



SCRUTINY COMMITTEES'

ANNUAL REPORT

2011/12



Copies of this Report may be obtained from the Democratic Services & Scrutiny Secretariat at County Hall, Topsham Road, Exeter, Devon, EX2 4QD or by ringing 01392 382300. It is also available on the County Council's website at:

http://www.devon.gov.uk/index/councildemocracy/decision_making/scrutiny/scrutiny-annual-reports.htm

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Brian Greenslade

Chairman, Corporate Services Scrutiny Committee

Gordon Hook

Chairman, Place Scrutiny Committee

Vanessa Newcombe

Chairman, People's Scrutiny Committee

Richard Westlake

Chairman, Health & Wellbeing Scrutiny Committee

Foreword by Councillor Brian Greenslade

Over the last eighteen months, the County Council has seen many changes as a result of the Government's Comprehensive Spending Review, ranging from a wide-ranging organisational restructure to significant reductions in spending, which have necessarily impacted on the County Council's scrutiny function.

In May 2011, the County Council established four new scrutiny committees reflecting the changes made to its management structure and the organisation of services, grouped into "People", "Place" and "Corporate Services", and the impending changes to the Health Service. As part of these changes, the scrutiny unit was integrated into the Democratic Services and Scrutiny Secretariat within the Legal and Communications service.

Following the shake-up in the Committee structure, the previous Committees' work programmes were discontinued in order to allow a fresh start, with the exception of uncompleted Task Groups and reports which were required by law. We have maintained our strong tradition of Task Group work – 17 such groups have been formed to carry out new reviews or follow up previous ones to review progress and improvements.

I am very pleased to announce that two of our Task Groups have again received national recognition in 2011. The Task Group report on services for people with a learning disability was shortlisted for the Centre for Public Scrutiny's Good Scrutiny Awards under the category of "community influence". The Centre also used the review of Child & Adolescent Mental Health Services (CAMHS) as an example of "scrutiny as an effective public health tool".

In these times of rapid change, the coordinating role of the Chairmen and Vice-Chairmen of Scrutiny Committees becomes increasingly important in order to use the resources available to scrutiny to best effect. The group meets regularly to coordinate the scrutiny committees' activities and to consider matters of strategic policy or performance importance. This body also meets bi-annually with the Leader of the Council to again ensure optimum resources are made available to scrutiny and to avoid any potential difficulties or conflicts.

As the Chairman of the Corporate Services Scrutiny Committee, I am delighted to present this year's annual report on behalf of my fellow Chairmen and Scrutiny Committee members which covers the period between the 2011 and 2012 Annual Meetings of the County Council.

Cllr Brian Greenslade

Chairman, Corporate Services Scrutiny Committee

Membership of Scrutiny Committees

Corporate Scrutiny

Greenslade (Chairman), Berry, Black, Bowden, Brook, Clarence, Hook, McInnes, Moulding, Newcombe, Parsons, Pennington, Radford, Robinson and Spence

Place Scrutiny

Councillors Hook (Chairman), Black, Brook, Colthorpe, Eastman, Edgell, Marsh, McInnes, Owen, Prowse, Radford, Smith, Walters, Way and Wragg

People's Scrutiny

Councillors Newcombe (Chairman), Boyle, Cann, Gribble, Hawkins, Haywood, B Hughes, Knight, Lee, Pennington, Randall Johnson (Vice-Chairman), Robinson, Sanders, Spence and Taylor

Additional Members for Educational Issues:

Mrs M Ewings (Secondary/Special Parent Governor), Ms C Slow (Church of England), Mrs L Wilson (Primary Parent Governor), Mr J Mannix (Roman Catholic Church)

Health & Wellbeing Scrutiny

Councillors Westlake (Chairman), Boyd, Chugg, Connett, Foggin, Fry, Giles, Hawkins, B Hughes, McMurray, Pennington, Randall Johnson, Robinson, Sellis and Smith

The Role of Scrutiny Committees/Terms of Reference

Scrutiny provides an opportunity to the Councillors who do not sit on the Cabinet or who have no formal role within the administration to provide and undertake a depth of analysis which is not always possible by the Cabinet, given the wide range of topics for which it is responsible:

Scrutiny Committees can maintain an effective scrutiny function through:

- bringing in the views of local people and communities;
- helping improve council policies and services so they meet people's needs better, looking at the issues from a resident's point of view;
- contributing to the review and development of council policies, to make sure that they do what was intended;
- making sure the council is open about the way decisions are made;
- making sure the council measures its own performance and regularly reports in public on how well it is keeping its promises;
- holding the Cabinet and those officers responsible for putting policy in place and delivering services to account;
- looking beyond the authority at issues and organisations that affect local quality of life;
- helping better joining up of public and other services; and
- focusing on outcome and improvement.

