

West Devon Overview and Scrutiny Committee



West Devon
Borough
Council

Title:	Agenda														
Date:	Tuesday, 4th September, 2018														
Time:	2.00 pm														
Venue:	Chamber - Kilworthy Park														
Full Members:	<p style="text-align: center;">Chairman Cllr Yelland Vice Chairman Cllr Cheadle</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Baldwin</td> <td>Cllr Musgrave</td> </tr> <tr> <td>Cllr Cloke</td> <td>Cllr Parker</td> </tr> <tr> <td>Cllr Evans</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Kimber</td> <td>Cllr Ridgers</td> </tr> <tr> <td>Cllr McInnes</td> <td>Cllr Sellis</td> </tr> <tr> <td>Cllr Moody</td> <td>Cllr Sheldon</td> </tr> <tr> <td>Cllr Moyse</td> <td></td> </tr> </table>	Cllr Baldwin	Cllr Musgrave	Cllr Cloke	Cllr Parker	Cllr Evans	Cllr Pearce	Cllr Kimber	Cllr Ridgers	Cllr McInnes	Cllr Sellis	Cllr Moody	Cllr Sheldon	Cllr Moyse	
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Cllr Moyse															
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.														
Committee administrator:	Member.Services@swdevon.gov.uk														

1. Apologies for Absence

2. Confirmation of Minutes

Meeting held on 31 July 2018

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3. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting.

4. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency

5. Public Forum

A period of up to 15 minutes is available to deal with issues raised by the public.

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6. Hub Committee Forward Plan

11 - 14

If any Member seeks further clarity, or wishes to raise issues regarding any future Hub Committee agenda item, please contact Member Services before **12 noon on Friday, 31 August 2018** to ensure that the lead officer(s) are aware of this request in advance of the meeting.

7. Medium Term Financial Strategy Presentation

8. Exclusion of Public and Press

9. IT Procurement -Exempt

15 - 22

10. Re-admittance of Public and Press

11. Joint Local Plan: Standing Agenda Item

- 12. Task and Finish Group Updates (if any)**
- 13. Rural Broadband Working Group Update (if any)**
- 14. Annual Work Programme 2018/19** **23 - 24**
- 15. Member Learning and Development Opportunities Arising from this Meeting**

This document can be made available in large print, Braille, tape format, other languages or alternative format upon request. Please contact the Committee section on 01822 813662 or email darryl.white@swdevon.gov.uk

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Agenda Item 2

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **31st** day of **JULY 2018** at **2.00 pm**.

Present:

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

Cllr R E Baldwin	Cllr J Evans
Cllr P Kimber	Cllr D E Moyse
Cllr C R Musgrave	Cllr G Parker
Cllr T G Pearce	Cllr D K A Sellis
Cllr J Sheldon	

Head of Paid Service
Senior Specialist – Commercial Services
Senior Specialist – Democratic Services
Specialist – Performance and Intelligence

Also in Attendance:

Cllrs C Edmonds, B Lamb, A F Leech, R J Oxborough, C Mott and R F D Sampson

***O&S 16 APOLOGIES FOR ABSENCE**

Apologies for absence for this meeting were received from Cllrs D W Cloke, J R McInnes, J B Moody and P J Ridgers.

***O&S 17 CONFIRMATION OF MINUTES**

The minutes of the Meeting of the Overview and Scrutiny Committee held on 26 June 2018 were confirmed and signed by the Chairman as a true and correct record.

***O&S 18 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 19 PUBLIC FORUM**

There were no issues raised during the Public Forum session at this meeting.

***O&S 20 DRAFT HUB COMMITTEE FORWARD PLAN**

During consideration of the most recently published Hub Committee Forward Plan, the Committee made reference to:-

- (a) the intention for an additional agenda item entitled: 'Commercial Property Acquisition Strategy Update' to be added to the Forward Plan for consideration at the Hub Committee meeting on 11 September 2018;
- (b) the number of particularly significant agenda items that were scheduled for consideration at the Hub Committee meeting on 11 September 2018. In noting the contents of the Plan, Members expressed their concerns over the likely size of the next Hub Committee meeting agenda. As a consequence, the Committee requested that the Chairman contact the Leader of the Council to relay these concerns;
- (c) the Tamar Valley AONB Management Plan Review 2019-24. With regard to the proposal for this Review to be presented to the Hub Committee meeting on 11 September 2018, a Member advised that she had already received a copy of the draft version of the Plan. In commending its content, the Member was of the view that the wider membership should also be in receipt of a copy before its presentation to the Hub Committee. Such was its linkages to the Joint Local Plan (JLP) that a Member also felt that the JLP Joint Steering Group should be given the opportunity to comment on the draft Plan prior to its adoption.

