

**Unconfirmed**



Minutes of a Meeting of the **Scrutiny Committee** held in the Remote Meeting via Zoom , on **Thursday, 28 May 2020 at 6:30 pm**

**Members of the Committee present:**

Councillor Edward Back, Councillor David Beavan, Councillor Stuart Bird, Councillor Judy Cloke, Councillor Linda Coulam, Councillor Mike Deacon, Councillor Andree Gee, Councillor Louise Gooch, Councillor Tracey Green, Councillor Geoff Lynch, Councillor Mark Newton, Councillor Keith Robinson, Councillor Caroline Topping

**Other Members present:**

Councillor Peter Byatt, Councillor Maurice Cook, Councillor Tony Cooper, Councillor David Ritchie

**Officers present:**

Katherine Abbott (Democratic Services Officer), Stephen Baker (Chief Executive), Hilary Slater (Head of Legal and Democratic Services), Matt Makin (Democratic Services Officer), Agnes Ogundiran (Conservative Political Group Support Officer), Tim Willis (Deputy Electoral Services Manager), Nicola Wotton (Deputy Democratic Services Manager)

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**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Andree Gee.

**2 Declarations of Interest**

There were no Declarations of Interest

**3 Minutes of meeting 23 January 2020**

**RESOLVED**

That the Minutes of the Meeting held on 23 January 2020 be confirmed as a correct record and signed by the Chairman

**4 Review of Postal Voting and Count arrangements at the District and European Elections in East Suffolk in 2019**

The Scrutiny Committee received report **ES/0181** by the Chief Executive, as the Returning Officer, which reviewed two issues raised by the Scrutiny Committee following the District and European Elections in 2019 namely, concerns about the delivery of postal votes and the time taken to input data at the counts. Specifically, the report focused on the Elections held on 2 May 2020 (District) and 23 May 2020 (European). The Chief Executive summarised the written report. With regard to postal

votes, he stated that the whole process of issuing postal votes was strictly controlled by a pre-determined electoral timetable. Where a postal vote was not delivered, strict checks must be implemented before a replacement postal vote could be issued. There were various reasons why a postal vote might not be delivered, including voter error and a delivery error by the postal system. It was also acknowledged that sometimes an administrative error might occur and a postal vote might not be issued where it had been requested by a voter. Similarly, the process of data input has been reviewed by the management of the Electoral Services function. In view of the need to ensure the absolute accuracy of the count, and the result of the election, results were inputted into an Electoral Services system in order to reduce the scope for error to an absolute minimum. The review of the District election had acknowledged that the number of seats being counted, and therefore the number of results to be declared, had caused an inputting delay at the count. This would be resolved at future counts by adding extra input screens to the process.

A member of the Committee asked if delayed deliveries of postal votes, for example by Royal Mail, could be monitored in future. The Chief Executive said this might be possible and would be explored, however, sometimes circumstances were beyond everyone's control.

Another member of the Committee referred to the additional information which had been sought by Councillor Beavan and provided at paragraph 2.6 of the report. The member said that the information was not very descriptive and asked if, as a result of the review, any patterns with delayed or undelivered postal votes had been identified, for example clusters of roads etc. The Chief Executive said that an issue in Bungay had been noted, however, it was difficult to establish patterns. He added that some 68,000 postal votes were issued and 116 (District) and 68 (European) had to be re-issued for a variety of reasons including postal delay. The Deputy Elections Manager also advised that there had been six administrative errors by the Elections Team over the two Elections (68,000 postal votes issued for each). The Committee was advised that other reasons for the re-issue of postal votes including the voter having mislaid it inadvertently, or had moved house but not updated their details on the Register. In response to another question by the member, the Chief Executive said the Elections Team gathered anecdotal evidence as it was received and used this to inform improvements to the process-driven systems.

A further member of the Committee asked when a mapping exercise to review the methods around the issue of postal votes had last been undertaken. The Chief Executive replied that the process was laid down by the Electoral Commission and its election timetable and core process must be adhered to with little opportunity to deviate; the Council's own processes could be revised and improved, if necessary. The Deputy Elections Manager advised that there was a comprehensive debrief after every election in addition to careful monitoring while the election process was underway. He added that the Electoral Commission's set legislative process did allow a small slot in the timetable for the re-issue of postal votes to electors and that the Election Team did its very best to ensure the electorate of the District were able to vote.