Scrutiny is not just about a Cabinet Member or Officers turning up to present a glowing report of progress, or to answer random questions. It is a series of information gathering exercises which enable members to drill down into the detail of how a service is being delivered, and, frequently, to suggest improvements which otherwise would be unlikely to see the light of day.

Corporate Services Scrutiny

The Corporate Services Scrutiny Committee reviews the implementation of the Council's existing policy and budget framework and considers the scope for new policies for the Council's use and management of its resources, the discharge of its corporate and strategic services, governance arrangements and community safety activity. It also discharges the Council's functions in the scrutiny of authorities responsible for crime and disorder strategies.

The Committee reviews the draft budgets of all Directorates/Services prior to the budget meetings of the Cabinet and the Council and to ensure the effective scrutiny of the Council's Treasury Management Strategy and policies.

Place Scrutiny

The Place Scrutiny Committee reviews the implementation of existing policies and it considers the scope for new policies with regard to all aspects of the discharge of the Council's functions concerning the environment, economic activity and enterprise, integrated planning, transport and community services, including community safety and emergency planning, libraries, arts and cultural heritage of the County.

People's Scrutiny

The People's Scrutiny Committee reviews the implementation of existing policies and it considers the scope for new policies for all aspects of the discharge of the Council's functions concerning the provision of personal services for children and adults including social care, safeguarding and special needs services, schools and learning.

Health & Wellbeing Scrutiny

The Health & Wellbeing Scrutiny Committee reviews the implementation of existing policies and it considers the scope for new policies for all aspects of the discharge of the Council's functions relating to the health and wellbeing of the people of Devon including the activities of the Health & Wellbeing Board, when established, and the development of commissioning strategies, strategic needs assessments and, generally, to discharge its functions in the scrutiny of health services.

In addition, to make reports and recommendations as appropriate arising from this scrutiny to the County Council and to the Secretary of State for Health in accordance with the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002.

Background

The former Policy Overview, Environment, Economy & Culture, Children & Young People's Services as well as the Health & Adults' Services Scrutiny Committees were replaced by the Corporate Services, People's, Place and Health & Wellbeing Scrutiny Committees in May 2011. During the past year, three of the four committees have again been chaired by members of the Liberal Democrat Group and one by the Labour Group. Vice-Chairmen have been appointed from the Conservative majority.

The delay in the passage of the Health & Social Care Bill 2012 continued, unfortunately, to create uncertainty for all those involved in the development of the new Health & Wellbeing Board and, for scrutiny, the development and understanding of the role and relationship of the Council's Health & Wellbeing Scrutiny Committee with the future arrangements. The Act only received Royal Assent towards the end of the year and work can now proceed in earnest to better understand and develop the role of scrutiny in this area.

Support for scrutiny

Following the retirement of Nick Beale, the previous Scrutiny Manager, in May 2011, scrutiny committees are now supported by three dedicated officers within the Democratic Services and Scrutiny Secretariat as shown below. The Council's statutory designated Scrutiny Officer is Rob Hooper, Democratic Services and Scrutiny Manager. The individual scrutiny officers and the committees they support are:

Scrutiny Committee	Scrutiny Officer
Corporate Services	Camilla de Bernhardt
Health & Wellbeing	
Place	Janine Gassmann
People's	Dan Looker

The team provides research, advice, report writing and other support for the scrutiny committees and in particular for their Task Groups. Approximately two-thirds of County Councillors serve on these committees.