***O&S 21 UPDATE REPORT ON GARDEN WASTE SERVICE**

Members considered a report that provided an update on the garden waste service that had now been in operation for a twelve month period.

In presenting the report, the lead Hub Committee Member advised that the Waste Working Group was actively looking at methods of promoting the service to increase resident uptake.

During the ensuing discussion, the following points were raised:-

- (a) In response to a question, it was confirmed that trend analysis did not indicate any significant increases in cases of fly tipping in the Borough since the charging scheme had been in place;
- (b) Following the most recent waste analysis exercise, officers advised that there was no significant evidence of green waste being placed with residual waste. However, the Committee was advised that there was a number of instances of food waste being placed with residual waste and Members acknowledged the need for this to be addressed;
- (c) Due to the particularly dry and warm weather this year, Members noted that it was difficult to obtain an accurate assessment of how successful the first year of this scheme had been;

- (d) Some Members expressed their regret that the wider membership had delayed the initial decision to implement this scheme. As a consequence, this delay had resulted in a negative financial impact that the Council could ill afford at this time;
- (e) With regard to the £40 annual subscription charge, the Committee was informed that this was broadly consistent with the fees applied by other local authorities who provided a similar service. Members proceeded to confirm their belief that a £40 annual charge remained appropriate for the service;
- (f) Whilst accepting that there would be some complexities, some Members were of the view that uptake in the service would be increased if residents could sign up to the scheme anytime throughout the year. In reply, it was agreed that the Waste Working Group would look into this matter in more detail at a future meeting.

It was then:

RESOLVED

That the contents of the update report and the views of the Committee (as outlined in the minutes above) be noted.

***O&S 22 EXCLUSION OF PUBLIC AND PRESS**

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

***O&S 23 FINANCIAL STABILITY REVIEW GROUP: PROGRESS UPDATE**

The Committee considered an exempt Briefing Note that had also been presented to the Hub Committee meeting on 17 July 2018 for consideration (Minute *HC 15 refers).

In discussion, the Committee welcomed the update and wished to put on record its thanks to the lead officers and Members of the Review Group for the progress that was being made.

It was then:

RESOLVED

That the contents of the Briefing Paper be received and noted.

***O&S 24 RE-ADMITTANCE OF PUBLIC AND PRESS**

RESOLVED

That the public and press be re-admitted to the meeting.

***O&S 25 ECONOMY WORKING GROUP – VERBAL UPDATE**

In his introduction, the lead Hub Committee Member for Economy highlighted some of the challenges that were preventing the Working Group from making real progress. To overcome these challenges, the lead Member was strongly of the view that there was a need for some form of officer resource to be available in order to support the economic development agenda.

During the ensuing debate, the following points were made:-

- (a) A number of Committee Members supported the views of the lead Member and recognised that Enterprise and '*creating places for enterprise to thrive and businesses to grow*' was a recently adopted Corporate Strategy Theme by the Council. Having been informed that any additional resource was likely to be a further budget pressure for the Council, it was **PROPOSED** and **SECONDED** that:
1. The Economy Working Group be asked to produce a paper for consideration at a future Hub Committee meeting that indicates the requirements for a dedicated officer resource; and
 2. With this information and, in preparation of the draft 2019/20 Budget and the Medium Term Financial Strategy, consideration be given to providing sufficient officer resource to support the local economy and the Corporate Strategy Theme relating to Enterprise.

When put to the vote, this proposal was declared **CARRIED**.

- (b) The Committee noted that one of the areas of focus for the Peer Review Team that was visiting the Council to undertake a review in September 2018 was to be on economic regeneration;
- (c) Some Members regretted the fact that Business Rates did not link in any shape or form to the actual performance of a business and felt that this was a shortcoming that needed to be addressed by Central Government. As a way forward, it was suggested that a Member may wish to submit a motion to this effect for consideration at a future Council meeting.

It was then:

RESOLVED

1. That the Economy Working Group be asked to produce a paper for consideration at a future Hub Committee meeting that indicates the requirements for a dedicated officer resource; and
2. With this information and, in preparation of the draft 2019/20 Budget and the Medium Term Financial Strategy, consideration be given to providing sufficient officer resource to support the local economy and the Corporate Strategy Theme relating to Enterprise.

