

## MENDIP DISTRICT COUNCIL

Minutes of the meeting of the Scrutiny Board held on Tuesday 17 August 2021 in the Council Chamber, Mendip District Council, Cannards Grave Road, Shepton Mallet, BA4 5BT commencing at 6.30 pm.

### **SCRUTINY BOARD COUNCILLORS PRESENT:**

Councillors: Alison Barkshire, Nick Cottle, Michael Dunk, Damon Hooton, Chris Inchley (Chair), Barbi Lund (Deputy Chair), Janine Nash, Lucie Taylor-Hood and Nigel Woollcombe-Adams

### **SUBSTITUTES PRESENT:**

Councillor Edric Hobbs for Adam Boyden

### **OTHER COUNCILLORS PRESENT:**

Councillors: Liz Leyshon, Portfolio Holder for Corporate Services and Projects and Ros Wyke, Leader of the Council

### **OTHER COUNCILLORS PRESENT (via MS Teams):**

Councillors: Eve Berry, Michael Gay, Helen Kay, Garfield Kennedy, Tom Killen, Tom Ronan, and Richard Pinnock.

### **OFFICERS PRESENT:**

Tracy Aarons	Deputy Chief Executive
Richard Bates	Section 151 Officer
Stuart Brown	Chief Executive
Claire Dicken	Democratic Services Supervisor
Sarah Gooding	Democratic Services Officer
Julie Jackson	Performance and Improvement Officer
Claire Malcolmson	Head of Community Health Services
Sara Skirton	Head of Corporate Services
Jonathan Smith	Development Programme Leader
Ben Sugg	Democratic Services Officer
Haylee Wilkins	Assistant Chief Executive and Head of Service-Neighbourhoods

<b>Agenda Item</b>	<b>Subject</b>	<b>Actioned By</b>
<b>1</b>	<b>Chair's Announcements</b>  The Chair welcomed everyone to the meeting and confirmed that we would be following the Hybrid Meeting Guidance that was distributed to all Members.  The Chair reminded Members to turn their mobile phones to silent.  He advised those present that the proceedings were being live streamed.	

2	<p><b>Apologies for Absence</b></p> <p>Apologies for absence had been received from Councillors: Adam Boyden, Philip Ham, Terry Napper, Sam Phripp, and Lois Rogers.</p> <p>Councillor Edric Hobbs substituted for Councillor Adam Boyden</p>	
3	<p><b>Declarations of Interest</b></p> <p>Councillor Chris Inchley declared an interest in item 9; a personal and prejudicial interest in item 9 affordable and social housing delivery programme because his partner's sister lived opposite the potential development site. He would leave the room for the duration of the consideration of item 9.</p>	
4	<p><b>Public Participation</b></p> <p><b>a. Items on the agenda:</b></p> <p>Mr Nick Hall requested to speak, in person, on Agenda Item 08 Corporate Delivery Plan and Item 10 Quarter 1 Corporate Performance Management Report.</p> <p>Mr Hall said he was speaking on behalf of Ms Benner and Mrs Griffiths as well as himself.</p> <p>He felt it was important to bring his dissatisfaction with his experience of poor service delivery and the complaints system to the attention of the Scrutiny Board including his interaction with the planning and licensing departments over the last three years.</p> <p>He said that the number of formal complaints in the Corporate Management Report was misleading. It appeared good but that was far from the truth. He said complaints were not recorded or acted upon, until they became formal complaints. He additionally felt that if he filed more than one complaint he would be labelled as vexatious.</p> <p>Mr Hall requested that he would like guidance on how to rectify the poor service delivery, and in particular could the Board advise on what he should do next; should he file formal complaints on all his issues or would there be an attempt to rectify any failings in the complaints system.</p>	

	<p>He said he remained hopeful that a constructive solution would be found.</p> <p>The Chair thanked Mr Hall for his contribution and replied that we would look at these issues and we would respond to Mr Hall in due course.</p> <p><b>b. Items not on the agenda:</b></p> <p>None</p>	
<b>5</b>	<p><b>Previous Minutes</b></p> <p>Councillor Damon Hooton proposed that the minutes of the last meeting held on 24 June 2021 be approved as an accurate record of the meeting. This was seconded by Councillor Michael Dunk and carried unanimously.</p> <p><b>RESOLVED:</b></p> <p>That the minutes of the meeting held on 24 June 2021 be approved as an accurate record.</p>	<b>Sarah Gooding</b>
<b>6</b>	<p><b>Future of Local Government in Somerset</b></p> <p>The Chief Executive of Mendip District Council gave a verbal update. He said he had attended a meeting with the Ministry of Housing, Communities and Local Government (MHCLG). The meeting had been with Paul Rowsell, Deputy Director Democracy Department for Communities and Local Government, where an implementation timetable had been discussed. The timetable required parliamentary approval before it could be implemented. They said this needed to be completed by the end of the year.</p> <p>The Chief Executive said we would expect to see a first draught of the timetable by October 2021. The draft order would go through the parliamentary processes which should be completed by February 2022. This needed to be completed before any local elections.</p> <p>The three phases would be:</p> <ol style="list-style-type: none"> <li>1) The first phase to complete the parliamentary process by February 2022, when we need to make progress in developing the new council.</li> <li>2) The second phase is between the structural change orders being approved and May 2022.</li> <li>3) The third phase is up to the vesting of new council in April 2023. The new council must work with all the councils in order to achieve this.</li> </ol>	<b>Stuart Brown</b>