National trends

In line with findings published by the Centre for Public Scrutiny (CfPS) in their publication *Joining up the dots: Overview and scrutiny in local government: an analysis of eight years of CfPS survey findings*,

- The discretionary budget for the scrutiny function has been declining year on year since before the current financial crisis but the number of scrutiny reviews carried out each year has gone up or remained the same – scrutiny is doing “more for less”.
- Nationally, scrutiny is seen as being most effective in policy development – and this year's Armed Forces Community Covenant Task Group is a prime

example of how an evidence-based investigation can contribute not only to policy review but creating the direction of policy working with other local authorities, the community and voluntary sector as well as the business community.

- Scrutiny's impact is substantial, with national general trends of 80% of recommendations being accepted and 70% being implemented, and the impact the scrutiny committees have made in Devon has also, we believe, improved.

Ways of working

Nationally, scrutiny now operates in a climate where both direct and indirect officer support for the function is under pressure. Locally and following the departure of the previous Scrutiny Manager, the number of dedicated scrutiny officers has reduced, as has, likewise, and across the Council, the capacity to support the same number of reviews. Scrutiny committees have revisited the way in which they work and the future direction of travel for scrutiny requires the need to manage expectations and work programmes in an environment characterised by change and diminished resources across the Council, working in new and innovative ways concentrating on strategic issues.

We believe the Council continues to value scrutiny and remains committed to maintaining an effective and independent scrutiny support function which must not be marginalised and or subsumed into the Council's general policy formulation activity. We welcome the Leader's stated views that Cabinet Members should work closely and cooperatively with scrutiny and his desire that scrutiny should play a full role in reviewing the effectiveness of the budget and service prioritisation.

We believe that these improved closer working relationships between Scrutiny Committees' and Cabinet Members have and will lead to improved outcomes for the Council as a whole, working together for and on behalf of the people of Devon and service users.

Resources have been pooled in order to support the scrutiny function sufficiently and to service Task Groups: the three scrutiny officers are not confined to the reviews set up by the committee they primarily support and other staff within the Secretariat may provide support where appropriate. Other tools include smaller, quicker (spotlight) or single member reviews or research activity and engaging with locality committees as a source of information about local service performance.

Scrutiny also adopted a new template for agendas, differentiating between items for debate and those offering updates or information, as well as template for a unified scrutiny work programme, to complement the Cabinet's Forward Plan.

The work and role of the scrutiny function in Devon County Council has now also been given a more prominent position on the Council's website at:
http://www.devon.gov.uk/index/councildemocracy/decision_making/scrutiny.htm

It is perhaps also worth noting that the work of scrutiny has again received favourable coverage in the media, both in local papers and TV and radio stations, which recognises and highlights the contribution scrutiny makes to the development and delivery of County Council services.

Finally, we would like to take the opportunity to publically pay tribute to the contribution of Nick Beale to the development of scrutiny in Devon.

The Work of the Scrutiny Committees in 2011/12

Budget Scrutiny

In line with the process followed in the previous year, the Chairmen and Vice-Chairmen of the four scrutiny committees agreed that the 2012/13 budget would again be scrutinised both by individual committees and through a subsequent joint all-day session of all scrutiny committees on 30 January 2012. Improvements were made following member's comments last year and the process will be fine tuned further for the 2013/14 budget.

It is important to recognise that budget scrutiny should not simply be limited to the formal budget setting exercise each year in January and February. It is very much also about reviewing what is done with approved budgets during the year and challenging the costs of service delivery to assess

- to what extent spending was in accordance with agreed budgets and if not why not;
- whether services deliver value for money;
- the extent to which alternative forms of service delivery may have been considered which could result in budget savings or redistribution;
- comparisons with other local authorities and service providers.

Outcomes

In response to a recommendation made by the **Joint Scrutiny Committee** on 30 January 2012, Council Tax was frozen in 2012/13 thanks to the freeze grant provided by the Government.

In response to the **Corporate Services Scrutiny Committee's** recommendation to urge Cabinet to maximise the use of all assets and available funding, £60,000 was added to the base budget for the Devon Investment Fund.

In response to the **Place Scrutiny Committee's** recommendation that Cabinet ameliorate the impact on the rural economy of the deterioration of the road network, particularly in relation to the C road network through reallocating any underspend or additional funds to this area of activity and traffic management activity, £5m was allocated for highway maintenance for 'C' classification and other minor roads out of the 2012/13 council tax freeze grant.

The Committee further recommended considering the advantageous effect of work of parish lengthsman and gully emptying and drainage to prevent deterioration in the condition of the highway. As a result, £260,000 was added to the base budget for highway lengthsman, £100,000 for gully maintenance and £250,000 for improved highway drainage.

In response to the **People's Scrutiny Committee's** recommendation that Cabinet either reinstate the proposed reduction in 2012/13 or reallocate any underspend in the current year or provide additional funds next year for the youth service, £500,000 was added to the base budget for Youth Services.

In addition and in relation to the recommendation to ensure that appropriate preventative placements and services are available to young and vulnerable people - targeted to need and working with relevant partner organisations and complementing the Councils objective of early intervention, £3,836,000 was allocated as housing initiatives for the vulnerable for 2012/13 funded by 2012/13 council tax freeze grant.

Corporate Services Scrutiny

The Corporate Services Scrutiny Committee met six times during 2011/12, including the joint budget day on 30 January. It conducted one Task Group review into the Devon Armed Forces Community Covenant during the same period. The Committee was also successful in applying to the Centre for Public Scrutiny to hold a summit into ageing well.

The Committee's impact during the year

In January 2012, the Committee held a one-day **Ageing Well Scrutiny Summit** as part of the national Ageing Well programme sponsored by the Department for Work and Pensions. The Centre for Public Scrutiny (CfPS) had been commissioned to support overview and scrutiny to review preparations for strategies and policies which make their area "a good place to grow older" and a CfPS expert adviser helped shape the programme. The Summit's objective was to bring together councillors from the county, district and unitary councils in Devon and partners from the health service and voluntary sector for a briefing, discussion and planning event around the ageing population of Devon. The emphasis was placed on the contribution that Scrutiny can make to reviewing and developing policy and performance.

The **Armed Forces Community Covenant Task Group** published its report on 22 March 2012 which included new and innovative ways of collecting and hearing evidence including the use of video links and video-recorded evidence. This included personal endorsements by the Lord Lieutenant of Devon, Mr Eric Dancer, the Armed Forces Minister, Nick Harvey MP, and the First Sea Lord of the Admiralty, Sir Mark Stanhope. It is clear that this Task Group has attracted a lot of local and national interest and it has been submitted to the 2012 Centre for Public Scrutiny "Good Scrutiny Awards".

The ambitions developed in this piece of work have been carried through to Devon County Council's Armed Forces Community Covenant which will be signed in May 2012 by a wide range of organisations and services involved:

- **Ambition 1: Working Better Together;** Improving the ways in which agencies work together and communicate in order to better understand and meet the needs of the Armed Forces Community.
- **Ambition 2: Cutting the Wire;** Bringing the armed forces community and the civilian community together and supporting a successful transition from military to civilian life.

- Ambition 3: Reaching their potential; Support service children and families to develop in a positive environment.
- Ambition 4: Improving Health and Wellbeing; Achieve fair access to healthcare and improve support for the neurologically damaged, mentally and physically injured.
- Ambition 5: Increasing Prosperity; Ensuring that the Armed Forces Community has a voice in our economy and that service leavers and service families have access to quality jobs.

Place Scrutiny

The Place Scrutiny Committee met eight times during 2011/12, including the joint budget day on 30 January. It conducted two Task Group reviews during the same period into the waste service and the quality of highway reinstatements by utility companies following works on the public highway.

The Committee's impact during the year

The Chairman invoked the call-in procedure in relation to the decision of the Cabinet Member for Environment and Community made on 22 July 2011 relating to approving the priorities for Arts grants and the agreed allocations for 2011/12 and the proposal to introduce commissions for Arts activities in 2012/13. As a direct result of the Committee's intervention, the introduction of the Devon Arts Match funding element of the current proposals for 2011/12 was delayed until the next financial year in light of the limited time for organisations to utilise that funding and it enabled further discussions to take place with affected organisations.

As a result of the Committee's considerations of the Council's winter maintenance plan, contact has also been established between officers and local members regarding the extension of the Snow Warden scheme to Exeter and Totnes.

A **Utilities Task Group** was established following the previous Environment, Economy & Culture Scrutiny Committee's recommendations concerning the quality of road reinstatements that utility companies perform in the public highway. Although the Task Group will keep the further implementation of recommendations under review, a number of concrete measures have been achieved, including:

- the Cabinet member for Highways and Transportation is now involved in decisions about prosecutions;
- initiation of a training programme of operatives using the Best Practice DVD and toolbox talks;
- the membership of the Best Practice Group has been widened to allow improvement and the sharing of best practice across the region;
- utility companies have invited members to visit work sites across the County.

The Committee also initiated correspondence with the Magistrates' Association over the level of fines awarded by Magistrates' Courts following the successful prosecution of utilities companies over reinstatements of low quality, so-called non-compliant reinstatements. The Chairman of the South and West Devon bench has since met with Oliver Colvile, MP for Plymouth Sutton & Devonport, who indicated his interest in taking up the issue in Westminster.

The [Waste Task Group](#) published its interim report on 6 March 2012, which included seven recommendations, the implementation of which will be reviewed during 2012/13.

People's Scrutiny

The People's Scrutiny Committee met seven times during 2011/12, including the joint budget day on 30 January. It initiated five Task Group reviews into services for carers and young carers, transitions, the Devon Personalised Learning Service, out of County placements and it reconvened its Devon Youth Service Task Group. The Young Carers Task Group report was submitted to the CfPS Good Scrutiny Awards 2012.

The Committee's impact during the year

The [Young Carers Task Group](#) published its findings in June 2011 and the combined [Young Carers / Support for Carers Task Group](#) reported back in January 2012 to follow up the earlier progress against recommendations. It can be evidenced that many of these recommendations have already been incorporated into the work of the Devon Virtual Carers Centre. For instance, there has now been a stepped increase in the Carers Helpline service, after members found that it was not available at weekends. Officers also reported that organisationally, following the Task Group's recommendations being progressed, Devon is much more joined up than it was previously in terms of an approach to young carers.

Other measurable changes to impact upon young carers services following the Task Group's recommendations include:

- an improved multi-agency approach to identifying and working with young carers and their families at the earliest possible stage
- amendment of Common Assessment Framework to include young carers
- development of work with the Director of Public Health/NHS to ensure health services take on a more prominent role in the identification of young carers
- in addition to specific young carer workers, generic carer support workers under the new contract are expressly trained relating to young carer issues.

The [Transitions Task Group](#) published its report and findings in January 2012. Members discovered that although there had been improvements in transitions, there were still faults in the system preventing Devon's children from having the smooth passage from children's to adult services which were critical to their future outcomes. In response to their concerns, members agreed a number of recommendations, which were accepted by People's Scrutiny Committee and the Cabinet, including:

- the People's grouping adopting a 14-25 transitions service across the County
- systems being put in place to ensure appropriate health input for young people in transition
- disparity in CAMHS provision across the County being addressed as a matter of urgency
- person centred reviews being extended, on an annual basis, to adult services
- personal budgets brought in from 16 where appropriate.

The [Devon Youth Service Task Group](#) reconvened in April 2011 and again in February 2012 primarily to consider the restructuring of the Devon Youth Service. At the People's Scrutiny Committee on 29 February 2012, members expressed their concern about the cancellation of youth club sessions and a reduction in the provision of services to young people, which, it is to be hoped, will be, at least partially, ameliorated by the additional funding agreed in the 2012/13 budget.

Health & Wellbeing Scrutiny

The Health & Wellbeing Scrutiny Committee met six times during 2011-12, including the joint budget day on 30 January. It established two Task Group reviews. During this time the focus of the Health and Wellbeing Committee has been to understand, respond and prepare for local health challenges against the backdrop of significant legislative change. The Health & Social Care Act received royal assent on the 27 March 2012. Over the past year the Committee's activities have reflected the progress of the Act, this has including speaking to Clinical Commissioning Groups, the Shadow Health and Wellbeing Board and LINKs whilst anticipating the development of HealthWatch.

As part of this programme in October last year the committee held an informal seminar to set the direction for the committee as well as to understand the anticipated developments from legislation from the Chief Executive of the PCT Cluster.

The Committee's impact during the year

The [Future of Community Hospitals](#) as well as the reconvened [Older People Mental Health Task Groups](#) started their work and are due to report to Committee in September 2012.