***O&S 26**

QUARTER 1 PERFORMANCE MEASURES

The Committee considered a paper that presented the performance measures for Quarter 1.

By way of an introduction, the lead Hub Committee Member made reference to his review into both the performance measures reported and the appropriateness of the targets that were aligned to these measures. In so doing, the Member advised that it was his intention for the findings of this review to be presented to a meeting of the Committee in the autumn. For clarity, the lead Member confirmed that this review would include the design, format and layout of the measures and Members were encouraged to share their views with the lead Member before the findings were presented.

In the ensuing debate, particular reference was made to:-

- (a) planning enforcement cases. The Committee welcomed the performance trend whereby the number of cases closed during June 2018 had exceeded the number of new cases received. Some Members highlighted the effectiveness of the recent sessions with local ward Members during which it had been agreed that a number of historical cases should no longer be pursued. It was felt that such ongoing dialogue between officers and local Members was critical to ensure that this positive trend continued;
- (b) accessing the latest information on the performance dashboards. Some concerns were raised that officers were not regularly updating the dashboard information and it was therefore requested that officers follow up on this point outside of this Committee meeting.

It was then:

RESOLVED

That the performance levels against target communicated in the Balanced Scorecard and the performance figures supplied in the background and the exception report be noted.

***O&S 27 JOINT LOCAL PLAN: STANDING AGENDA ITEM**

By way of an update, one of the Joint Steering Group (JSG) Members advised the Committee that:-

- Due to illness and unavailability, it was noted that there had been a further delay in the receipt of the interim findings from the Examination in Public. It was now hoped that the report would be received during mid-August; and
- In respect of a meeting that was taking place at this current time in Plymouth that related to a potential Marine Park, it was hoped that those officers and Members who were in attendance would provide feedback to the wider membership.

***O&S 28 TASK AND FINISH GROUP UPDATES**

(a) Partnership Funding Review

Since a decision had now been made by the Council at its meeting on 26 July 2018 (Minute CM 24 cii refers), the Committee agreed that the Partnership Funding Review Task and Finish Group should now be formally disbanded.

***O&S 29 RURAL BROADBAND WORKING GROUP UPDATE**

During the update, reference was made to:-

- (a) the invite having been extended to the Connecting Devon and Somerset Programme Manager to attend a future Committee meeting. The Committee was of the view that, in the event of its future meeting dates not being convenient for the Programme Manager to attend, then an alternative date should be sought with this matter being considered at an all Member Briefing instead;
- (b) a useful report that had been produced that illustrated the linkages between the positive impact on the Cornish Economy and the increased Superfast Broadband provision in the county. It was agreed that the Vice-Chairman would share the contents of this report with the Council's representative on the Connecting Devon and Somerset Programme Board.

***O&S 30 ANNUAL WORK PROGRAMME 2018/19**

The Chairman introduced the latest version of the Work Programme for the next 12 months.

In discussion, it was agreed that:

- (a) the Work Programme would in the future include the relevant lead Hub Committee Member alongside each item; and
- (b) the Vice-Chairman would prepare a Scrutiny Proposal Form for further consideration on a particular issue that would seek to ensure that the Council had obtained value for money from a recent Consultants' report.

***O&S 31 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING FROM THIS MEETING**

In discussion, the Committee was reminded of the contacts details for the recently appointed Member IT Support Officer and Members were urged to utilise his expertise.

In addition, Members were encouraged to discuss their thoughts on the Performance Measures review with the lead Hub Committee Member before the findings of this exercise were presented to the Committee in the autumn.

(The meeting terminated at 3.50 pm)

Chairman

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PUBLIC FORUM PROCEDURES

(a) General

Members of the public may raise issues and ask questions at meetings of the Overview and Scrutiny Committee. This session will last for up to fifteen minutes at the beginning of each meeting, with any individual speaker having a maximum of three minutes to address the Committee.

(b) Notice of Questions

An issue or question may only be raised by a member of the public provided that they have given written notice (which may be by electronic mail) to Darryl White (darryl.white@swdevon.gov.uk) by 5.00pm on the Thursday, prior to the relevant meeting.

(c) Scope of Questions

An issue may be rejected by the Monitoring Officer if:

- it relates to a matter within the functions of the Planning and Licensing Committee;
- it is not about a matter for which the local authority has a responsibility or which affects the district;
- it is offensive, frivolous or defamatory;
- it is substantially the same as a question which has previously been put in the past six months; or
- it requires the disclosure of confidential or exempt information.