The Chief Executive reported there had been a discussion around whether there would be a shadow authority. No decisions had been made, and this debate would be ongoing within all of the Councils.

However, the Chief Executive reported that Paul Rowsell had said the Secretary of State expected to see a brand new Council at the end of this process.

The Chief Executive further remarked that with regard to the elections next year, MHCLG had a question mark over the number of members who would make up the new council and this was still a point of discussion

He said that work was now going on to identify how to bring all of the services across the five councils together. This needed to be completed promptly. He reiterated that we were operating within a very short timescale.

MHCLG have identified a senior, Kathy Bee, who would be working with us through this process.

The Chair invited the Leader of the Council to speak. She said there were a lot of changes coming. MHCLG had said they wanted to challenge the number of councillors. She had spoken to other Councils elsewhere in the country and was aware that some had requested to defer their elections for a further year. She said that in the Mendip District the current proposals would put our Parish and Town Council elections out of sync and thought needed to be given to this

The Leader said that working collectively and collaboratively would be really important throughout this process.

She reported that the governance for the negotiations with MHCLG had been taken through the Cabinet meeting last week on 12 August 2021 and Cabinet had approved the levels of delegation for the Council. This includes the establishment of a Member Working Group, to include the Leader of Council, the Deputy Leader, Leader of the Conservative Group and Leader of the Green Group.

During the discussion that followed the Chair of Scrutiny asked how the boundary review would be done fairly. Members expressed concern about the number of Councillors following the changes. Members queried if this was legal and whether it was allowed to do this without the Boundary Commission review. Members noted there would be public consultation on the boundary changes.

	<p>The Chief Executive said he was acutely aware that it was a difficult time for staff. Human Resources were putting staff support systems in place.</p> <p>Members queried the role of the Town and Parish Councils after the transformation to the new Council.</p> <p>In response the Chief Executive said we did not have any further details at this stage but that the Council would share information with the Town and Parishes as soon as information was available.</p> <p>The Chair of Scrutiny thanked the Chief Executive and the Leader for their updates and looked forward to having further discussions in the future.</p>	
<b>7</b>	<p><b>Quarter 1 Budget Monitoring Update 2021-2022</b></p> <p>The Section 151 Officer gave a verbal update, which informed the meeting of where we were in the current year's budget. He said there would be a more detailed budget report to the next meeting and a report to Cabinet in September 2021.</p> <p>The update covered costs and income pressures on the budget and the impact of Covid during 2021-2022.</p> <p>He reported that cost pressures had been mainly covered by Covid funding and specific reserves. Income losses had been partly covered by a government scheme for Quarter 1 and by our own provision for the rest of the year.</p> <p>Members queried the ongoing issues around staffing issues at the waste partnership and wanted to know if the council would act.</p> <p>In response the Section 151 Officer said that penalties for poor service had been served under the current contract and that the Head of Neighbourhood Services would be able to provide details. The Leader reminded the meeting of the Scrutiny Contracts Working Group.</p> <p>The Chair of Scrutiny thanked the Section 151 Officer for his update on the current budget and looked forward to a full report.</p>	<b>Richard Bates</b>
<b>8</b>	<p><b>Corporate Delivery Plan</b></p> <p>The Chair of the Scrutiny Board invited the Leader of the Council to introduce the Corporate Delivery Plan . She said the corporate priorities had been approved in 2020 and that</p>	<b>Haylee Wilkins</b>

document was critical to how the Council would deliver its priorities.

The Portfolio Holder for Corporate Services and Projects was invited to speak. She said the report, provided the Scrutiny Board with updates of the proposed delivery plan for 2021-2022, following the Council's approval of its Corporate Plan in 2020 and she said we had been delivering on the activities within it over the last sixteen months.

She stated that since the announcement by the Government on 21 July 2021 of its decision to change to a single Unitary Council for Somerset, Mendip District Council recognised that the final two years of the administration would face different pressures to those originally anticipated.

The Portfolio Holder advised that Mendip District Council did not want to lose sight of the commitments made in our Corporate Plan and therefore needed to find a way to manage the delivery of the key elements. The changed circumstances in the delivery of local government in Somerset meant the Council would work with other partners to develop a new Council for Somerset. This would have a resource implication and to ensure that the existing priorities of the Corporate Plan were addressed there was a need to identify key actions, and resourcing, for delivery over the next year.

During the discussion that followed Members commented that the paper was very light on detail and they were not sure how Scrutiny could scrutinise a paper without appropriate detail. Members had specific questions which had been submitted prior to the meeting and the answers had been included on the updating paper issued.

Members sent some late questions through which were not answered in the updating. Particularly, they wanted to know if the Council intended to sell any assets.

In response the Leader reminded the Board of the agreed process for the disposal of assets, namely its Phoenix Board and the Asset Management Group. She said the Council would adhere to this process.

Members were interested in the Western Warehouse Project and would like more details.

In response the Leader of the Council said they had been talking to Frome Town Council and we were looking to

make bids to the Levelling Up fund. The Council had been discussing with a number of people what would go into the bid and should have a timescale by the end of the year.

Members noted the Norbins Road car park project was being progressed but wanted to know about the Changing Places project in Glastonbury.

In response the Portfolio Holder said we need to put in an expression of interest by September 2021 in order to apply for the Government's Changing Places funding.

The Portfolio Holder advised the meeting that the Levelling Up funds and Glastonbury Town Plan were huge projects, but the Government was making funding available for these projects.

Members enquired when was the application deadline for the Levelling Up fund. The Leader replied and said it was a competitive bidding process, and we were waiting for the Government to release further details.

With regard to other priorities in the corporate plan Members noted their dissatisfaction with weeds growing along curbs and pavements. In response the Head of Neighbourhood Services said this is part of the Greener Cleaner Action and would be delivered through the Idverde UK contract and would be monitored

Members were also concerned about climate change and felt that affordable social housing should be built to a better standard.

In response they were advised that we could not change the details with the housing developer at this stage, but the properties would be to a much higher standard than the current EPC standards.

Members noted that £300K of the grant funding would be reallocated to multi user paths and would like to know what contribution the Council was making.

In response the Portfolio Holder replied saying this funding was to start the process and there would be further grants but looking forward it would be highways that take on the maintenance of such projects.

Members felt disappointed we were not trying harder to meet our green commitments and felt it was important to

	<p>understand the deliverables on climate commitments and how these were made within supplementary planning documents.</p> <p>In response the Portfolio Holder advised that supplementary planning documents would be reviewed but it required specialist skills to address planning documents and they must go through a process.</p> <p>The Scrutiny Board were asked to :</p> <ul style="list-style-type: none"> <li>• To note the proposals in the plan</li> <li>• To make recommendations to Cabinet on these proposals.</li> </ul> <p>The Chair then proposed that all the recommendations contained in the report had been fully actioned in the discussion. The vote was unanimous.</p> <p><b>RESOLVED:</b></p> <p>That the Scrutiny Board noted the report</p>	
<p><b>9</b></p>	<p><b>Affordable and Social Housing Delivery Programme</b></p> <p>Councillor Chris Inchley had declared a personal and prejudicial interest in this item because his partner's sister lived opposite the potential development site. He left the room for the duration of the consideration of the item.</p> <p>Councillor Barbi Lund took the Chair for this item.</p> <p>The Portfolio Holder for Housing Services and Governance was invited to speak. He had provided the meeting with an update and the proposed next steps, to initiate a programme to deliver the Council's corporate objective to provide more affordable and social housing in the district. He said social housing was a very difficult thing to deliver as there were many challenges to be faced.</p> <p>He introduced the Development Programme Leader who reported the programme prioritised the delivery of affordable and social housing on Council owned land. The report provided an update on approved schemes with Aster Housing. He explained planning applications should be submitted within the next two months as well as proposals for North Parade Car Park, Frome.</p> <p>A new proposal at West Shepton, Shepton Mallet was also introduced. This would include 15 bungalows for older</p>	<p><b>Sara Skirton</b></p>



persons or adapted for the disabled all for social housing rent. The Council had carefully selected our housing developers, but there had not been much choice due to type of build.

During the discussion that followed Members asked for an explanation of the process by which it became apparent that Stonewater had the necessary experience.

