

Date: 19 August 2011
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To: Members of the Overview and Scrutiny Committee
(Mike Allen, Peter Bowden, Graham Brown, Peter Burrows,
Derek Button, David Chapman, Deborah Custance Baker,
Vivien Duval Steer, Roger Giles, Mike Howe,
Stuart Hughes (Chairman), John Humphreys (Vice Chairman),
Sheila Kerridge, David Key, John O'Leary, Brenda Taylor,
Graham Troman, Tim Wood, Eileen Wragg, Claire Wright, Tom Wright)

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Portfolio Holders
Other Members of the Council for Information
Chief Executive
Deputy Chief Executives

Meeting of the Overview and Scrutiny Committee
Thursday 1 September 2011 – 6.30pm
Council Chamber, Knowle, Sidmouth

Members of the public are welcome to attend this meeting.

- **A period of 15 minutes has been provided at the beginning of the meeting to allow members of the public to raise questions.**
- **In addition, the public may speak on items listed on the agenda. After a report has been introduced, the Chairman of the Committee will ask if any member of the public would like to speak in respect of the matter and/or ask questions.**
- **All individual contributions will be limited to a period of 3 minutes – where there is an interest group of objectors or supporters, a spokesperson should be appointed to speak on behalf of the group.**
- **The public is advised that the Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time.**

Councillors and members of the public are reminded to switch off mobile phones during the meeting. If this is not practical due to particular circumstances, please advise the Chairman in advance of the meeting.

AGENDA

Page/s

1. **Public question time** – standard agenda item (15 minutes)
Members of the public are invited to put questions to the Committee through the Chairman. Councillors also have the opportunity to ask questions of the Leader and/or Portfolio Holders during this time slot whilst giving priority at this part of the agenda to members of the public
2. To confirm the minutes of the meeting of the Overview and Scrutiny Committee held on 7 July 2011 5 - 9

3. To receive any apologies for absence
4. To receive any declarations of interest relating to items on the agenda.
5. To consider any items which, in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances.
(Note: Councillors please notify the Chief Executive in advance of the meeting if you wish to raise a matter under this item, who will then consult the Chairman).
6. To agree any items to be dealt with after the public (including the press) have been excluded. There are **no** items that the officers recommend should be dealt with in this way.
7. Decisions made by the Cabinet called in by Members for scrutiny in accordance with the Overview Procedure Rules under Part 4.5 of the Constitution. There are **no** items identified.
8. **Cabinet Agenda** Please refer to Cabinet agenda
Members are asked to notify in advance the Chairman or the Democratic Services Officer any Cabinet items they wish to debate.
Members to debate any issues of concern on the current Cabinet agenda in order for the Chairman to feed this back to the Cabinet at its meeting on the 7 September 2011. The website link to the Cabinet agenda will be e-mailed to Members on 26 August 2011.
9. **Quarterly Monitoring of Performance – 1st Quarter 2011/12** 10 - 45
Denise Lyon, Deputy Chief Executive
Member to consider the Performance information by Corporate Priority for the 1st Quarter. This allows Members to monitor overall performance and identify any areas where improvement may be necessary.
10. **Forward Plan** 46
Members are asked to note the Forward Plan and any suggestions for further additions are welcomed.

Members remember!

- You must declare the nature of any personal or prejudicial interests in an item whenever it becomes apparent that you have an interest in the business being considered.
- Where you have a personal interest because the business relates to or is likely to affect a body of which you are a member or manager as an EDDC nominee or appointee, then you need only disclose that interest when (and if) you speak on the item. The same rule applies if you have a personal interest in relation to a body exercising functions of a public nature.
- Make sure you say the reason for your interest as this has to be included in the minutes.
- If your interest is prejudicial you must leave the room unless
 - a) you have obtained a dispensation from the Council's Standards Committee or