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WEST DEVON BOROUGH COUNCIL: HUB COMMITTEE FORWARD PLAN

This is the provisional forward plan for the four months starting September 2018. It provides an indicative date for matters to be considered by the Hub Committee. Where possible, the Hub Committee will keep to the dates shown in the plan. However, it may be necessary for some items to be rescheduled and other items added.

The forward plan is published to publicise consultation dates and enable dialogue between the Hub Committee and all councillors, the public and other stakeholders. It will also assist the Council's Overview and Scrutiny Committees in planning their contribution to policy development and holding the Hub Committee to account.

The Plan is published in hard copy and on the Council's website (www.westdevon.gov.uk)

Members of the public are welcome to attend all meetings of the Hub Committee, which are normally held at Kilworthy Park, Tavistock, and normally start at 2.00 pm.

If advance notice has been given, questions can be put to the Hub Committee at the beginning of the meeting.

The Hub Committee consists of nine Councillors. Each has responsibility for a particular area of the Council's work.

Cllr Sanders – Leader

Cllr Samuel – Deputy Leader

Cllr Sampson – Lead Member for Commercial Services

Cllr Leech – Lead Member for Health and Wellbeing

Cllr Oxborough – Lead Member for Economy

Cllr Jory – Lead Member for Environment and Assets

Cllr Roberts – Lead Member for Customer First

Cllr Edmonds - Lead Member for Resources and Performance

Cllr Mott – Lead Member for Strategic Planning and Housing

Further information on the workings of the Hub Committee, including latest information on agenda items, can be obtained by contacting the Member Services Section by e-mail to member.services@westdevon.gov.uk

All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated for the reasons shown

DECISIONS TO BE TAKEN BY THE HUB COMMITTEE

Service	Title of Report and Summary	Lead Officer and Members	Decision Maker	Anticipated date of meeting	
				Hub Committee	Council
Standing Item	Financial Stability Review Group				
Customer First	CTR Draft Scheme	IB/Cllr Leech	Hub Committee	11 September 2018	25 Sept 2018
Customer First	Policy for Civil Penalties for breaches of Housing Standards Enforcement Notices	IL/Cllr Leech	Council	17 September 2018	25 Sept 2018
Strategy & Commissioning	IT Platform: Next Steps*	NT/ Cllr Edmonds	Council	11 September 2018	25 September 2018
Customer First	Tamar Valley AONB Management Plan Review 2019-2024	RS/Cllr Jory	Hub Committee	11 September 2018	25 September 2018
Support Services	Write Off Report – Quarter 1 2018/19	LB/Cllr Edmonds	Council	11 September 2018	25 September 2018
Support Services	Revenue Budget Monitoring to June 2018 (quarter 1 position)	PH/Cllr Edmonds	Council	11 September 2018	25 September 2018
Support Services	Capital Budget Monitoring to June 2018 (quarter 1 position)	PH/Cllr Edmonds	Council	11 September 2018	25 September 2018
	Commercial Property Acquisition Strategy Update (as reported at O&S)	??	Hub Committee	11 September 2018	25 September 2018
	Briefing paper from Economy Working Group (O&S Cttee recommendation)	Cllr Oxborough	Hub Committee	11 September 2018	25 September 2018
Support Services	Medium Term Financial Strategy for 2019/20 onwards	LB/Cllr Sanders	Council	11 September 2018	25 September 2018
Customer First	JLP and Governance	TJ/Cllr Mott	Council	16 October 2018	4 December 2018
Customer First	Coastal Concordat	RS/Cllr Jory	Hub Committee	16 October 2018	4 December 2018



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Service	Title of Report and Summary	Lead Officer and Members	Decision Maker	Anticipated date of meeting	
				Hub Committee	Council
SLT	Peer Review Report	SH/Cllr Sanders	Council	16 October 2018	4 December 2018
Customer First	Adoption of Clean Air Strategy	IL/Cllr Sanders	Council	16 October 2018	4 December 2018
Customer First	Adoption of Business Continuity Plan	IL/Cllr Sanders	Council	16 October 2018	4 December 2018
Support Services	Revenue Budget Monitoring to September 2018 (quarter 2 position)	PH/Cllr Edmonds	Council	20 November 2018	4 December 2018
Support Services	Capital Budget Monitoring to September 2018 (quarter 2 position)	PH/Cllr Edmonds	Council	20 November 2018	4 December 2018
Support Services	Treasury Management Mid Year update 2018/19	PH/Cllr Edmonds	Council	20 November 2018	4 December 2018
Support Services	Write Off Report – Quarter 2 2018/19	LB/Cllr Edmonds	Council	20 November 2018	4 December 2018
Support Services	Draft Revenue Budget Proposals 2019/20	LB/Cllr Sanders	Council	20 November 2018	4 December 2018
Support Services	Draft Capital Programme Proposals 2019/20	LB/Cllr Sanders	Council	20 November 2018	4 December 2018
Customer First	CTR New Scheme	IB/	Council	20 November 2018	4 December 2018
Strategy and Commissioning	Adoption of Health and Safety Policy Statement	IL/Cllr Sanders	Council	20 November 2018	4 December 2018
Commercial Services	Waste and Cleansing Procurement	HD/Cllr Sampson	Council	20 November 2018	4 December 2018

*** Exempt Item (This means information contained in the report is not available to members of the public)**

SH – Sophie Hosking – Executive Director Service Delivery and Commercial Development

LB – Lisa Buckle – Section 151 Officer

HD – Helen Dobby – Group Manager Commercial Services

SM – Steve Mullineaux – Group Manager Support Services and Customer First

CB – Chris Brook – COP Lead Assets

JS – Jane Savage – Lead Specialist Waste Strategy

IL – Ian Luscombe – COP Lead Environmental Health

CBowen – Catherine Bowen – Monitoring Officer

DA – Darren Arulvasagam – Group Manager Business Development

SLT – Senior Leadership Team

IB – Isabel Blake – COP Lead Housing, Revenues and Benefits

RS – Rob Sekula



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OVERVIEW AND SCRUTINY COMMITTEE

DRAFT ANNUAL WORK PROGRAMME – October 18 to April 19

Date of Meeting	Report	Lead Officer / Member
2 October 2018	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan	Kathy Trant / Cllr Sanders
	Corporate Strategy: Delivery Against Themes Update	Nadine Trout / Cllr Sanders
	GDPR / Data Protection Policy Update	Darren Arulvasagam / Cllr Edmonds
	Update from the Financial Stability Review Group	Lisa Buckle / Cllr Jory
	Connecting Devon and Somerset Programme Manager to be invited to attend	Steve Mullineaux
	Planning Enforcement Plan / Protocol and Actions – Review	Pat Whymer / Cllr Roberts
	Ombudsman Annual Letter	Sue Nightingale / Cllr Edmonds
Page 23	Public Conveniences: Potential Saving Options	Cathy Aubertin / Cllr Sampson
	Joint Local Plan Update	Tom Jones / Cllr Mott
23 November 2018	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan	Kathy Trant / Cllr Sanders
	Joint Local Plan Update	Tom Jones / Cllr Mott
	Q2 Performance Indicators	Jim Davis / Cllr Edmonds
	Update from the Financial Stability Review Group	Lisa Buckle / Cllr Jory
	Results of Customer Satisfaction Survey	Nadine Trout / Cllr Sanders
	Community Safety Partnership Annual Report	Louisa Daley / Cllr Samuel
	Safeguarding Update	Louisa Daley / Cllr Leech
15 January 2019	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan: - Peer Review	Kathy Trant / Cllr Sanders SLT / Cllr Sanders
	Joint Local Plan Update	Tom Jones / Cllr Mott
	Update from the Financial Stability Review Group	Lisa Buckle / Cllr Jory
	Draft Budget 2019/20	Lisa Buckle / Cllr Sanders
26 February 2019	Task and Finish Group Updates (if any)	

	Hub Committee Forward Plan	Kathy Trant / Cllr Sanders
	Joint Local Plan Update	Tom Jones / Cllr Mott
	Update from the Financial Stability Review Group	Lisa Buckle / Cllr Jory
	Fusion Annual Report	Jon Parkinson / Cllr Sampson
	Q3 Performance Indicators	Jim Davis / Cllr Edmonds
2 April 2019	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan	Kathy Trant / Cllr Sanders
	Joint Local Plan Update	Tom Jones / Cllr Mott
	Update from the Financial Stability Review Group	Lisa Buckle / Cllr Jory
	Draft O+S Annual Report 2018/19	Darryl White

Future Item(s) to be programmed:
Community Housing Briefing (Rob Ellis)