Another member of the Committee asked what the arrangement was if an elector realised very late in the process that they would be out of the country on the day of the election and for an estimation of how long it would take to resolve this. The Deputy

Elections Manager advised that the relevant legislation stated that once the cut-off date had past it was not able to modify a postal vote; however, the Elections Team did all it could , within the legislation, to try and resolve such an issue, for example by the use of a proxy vote. He emphasised that the same processes and rules were applied to all electors and were in accordance with the required governance.

The Chairman of the Committee asked about the allocation of the count teams and if this could be improved. The Chief Executive stated that the delay at the count had been the inputting of the data but this was the element that generated the declaration so it was essential that it be accurate. This had been accepted and would be enhanced at future counts. He added that count teams which might appear to be unoccupied were either on a break or being held in reserve in case a re-count was required. The integrity and the accuracy of the count was the paramount aim, not necessarily speed. The Chairman also asked if the possibility of increased use of technology, generally, for elections was anticipated in the near future. The Chief Executive replied that the Cabinet Office had considered digital elections but this required reliable, secure technology which safeguarded against fraud. There were he said pros and cons for this approach but he would personally welcome it.

A member of the Committee said that although there had been acknowledged delays at the count, the whole process had been executed very well and the count had been conducted in positive atmosphere. The Vice Chairman wished to add his thanks to the Election Team for conducting such a lengthy count so successfully.

There being no further questions or matters raised for debate, the Chairman moved to the recommendation which was proposed by Councillor Deacon, seconded by Councillor Cloke and by unanimous vote

#### **RESOLVED**

That, having considered and commented upon the report of the Returning Officer and the issues identified during the review, the report be duly noted

*7.20pm The Meeting adjourned briefly and reconvened at 7.25pm*

#### **5 Cabinet Member's update**

The Chairman welcomed Councillor David Ritchie, Cabinet Member with responsibility for Planning and Coastal Management, to the Meeting and invited him to provide his portfolio update.

Councillor Ritchie started by acknowledging the support he received in his role from Councillor Cooper, Assistant Cabinet Member, the Head of Planning & Coastal Management and his team, and those within the team at Coastal Partnership East. Councillor Ritchie provided a presentation as a strategic overview of the work of the Planning and Coastal Management Service at East Suffolk Council. The purpose of the Council's planning service being to contribute to the achievement of sustainable development and the delivery of the spatial objectives of the Council's Strategic Plan, including advising on Council-led developments. The presentation stated that sustainable development was about positive growth – making economic, environmental and social progress for this and future generations and especially considering the challenges of Climate Change. For the Coastal Management part of his

portfolio, Councillor Ritchie said the Council acted as a Coast Protection Authority supporting coastal communities for a sustainable future. The presentation outlined the work of the Planning Policy and Delivery Team over the next year to 18 months, all supported by the Local Plan Working Group, as well as the work on Local Plans and Neighbourhood Plans. Councillor Ritchie outlined the delivery focus of the Team:

- Housing Land Supply Assessment (5 year)
- Housing Action Plan – to accelerate delivery
- Maintaining self-build and brownfield land registers to support delivery and regeneration, providing opportunities and choice
- Preparation of development briefs and master plans for site allocations – To provide guidance to developers
- Actions from the Housing Enabling Strategy
- Affordable Housing – Supplementary Planning Document
- Major Sites applications through to permission and delivery on the ground
- Infrastructure
- Supporting regeneration projects
- Community Infrastructure Levy (CIL) collection and spend allocation

The presentation continued to outline the strategic aims of Development Management to assist the provision of high quality development delivering the aims and objectives of the NPPF and Local Plan. Also, of resisting inappropriate development robustly, again to uphold the aims of the Local Plan. The enforcement of building control and a specialist function including Design and Conservation, Landscape and Ecology which provide advice on development proposals and for the Council on its own projects. Lastly, Councillor Ritchie outlined the role and work of Coastal Partnership East:

- A team of 19 officers working across the coast of Norfolk and Suffolk
- 79km of the fastest eroding coast in Europe
- Management of 56km of sea defences and other structures to protect c300,000 homes at risk of flood and coastal erosion

In conclusion, Councillor Ritchie said he was proud of the truly excellent Officers working at all levels within the organisation.

The Chairman invited questions from the Committee.