- b) where Para 12(2) of the member Code of Conduct applies. [Para 12(2) allows a Member with a prejudicial interest to stay for the purpose of making representations, answering questions or giving evidence relating to the business but only to the extent the public are allowed the same rights. If you do remain for these purposes, you must not exercise decision-making functions or seek to improperly influence the decision; you must leave the meeting room once you have made your representation, answered questions or given evidence.]
- The Code states that any member of the Executive Board or other decision-making committee or joint committee or sub-committee attending Overview and Scrutiny committees has a prejudicial interest in any business where that member was a member of the committee at the relevant time **and** present when the decision was made or other action was taken (whether or not implemented). Members with prejudicial interests should declare them and are allowed to remain in the meeting for the limited purposes set out in the Code para 12(2) – see last paragraph.
 - You also need to declare when you are subject to the party whip before the matter is discussed.

Suggestions for questioning during an Overview and Scrutiny meeting

Below are some prompts which may help you to form your own questions to ask at an Overview and Scrutiny meeting. Your questioning technique is crucial in creating an atmosphere conducive to open answers. Avoid excessive interrogation and treat those being questioned with courtesy and respect; however don't be afraid to ask supplementary questions if you feel that you haven't been given a clear answer.

- **IS IT REQUIRED?** (do we have this, does it make sense to tackle it, do we really need it).
- **IS IT SYSTEMS THINKING?** (is it evidence based and designed around the customer demands)
- **IS THE INTENTION CLEAR?** (what are we actually trying to achieve)
- **ANY REAL OUTCOMES?** (are we actually, and measurably, achieving things for our customers).
- **WHAT IS THE COST?** (both time and money)
- **DOES IT COMPLY?** (have we checked that it meets our obligations, the law, any formal guidance, and any Council policy or resolutions).
- **OTHERS DO WHAT?** (how do other organisations tackle this, best practice)
- **EFFECTIVE AND EFFICIENT?** (how do we know we're doing things well, in a timely fashion, and at "best value")
- **WHAT IS THE RISK?** (any areas of risk for the Council)
- **ANYONE LOSE OUT?** (are there sections of the community who might be disadvantaged by this approach, or be less able to take advantage, than others)
- **DOES IT LINK?** (have we linked this to other, similar, pieces of work within or outside the Council)

Getting to the Meeting – for the benefit of visitors



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The following buses all terminate at the Triangle in Sidmouth. From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).

From Exeter – 52A, 52B

From Honiton – 52B

From Seaton – 52A

From Ottery St Mary – 379, 387

Please check your local timetable for times.

The Committee Suite has a separate entrance to the main building, located at the end of the visitor and Councillor car park. The rooms are at ground level and easily accessible; there is also a toilet for disabled users.

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

Forward Plan for Overview and Scrutiny Committee

Month	Topic
29 Sept 2011	Report from Ward Member customer satisfaction with Planning Task and Finish Forum Feedback from the East and Mid Devon Crime and Disorder Scrutiny Panel Update from Portfolio Holder for Environment
27 Oct 2011	Update from Devon & Cornwall Constabulary on budget implications Update from Portfolio Holder for Finance
24 Nov 2011	Quarterly Monitoring of Performance – 2 nd Qtr 2011/12 Localism agenda update Customer Strategy Update on Equalities Action Plan
5 Jan 2011	Update from Portfolio Holder for Strategic Development and Partnerships
26 Jan 2011	Update from Portfolio Holder for Sustainable Homes and Communities
1 Mar 2011	Quarterly Monitoring of Performance – 3 rd Qtr 2011/12 Update from Portfolio Holder for Corporate Services
29 Mar 2011	Flood Management Act implementation – update from Devon County Council
26 Apr 2011	

Topics for scoping and allocation to the Forward Plan:

- Changes to health administration, devolving from PCTs to local GPs;
- Transfer of assets to Towns and Parishes

Task and Finish Forums Update

- Leisure East Devon – First meeting held on 9 August 2011; second planned as an observation of the LED Monitoring Group, date tbc as 6 September 2011
- Ward Member customer satisfaction with Planning – scoped, dates now circulated. Final report expected for submission to the 29 September meeting.
- HRB Taffs are underway – Sheltered Housing, and Car Parking issues in tenant areas.