In response the Officer said the process had been started by Stonewater and their Architects for this type of modular development. He advised the meeting that The Council had been speaking to other partners on our preferred developer list and at that time there were no other developers who could work with this type of modular development.

In response to queries about the proposed housing at North Parade, the Portfolio Holder said there would continue to be a pedestrian access to Millennium Green from the site.

Members wished Officers would explain how to understand the Climate Change and Risk Assessment toolkit.

In response the Deputy Chair suggested this question was taken to Scrutiny informal meeting for a discussion.

Members said there would be an upgrade to energy efficiency, in building regulations early next year and would it be better to have the new measures rather than the current EPC grading system.

In response the Development Programme Leader advised that we could not change our requirements until the law itself was changed.

Members requested that the plans be made clearer where there would be building work. Members requested that it would be good to have traffic calming measures along with the development in West Shepton.

In response the Development Programme Leader said he would provide a written reply and he accepted that the plans could be more clearly marked.

Members asked, as we had struggled to find sites for affordable housing, could we not have three storeys and have mix development sites for all ages.

	<p>In response the Development Programme Leader said there were no easy answers, but we must have a balance in density so there would be less impact on other residents.</p> <p>Members said there were permitted development processes in place and we currently gave £25k to landlords who let their property to a homeless family for five years or more. Members wanted to keep an open mind to new ideas for housing.</p> <p>The Portfolio Holder said planning guidance changed regularly, and we were bringing practical and deliverable projects. He said, the Council was keeping its options open. However, we can explore alternatives and we welcome suggestions.</p> <p>The Deputy Chair thanked the Portfolio Holder for Housing Services and Governance and the Development Programme Leader for the thorough update.</p> <p>The Scrutiny Board had been asked to:</p> <ul style="list-style-type: none"> <li>• Note the update on the Affordable and Social Housing Programme</li> <li>• Consider the proposals within the report</li> <li>• Endorse the proposed next steps for the Programme, for consideration by Cabinet</li> </ul> <p>The Deputy Chair then considered that all the recommendations contained in the report had been fully actioned in the discussion.</p> <p>Councillor Damon Hooton proposed the recommendations be agreed. This was seconded by Councillor Nigel Woollcombe-Adams and was unanimously agreed.</p> <p><b>RESOLVED:</b></p> <p>Scrutiny Board noted the update on the Affordable and Social Housing Programme and considered the proposals within the report. The Scrutiny Board endorsed the proposed next steps for the programme to be considered by Cabinet.</p>	
10	<p><b>Quarter 1 Corporate Performance Management Report 2020/23</b></p> <p>Councillor Chris Inchley resumed the Chair</p>	Julie Jackson

An annual update had been prepared which provided a summary of the high level actions and projects that supported the delivery of the Corporate Plan 2020/23.

Additionally, the Corporate Performance Management report provided key performance indicators for services in relation to Quarter 1 2021/22. These included:

- Corporate complaints and praise.
- Freedom of Information (FOI) and General Data Protection Regulation (GDPR)/DP (Data Protection) requests.
- Finance
- Human Resources (HR) statistics.
- 5 Councils Partnership (Land Charges, Revenue and Benefits).
- Housing Services (homelessness, temporary accommodation, Disabled Facilities Grants (DFGs)).
- Planning and Growth (Major, Minor and Listed Building consent).
- Neighbourhood Services (Fly tipping, Street Cleansing and Grounds Maintenance).
- Community Health Services (service requests, enforcement).
- Somerset Waste Partnership (Waste and Recycling).

The report noted that performance management had interdependencies with governance matters, such as those reported to the Audit Committee. Mendip District Council had been working corporately to ensure transparency and integration of performance and governance information. There had been a considerable amount of work undertaken by services to progress the corporate plan priority actions whilst also delivering the Interim Priorities. In relation to the performance indicators, services had done remarkably well during Quarter 1, considering the challenges still faced and supporting the Covid response activities. Although some performance indicators may have dipped slightly at times, the majority had been met. It was understood that many of the areas that had stayed on target were those which linked to the Interim Priorities.

During the discussion that followed, Members queried that the dashboard as on one page climate and ecological appeared green but on the next page that not all of the activities were marked as green.

In response the Performance and Improvement Officer said the dashboard would be an overall average for a project.

Members enquired what investments had been made in renewable energy schemes. They wanted to know if there was engagement with green energy groups.

In response the Performance and Improvement Officer said this would be referred to the relevant officer for an answer.

The Chair of Scrutiny said that the subject of complaints was raised in item 4, Public Participation and wanted to know how complaints or dissatisfaction were logged.

In response the Performance and Improvement Officer said some instances had been service requests, but these would not follow the complaints procedure.

