advised that the review of the Climate Change Action Plan sets out the significant

work undertaken during the previous four years and the reasons why the review had been brought forward from 2025 to the present time. The review also illustrated the challenges and the priority areas needing to be addressed.

The Council had taken out full membership of the South West Energy and Environment Group (SWEEDG) and had established a Green Team which had started to allocate funding in principle to various climate change initiatives. The Portfolio Holder highlighted the Climate Change section of the EDDC website.

Since its publication in 2020, much of the focus of the Climate Change Strategy and Action Plan had been on the Council's own carbon emissions reduction. The Portfolio Holder referred to the chart on page 13 of the Climate Change Strategy, which showed the various producers of greenhouse gas emissions across the district, the largest of these being on-road transportation, residential buildings and agriculture, forestry and land use, noting that with the exception of council owned or tenanted properties, the other issues are also national issues beyond EDDC's control. The Council was currently retro-fitting its housing stock, however this depended on funding being available. The upgrading of EDDC owned commercial property was also dependent on funding being made available.

Work was also underway to influence behavioural change with the Countryside team having produced educational leaflets for use at outdoor events, and the climate action pages on the EDDC being re-worked to include additional and seasonal information.

The Climate Change Officer presented the report and highlighted the fact that the adoption of the Climate Change Strategy was a new approach for the Council, with the strategy embedded across all Council services. The presentation highlighted the key current climate action work streams and the in-year specific services actions set out in the report, which were in addition to the Action Plan.

Responses to questions from Members and discussion included the following points:

- The Climate Change Officer agreed to meet with representatives from Ottery St Mary, Feniton and Sidmouth to try to progress an Otter Valley cycle trail which had been in discussion for many years following a feasibility study in 2014.
- As a member of SWEEDG the Council was able to access high level research, information and knowledge sharing.
- Councillor induction training was planned for January / February 2024.
- Devon County Council had been allocated funding for a gully trial to develop on-road EV charging points for residents which would look at charging cables across residential pavements.
- The Climate Change Officer would circulate usage data for EV charging in EDDC carparks.
- It was important to ensure that the correct type of EV charging points were installed as this was an ever evolving market.
- The provision of EV charging points for Council owned properties would be part of a separate project. A system was up and running in Bath which could provide helpful information.

It was noted that the Climate Change Strategy had not been debated by full Council prior to its adoption. It was considered vital that the Action Plan be reviewed and discussed by the Council on an annual basis.

Education and raising awareness was key to changing residents' behaviour. The Climate Change Officer advised that training was being rolled out through community

networks such as that of the Thelma Hulbert Gallery. Working at grass-roots level with town and parish councils was also vital to engaging residents.

The Scrutiny Committee agreed to note the progress made with the Climate Change Strategy and Action Plan and work carried out since the Portfolio Holder update in February 2023. The Scrutiny Committee further noted that a comprehensive review of the Strategy and Action Plan had been brought forward from 2025 and was currently being undertaken and would be reported on in due course.

36 **Draft Scrutiny protocol**

The Democratic Services Manager presented the report and the draft Scrutiny Protocol. It was noted that the Overview Committee had considered the draft Protocol at its meeting on 9 November and the Committee's comments had been circulated to Members of the Scrutiny Committee prior to this meeting.

It was further noted that the findings of the Centre for Governance and Scrutiny from its current review of scrutiny processes would need to be incorporated into the draft Scrutiny Protocol before its final adoption.

Responses to questions from Members and discussion included the following points:

- The inclusion of the Audit and Governance Committee within the scrutiny function had been raised with the Centre for Governance and Scrutiny as part of its current review. However, it was noted that only the Scrutiny Committee has the ability to call in decisions and, in this respect, it differs from the Audit and Governance Committee which has a specific financial function.
- The usual procedure would be for officers, rather than Members, to prepare reports to all of the scrutiny committees.
- Assistant Portfolio Holders would be able to sit on the Overview Committee but not on the Scrutiny Committee due to its function of reviewing the past performance of the Council.

There were no recommended changes to the draft Scrutiny Protocol.

RECOMMENDATION

That, alongside any changes recommended by the Overview Committee and Cabinet, and, taking into account any feedback from the review by the Centre for Governance and Scrutiny, the draft Scrutiny Protocol be recommended to Members for approval in early 2024.

37 **Portfolio Holder report on Communications and Democracy**

The Portfolio Holder for Communications and Democracy presented her report. The following changes since the report's publication were noted:

- The permanent appointment of the Corporate Lead Communications, Digital Services and Engagement had been confirmed.
- The interviews and consultation stage of the Centre for Governance and Scrutiny review had now been completed.
- It was planned to convene a meeting of the Member Development Working Group before the end of the year.

Responses to questions from Members and discussion included the following points:

- The Monitoring Officer would shortly be inviting nominations for a politically balanced working group to start work on reviewing the Constitution early in the new year.
- Regarding the hybrid IT solution for the Chamber, installation had been slightly delayed. The intention was to go live in the spring and it was noted that time would be needed for testing and training for Members.
- It was noted that improved communication with Members would be beneficial and several options were under consideration including an e-bulletin to keep Members more informed of wider changes across the Council.

The Chair thanked the Portfolio Holder for her succinct and informative report.

38 **Update on S.106 and CIL Resources and Processes Task and Finish Forum**

The Chair reported that Officer advice had been circulated to all Members advising that, due to the resourcing issues outlined in the Officer report to the Scrutiny Committee of 7 September 2023, there was currently insufficient Officer resource to support a Task and Finish Forum at the present time. The timetable for recruiting new Officers to undertake S.106 and CIL work had been set out in the Officer's report and an interim update on progress with this would be presented to the February Scrutiny Committee meeting.

The Monitoring Officer advised that the Assistant Director Planning Strategy and Development Management was looking into the ring-fencing of interest earned on S.106 and CIL monies held by the Council. Recruitment of the new Officers was progressing, and it was hoped that the posts would be filled during February and March.

Concern was expressed that town and parish councils have to pre-pay for infrastructure such as play parks, and then re-claim the monies from EDDC. This presents difficulties for local councils and it was suggested that a protocol could be developed to avoid this and make it easier for councils to obtain the funds.

Concern was also expressed that there was the potential to lose S.106 and CIL monies which have to be re-paid to developers.

The Monitoring Officer advised that she would look into both of the above issues. Work was underway to consider improvements to the S.106 and CIL information available on the EDDC website.

The Monitoring Officer assured Members that everything possible was being done to recruit additional Officers to address the issues.

39 **Forward Plan**

It was agreed to defer consideration of the car parks review report to the February meeting to allow time for Cabinet to discuss the report prior to Scrutiny.

With regard to the joint Scrutiny and Overview Committees budget meeting, the Chairs of both Committees, following discussion with Officers, had agreed that one day would be sufficient and the meeting would therefore be held on Thursday 11 January 2024 starting at 9.00am.

With the above amendments, the Forward Plan was agreed.

Attendance List

Councillors present:

B Collins
R Collins
M Goodman (Chair)
A Hall
S Smith
J Whibley

Councillors also present (for some or all the meeting)

C Brown
J Brown
P Hayward
S Jackson
V Johns
M Rixson

Officers in attendance:

Catherine Causley, Climate Change Officer
Tracy Hendren, Director of Housing, Health and Environment
Sarah Jenkins, Democratic Services Officer
Andrew Melhuish, Democratic Services Manager
Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)

Councillor apologies:

I Barlow
M Chapman
J Heath
D Mackinder
A Toye

Chair

Date: