

DRAFT

To: Members of Cabinet

From: Chair of Scrutiny Committee

REFERRAL TO SCRUTINY COMMITTEE – 15 July 2019

1. Members of Cabinet will recall that the Leader received a complaint from a member of the public in relation to a. the appointment of AECOM to conduct a review of the Sustainability Appraisal element of the emergent UDC Local Plan and b. more general concerns about the ‘truthfulness’ with which the council as a corporate body conducts its business.
2. Both questions go to the heart of the relationship of trust that should exist between officers, members and residents.
3. The minutes of 15 July Cabinet state, *inter alia*:

"To refer AECOM's commission to carry out the Sustainability Appraisal update to the Scrutiny Committee, in light of a comment received by a member of the public."

4. Following Cabinet on 15 July, the Chair of Scrutiny Committee wrote to the Chief Executive and other senior officers. Following lengthy and detailed correspondence a meeting was held on 19 August. At the meeting were Ms French, Mr Harborough, Cllr Lodge, Cllr LeCount and Cllr Gregory. The meeting established the following:
 1. There had been a failure to fully inform members and the public of the potential challenges to the Sustainability Appraisal and proposed remedial action, including commissioning AECOM to undertake work on the matter.
 2. That failure was not however intentional and arose from an unintentional oversight by an officer.
 3. The oversight was out of character and regretted. Measures were now in place that should preclude a repetition.
 4. There were and remain issues around the perception of openness and transparency within UDC as a corporate body, which the Corporate Management Team (CMT), Leader, chairs of relevant committees and members as a whole needed to give further attention to.
 5. To, in part, address these issues of perception the Chair of Scrutiny Committee would invite members of the CMT to a forthcoming meeting of Scrutiny Committee to discuss options and actions.

5. Further discussions have also taken place following consideration of the timeline in respect of changes to/reviews of the Sustainability Appraisal. A copy of that timeline is attached for information. It can be concluded that there was a clear and reasoned process for addressing issues around the Sustainability Appraisal and guidance was sought on those issues from Michael Bedford QC. However, it is not clear that members and residents were as fully briefed as they might have been on developments and process. Some matters were reported to committee which were factually wrong and that should have been corrected at the time.

6. Cabinet is invited to discuss this report.