

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **26th** day of **MARCH 2019** at **9.00 am**.

Present: Cllr J Yelland – Chairman
Cllr R Cheadle – Vice-Chairman

Cllr R E Baldwin	Cllr D W Cloke
Cllr J Evans	Cllr P Kimber
Cllr J B Moody	Cllr D E Moyse
Cllr C R Musgrave	Cllr G Parker
Cllr T G Pearce	Cllr J Sheldon

Chief Executive
Group Manager – Customer First and Support Services
Group Manager – Business Development
Devon Audit Partnership – Internal Audit Manager
Senior Specialist – Democratic Services

Also in Attendance: Cllrs W G Cann OBE, C Edmonds, B Lamb, A Roberts, R F D Sampson, L Samuel and P R Sanders

*** O&S 104 APOLOGIES FOR ABSENCE**

Apologies for absence for this meeting were received from Cllrs J R McInnes, P J Ridgers and D K A Sellis

*** O&S 105 CONFIRMATION OF MINUTES**

The minutes of the Meeting of the Overview and Scrutiny Committee held on 26 February 2019 were confirmed and signed by the Chairman as a true and correct record.

*** O&S 106 DECLARATIONS OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting, but there were none made.

*** O&S 107 PUBLIC FORUM**

There were no issues raised during the Public Forum session.

O&S 108 DEVON AUDIT PARTNERSHIP REPORT – TAVISTOCK HOTEL PROPOSAL

The Committee considered a report that provided Members with the conclusions of the Devon Audit Partnership (DAP) review into the recent Tavistock Hotel Proposal.

In his introduction, the DAP Internal Audit Manager detailed each aspect of the methodology, findings, conclusions and recommendations that were contained within his report. In so doing, he wished to thank those Members and officers who had taken part in the review.

During the ensuing debate, reference was made to:-

- (a) consultation with the local business and voluntary sectors. When questioned, the Internal Audit Manager advised that he had found very little evidence to suggest that prior discussions had been carried out with relevant local authorities or the local business and voluntary sectors;
- (b) the drive for openness and transparency. The tension for Councils between acting in the role of a Commercial Developer and the need to act in an open and transparent manner was recognised. In this particular instance, officers acknowledged that the Council had not got its messaging correct but also emphasised that it had been bound by commercial confidentiality;
- (c) outstanding payments. Officers clarified that there were no further payments to be made that were associated with this proposal;
- (d) the meeting held between lead officers and their Development Management colleagues. Officers confirmed that the meeting that had been held in June 2018 had lasted two and a half hours and had considered a number of different projects. Whilst the Internal Audit Manager had seen some notes arising from this meeting, Members were advised that the list of questions that had been asked at this meeting were not available;
- (e) the informality of the Invest to Earn Working Group. The Internal Audit Manager advised that, whilst the report was recommending that consideration be given to the Group becoming a formal Committee, he was assured that the meetings that had been held were conducted professionally. However, moving forward, his report was recommending that consideration be given to establishing the Group as a formal Committee of the Council;
- (f) the success of the Council's Commercial Property Strategy. Whilst shortcomings had been identified in this particular proposal, the Chief Executive reminded the Committee that the Council's overall Strategy had been a big success and was currently projected to contribute an annual net revenue return of £274,000 to the Council;

(g) a motion was **PROPOSED** and **SECONDED** as follows:

*'That the Council be **RECOMMENDED** to accept the conclusions and ten recommendations contained in the Internal Audit Report (published March 2019).'*

During the debate on the motion, an amendment was then **PROPOSED** and **SECONDED** as follows:

*'That the Council be **RECOMMENDED**:*

- 1. to accept the conclusions and ten recommendations contained in the Internal Audit Report (published March 2019);*
- 2. that officers of the Council, in consultation with lead Hub Committee Members, be asked to prepare an Action Plan and commence implementation of recommendations forthwith and to submit this Plan, together with the progress made to date, at the next Council meeting (to be held on 21 May 2019); and*
- 3. to request a meeting of the Political Structures Working Group during April 2019 (i.e. before the local elections on 2 May 2019) to consider in particular the use of unstarred minutes and the relationship between the Hub Committee and the Council and to report to the next Council meeting on 21 May 2019.'*

In introducing his amendment, the proposer highlighted that:-

- the first two parts of his amendment mirrored the approach of the successful leisure contract process;
- the ten recommendations would require different timescales for implementation and an Action Plan would help to ensure (and monitor) progress;
- the purpose of the third part of the amendment being to ensure that the knowledge and experience of current Members was utilised.

During the debate on the amendment, the following points were raised:-

- (a) Some doubts were expressed over whether or not it was realistic for the Political Structures Working Group to be convened and reach a consensus before the local elections on 2 May 2019;
- (b) It was agreed that, once prepared, the draft Action Plan should be circulated to all Members;

- (c) In the event of a Panel being established to decide whether any Hub Committee Unstarred Minutes were deemed to be so significant that they warranted being a standalone agenda item at the next Council meeting, a Member asked that consideration be given to the Leader of the Second Largest Political Group also being involved in this process;
- (d) The view was also expressed that the format of Informal Council meetings should be revisited, with consideration again being given to the merits of Members receiving advanced notice of discussion topics and the circulation of notes (and a list of attendees) following each session;

At this point, the proposer and seconder of the original motion confirmed their support for inclusion of the amendment and it therefore became the substantive motion.

Prior to inviting a vote on the substantive motion, a number of Members wished to put on record their thanks to the Internal Audit Manager for conducting such an excellent piece of work.

It was then:

RESOLVED

That the Council be **RECOMMENDED**:

1. to accept the conclusions and ten recommendations contained in the Internal Audit Report (published March 2019);
2. that officers of the Council, in consultation with lead Hub Committee Members, be asked to prepare an Action Plan and commence implementation of recommendations forthwith and to submit this Plan, together with the progress made to date, at the next Council meeting (to be held on 21 May 2019); and
3. to request a meeting of the Political Structures Working Group during April 2019 (i.e. before the local elections on 2 May 2019) to consider in particular the use of unstarred minutes and the relationship between the Hub Committee and the Council and to report to the next Council meeting on 21 May 2019.

(The meeting terminated at 10.25 am)

Chairman