The Committee also commented on the Quality Accounts for the Devon Partnership NHS Trust, the Northern Devon Healthcare NHS Trust, the Royal Devon & Exeter NHS Foundation Trust, the South Western Ambulance Service NHS Foundation Trust as well as the Plymouth Hospitals NHS Trust and the South Devon Healthcare NHS Foundation Trust. The Committee also commented on the change to Foundation Trust Status for Plymouth Hospitals NHS Trust and the Northern Devon Healthcare NHS Trust.

Performance Management

This is an important area for Scrutiny Committees to be involved in and the Chairmen and Vice Chairmen have looked in detail at how Scrutiny Committees might wish to exercise their role in relation to performance management – and identify any specific areas they would like to look at against the background of and reflecting the recently published Strategic Plan for 2011-15 entitled *Backing Devon*.

A revised reporting regime will be introduced from June 2012 reflecting the needs of Scrutiny Committees and capable of providing the more targeted information required.

Task Groups

Much of the work of Scrutiny is, as can be seen from the above, undertaken by Task Groups. It is only right that the opportunity is taken in this Report to record our thanks to all those who served on such Groups over the course of this year and, more particularly, to those who chaired those Task Groups, for their hard work and dedication, namely Councillors Barry Parsons, Andy Boyd and Polly Colthorpe.

Copies of all Task Group Reports undertaken and finalised in 2011/12 are available on the Council's website, alongside those of previous years, at:

http://www.devon.gov.uk/index/councildemocracy/decision_making/scrutiny.htm

Work Programme for 2012/13

In addition to the detailed work programme identified by the individual Scrutiny Committees over the year, the main challenges for 2012/13 will be:

- ensuring scrutiny focusses on issues and targets which are important in the final year of this administration, managing members' and officers' expectations and ensuring limited resources are directed and used effectively.
- establishing the future role and relationship of Scrutiny with:

Police & Crime Panels: there are currently no plans to legislate for a prescribed relationship between Scrutiny's role in delivering crime and disorder functions or Police & Crime Panels which have been described by Government as a form of scrutiny body in their own right. Councils will be free to consider how to design local structures to operate in a mutually supportive way, avoiding duplication. The Police and Crime Panel will reflect the geographic coverage of the Police Authority.

Health & Wellbeing Boards: The Board has a duty to encourage integrated working for the purpose of advancing the health and wellbeing of the people in its area. The Government's timetable is for the establishment of "Shadow Health & Wellbeing Boards" by April 2012 followed by statutory Health & Wellbeing Boards by April 2013.

- exploring the scope for alternative ways of working and involving other agencies including HealthWatch, Clinical Commissioning Groups, the Joint Engagement Board, the Centre for Public Scrutiny or the Local Government Network in obtaining data and undertaking research for Scrutiny Committees to consider.
- enhanced and earlier scrutiny of the current year's budget as part of a more holistic approach to the preparation of subsequent years' budgets.
- the role and requirements of the scrutiny function in relation to performance management.
- understanding the Council's generic processes and practices in the commissioning and procurement of services and their future monitoring as well as assessing the impact on service delivery of such arrangements and the impact of the third sector and other partners.

The Centre for Public Scrutiny has previously attested that the areas where scrutiny experiences the most difficulty in effectively carrying out work relate to finance and partnership issues – arguably two of the most critical areas for the short-term future in local government

The Council's Scrutiny Committee's – as does the County Council itself – recognise the importance of an 'independent' effective scrutiny process which can both provide an authoritative means of calling the Cabinet to account and contributing to the development and delivery of services by the Council and others – for the benefit of the people of Devon.

Scrutiny is not just for Members; it is also an officer function. It is staff who work with members to scope investigations and to clarify what is possible in a reasonable timeframe, who undertake the diplomacy required to get the right people in front of Scrutiny Committees at the right time, who liaise with often hesitant officers, and, above all, who write effective, penetrating and tactful reports and recommendations.

Without the support of the Council's Officers across the board, scrutiny could not work and it is therefore fitting that this report concludes by paying tribute to all those involved and in particular the Council's dedicated Scrutiny Officers without whose efforts scrutiny in Devon would not operate as effectively as it does.

This Annual Report provides a valuable snapshot of the work of the Council's Scrutiny Committee's in 2011/12, demonstrating the effectiveness of the scrutiny process in which the Council and the public at large can be proud.

The Annual Report is commended to the Council.



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