The Chair said complaints were good for improving services. The Leader reiterated that complaints were really useful and helpful as feedback, we should take them very seriously.

Members requested that they have a copy of the complaints procedure.

Members suggested that more details would be helpful on the actions list contained within the report.

Members said phosphates had a huge impact on planning and they wanted to give the planning department praise for all their hard work.

The Chair thanked the Performance and Improvement Officer for such a comprehensive report.

The Scrutiny Board had been asked to:

- 1) Consider and comment on the information contained within this report.
- 2) Identify any issues or performance exceptions that the committee had wished to highlight as a concern to Cabinet.
- 3) Where performance exceptions had been identified consider whether the proposed actions were adequate and appropriate to address concerns and improve performance to the desired level.
- 4) Consider the content, level of detail provided and the format of the report and make any recommendations for improvements

	<p>The Chair then considered that all the recommendations contained in the report had been fully actioned in the discussion.</p> <p>It was proposed by Councillor Nick Cottle and seconded by Councillor Edric Hobbs, and was carried unanimously</p> <p><b>RESOLVED</b></p> <p>The Scrutiny Board noted the report and made recommendations for improvements to the format of the report to Cabinet, as set out in the discussion above.</p>	
11	<p><b>Updates from the Scrutiny Working Groups</b></p> <p>Written updates had been received from:</p> <p><b>a) Climate and Ecological Working Group:</b> Councillor Janine Nash (Lead) supported by Jacob Hall</p> <p>Councillor Janine Nash produced a written update from the group. She reported the group had been meeting fortnightly to review and agree the District Wide Emissions Pathway. They presented their recommendations to Cabinet on 7 June 2021.</p> <p>Councillor Nash advised they had been identifying three priority actions to be undertaken during 2021-2022.</p> <p>In order to fulfil our task of identifying priority areas for improvement more data would be required. The group asked for the information showing where the climate emergency funding currently sat within the separate services areas, and to see the expenditure to date on the various projects in effect, in addition to the progress that had been made, and what was still required.</p> <p>The first priority, understanding how emissions from Mendip’s agricultural sector could be mitigated. This project was the first of three priority areas.</p> <p>It had been suggested actions which were quickly implementable within existing timescales, budget and resources were:</p> <ol style="list-style-type: none"> <li>1. Retrofitting of homes.</li> <li>2. Community owned renewable energy.</li> <li>3. Agricultural emissions scoping.</li> </ol>	

**b) Policies and Strategies Working Group:** Councillor Nigel Woollcombe-Adams (Lead) supported by Tracy Aarons.

Councillor Woollcombe-Adams gave a written update from the group. He reported that the group had read and submitted comments on Housing Enforcement Policy, Statement of Licensing Policy and Street Trading Policy.

**c) Access Working Group:** Councillor Phillip Ham(Lead) supported by Kelly Knight

Councillor Phillip Ham gave a written update which informed the meeting the group had discussed Community Cars and Broadband.

**d) Breaking the Cycle of Disadvantage Working Group:** Councillor Chris Inchley (Lead) supported by Tracy Aarons

Councillor Chris Inchley gave a written update from the Group. He reported they had met several times since the last Scrutiny Board.

They discussed with the presenters of Public Health on 8 July 2021 areas that could be considered for action by the District and what actions might be open to the Mendip District Council as part of its duties.

Areas that were considered were as follows:

1. Investment in active travel routes as a way of giving health opportunities and improved access where public transport or a private car were not available.
2. Utilise planning policies such as DP7 to improve the design and amenity opportunities.
3. Improve housing standards through higher design levels in planning.
4. Engage with community groups to help support them to deliver initiatives that they identify.
5. Recognising that people needed somewhere for their bicycles if using public transport, lobby for storage on buses.
6. Promote to people their rights as regards employment and work to help address discrimination and disadvantage.
7. Look at policies being developed to see if actions might be included in them to improve disadvantage.

**e) Contracts Working Group:** Councillor Barbi Lund (Lead) supported by Haylee Wilkins.

	<p>The report noted that The Council's Procurement Officer attended a couple of Working Group meetings and provided an overview of the procurement process and the contracts register. He provided an excellent update on the procurement process at the of May meeting, and the report in June covered the contracts register. The Contracts Manager had informed the Group that there would be changes to section 21 of the Constitution, Contracts Procedure Rules and the meeting discussed the best method to feed into the process. The changes would go to the September Full Council meeting.</p>	
<b>12</b>	<p><b>Urgent Business</b></p> <p>There was none.</p>	

The meeting finished at approximately 9:50 pm.