The Vice Chairman thanked Councillor Ritchie for his presentation. He asked how Councillor Ritchie anticipated the planning service meeting the Council's objectives in respect of the climate emergency it had declared in July 2019. Councillor Ritchie replied that the planning service had well-developed strategic documents against which planning decisions were made, these included high environmental standards within government parameters, including energy efficient houses, both existing and new., but equally there was a wish not to inhibit the building of new homes by setting the standards beyond reach. Councillor Ritchie referred to work in conjunction with the Cabinet Member for the Environment in this regard and the ambition to encourage and persuade developers to employ environmental standards which were higher than the statutory required ones. Councillor Ritchie referred to the changes to the coastline as a result of climate change, rising sea levels, erosion etc. and the need to dynamically manage the hard defences, such as those at Lake Lothing, adaptations to the coastline,

such as those at Kessingland and, where positive change was not possible, to work with and help the local community to relocate. The Vice Chairman asked about the pressure on the planning system; Councillor Ritchie referred to the national requirement for set numbers of houses to be built each year and how this created pressures on the planning process.

Another member of the Committee referred to coastal erosion as a result of scouring tides and asked how well protected Sizewell was in this regard. Councillor Ritchie replied that there were a number of issues associated with the project and this was one. He referred to the consultation process and the work being done by the Council's Energy Team to fully analyse the information which had been provided by EDF. A further member of the Committee asked where the funding for the coastal protection would come from. Councillor Ritchie said that, previously, the Environment Agency had funded some coastal projects 100% and some had not received any funding. Now, it did not fully fund a project unless it protected a significant number of houses. He continued to state that generally more funding was available, through grants, the Local Enterprise Partnership and from local businesses.

A further member of the Committee asked what impact the Covid-19 pandemic had had on the direction of planning because of a major lifestyle shift, changes to working practices, the increased importance on gardens and outdoor spaces etc. Councillor Ritchie said that quick adjustments had been necessary. He added that people had been driving less, walking and cycling more and this had had a positive impact on the environment; he added that it would be important to explore sustainable transport options and opportunities.

Another member of the Committee asked if the registers of self builds and brown fill land were available publically. Councillor Ritchie said he would provide an answer on this outside of the meeting.

The Chairman of the Committee asked if the planning referral system was creating the appropriate number of applications to come before the two main Planning Committees or if the criteria needed to be adjusted. He asked if short Planning Committees with one or two applications was good use of members time, if the principles of governance and 'justice' were being seen to be done by having the consideration of a full committee's decision. Councillor Ritchie replied that the Planning Committees should, of course, meet when necessary. He added that the statistics on this matter would be presented to the Strategic Planning Committee very shortly when it would consider the Referral Panel. Councillor Ritchie said that Town and Parish Councils could attend the Referral Panel meetings and added that, perhaps, additional training for Town and Parish Councils might help them better understand how to include material considerations in objections. In addition, Councillor Ritchie said more input by Ward Members on applications would aid the Referral Panel to decide if the matter needed to be decided by the Planning Committees.

In response to a question by a member of the Committee on the number of appeals annually and how these were reviewed by the Council, Councillor Ritchie said a report on the outcome of any appeals was presented to each meeting of the Strategic Planning Committee and this included a 'lessons learnt' section.

There being no further questions, the Chairman thanked Councillor Ritchie for his full and thorough update on his portfolio.

## **6 Scrutiny Committee's Forward Work Programme**

The Scrutiny Committee received and reviewed its current forward work programme and also the Council's Forward Plan of Executive and Key Decisions (as at 4 May 2020). The Scrutiny Committee also received and agreed a remit for its review of the Council's Asset Management Strategy 2019-23 in July 2020.

There was a lengthy discussion of Councillor Beavan's suggested scoping form on "Covid emergency - Support arrangements". The timing of the review, the extent of its eventual remit, the current additional pressures on Officers as a direct result of the Covid 19 pandemic, the recent guidance issued by the Centre for Public Scrutiny for county and unitary councils, and the County Council's Scrutiny Committee's intention to commence a review in October 2020 were considered and discussed. It was agreed that an Extraordinary meeting of the Committee would be provisionally arranged for October 2020. Scoping forms for a possible Covid-19 related item would be received and considered at the meeting of the Committee in September 2020.

Under the list of suggested items, it was agreed that the proposed item on Civil Parking Enforcement (CPE) be extended to include parking charges. It was also agreed that Councillor Lynch would submit a scoping form for this item.

The meeting concluded at 9:15 pm

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Chairman