

WEST DEVON OVERVIEW AND SCRUTINY COMMITTEE



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Overview and Scrutiny Committee** held on **Tuesday, 2nd October, 2018** at **2.00 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Yelland
Vice Chairman

Cllr Baldwin
Cllr Evans
Cllr Moody
Cllr Musgrave
Cllr Pearce

Cllr Cloke
Cllr Kimber
Cllr Moyse
Cllr Parker
Cllr Sheldon

In attendance:

Councillors:

Cllr Cann OBE
Cllr Jory
Cllr Leech
Cllr Sampson

Cllr Edmonds
Cllr Lamb
Cllr Mott
Cllr Sanders

Officers:

Group Manager Customer First & Support Services
Deputy Monitoring Officer
Section 151 Officer
Commissioning Manager
CoP Lead – Place & Strategy

46. **Apologies for Absence**

* O&S 46

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

47. **Confirmation of Minutes**

* O&S 47

The minutes of the Meeting of the Overview and Scrutiny Committee held on 4 September 2018 were confirmed and signed by the Chairman as a true and correct record.

48. **Declarations of Interest**

* O&S 48

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.

49. **Public Forum**

* O&S 49

There were one issue raised during the Public Forum session as follows:

Question raised from Mrs Christine Marsh

'What right do WDBC officers have to set up a legal document requiring a resident of the Borough to carry out work on behalf of WDBC and then, just as that work was being completed, to totally walk away from that agreement?'

In reply, the Deputy Monitoring Officer made the following statement:

'The agreement referred to is commercially confidential.'

It would not be legal for the Council to 'walk away' from a binding agreement and that is not what West Devon BC has proposed.

Discussions are ongoing to find a mutually acceptable solution but at no point has the Council suggested that the other party cannot proceed with its obligations.

Any planning application which comes forward from the agreement will be assessed through the normal planning process which is transparent.'

In response to a supplementary question from Mrs Marsh, the Deputy Monitoring Officer informed that detailed investigations of the site in question had revealed a different suitability of use.

Some Committee Members requested background information relating to the details that had generated this public question. Due to the exempt nature of elements of this information, it was then **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** that:

RESOLVED

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.

At this point, the lead Hub Committee Member for Environment and Assets provided an update to the meeting before it was then **PROPOSED** and **SECONDED** and put to the vote declared **CARRIED** that:

RESOLVED

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

50. **Hub Committee Forward Plan**

* O&S 50

Members considered the latest version of the Hub Committee Forward Plan. In so doing, the following points were made:-

- (a) It was noted that an additional Public Conveniences report would be presented to the next Hub Committee meeting on 16 October 2018;
- (b) Officers also confirmed that the agenda items entitled: 'Adoption of Clean Air Strategy' and 'Adoption of Business Continuity Plan' would now be deferred for consideration at a Hub Committee meeting during early 2019;
- (c) A Member of the Joint Local Plan (JLP) Joint Steering Group advised that a number of separate strands relating to the JLP and its Governance would need to be considered by the Hub Committee in the upcoming months;
- (d) A Member made reference to the current consultation exercise on the draft Tamar Valley Area of Outstanding Natural Beauty (AONB) Management Plan 2019/24. In highlighting the lack of a Council meeting before the deadline for responses (16 November 2018), a Member asked for this point to be formally noted. It was also agreed that lead officers would be available to discuss the nature of this consultation exercise with interested Members outside of this meeting;
- (e) Some Members also highlighted the current National Parks and AONBs Landscape review and acknowledged the intention for a report to be presented on this issue to the Council meeting on 4 December 2018.

51. **Connecting Devon and Somerset Programme Manager**

* O&S 51

The Connecting Devon and Somerset Stakeholder Engagement Officer conducted a presentation to Members that covered the following key areas:-

- Who were Connecting Devon and Somerset;

- Programme Objectives;
- Investment and Funding;
- Phase 1 of the Programme; and
- Phase 2 of the Programme.

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

- (a) a question from a Lamerton resident. Since the question had been received after the Public Forum deadline had expired, the Chairman exercised her discretion to ask the question as follows:

'We would like superfast broadband in Lamerton. Some existing properties already get it, as do new builds. It seems unfair that some can get in excess of 30 mbps while the rest of us can barely achieve 2.

How do we get it for the whole village?

Is there a plan already in place and, if so, what time frame are we looking at?

Having first been promised in 2014, then 2016, then 2018 and now possibly 2021, why can't we get it now?

We fully understand the issue with the cabinets 3 and 14 and we also know Airband is potentially available; however it is expensive and not available to a lot of properties, as it is out of sight of their signal mast.

In reply, the Engagement Officer confirmed his familiarity with this matter and provided some background context around the issues. The officer gave a commitment to check the infrastructure around the property owned by the questioner and reminded those in attendance that Airband was committed to providing superfast broadband to those premises that they had signed up to deliver (irrespective of how difficult this may prove to be).

Also, in the event of any of these properties not being connected upon the conclusion of the Airband contract, the officer advised that this would be a contract management issue that would need to be resolved;

- (b) the target for 100% of households to be connected to superfast broadband. Whilst remaining committed to this intention, the Committee was informed that 95-96% of properties should be connected upon the completion of Phase 2 of the Programme;
- (c) the economic impact of the West Devon Borough being in the bottom 10 in the United Kingdom for broadband coverage. In reply to a question, the officer stated that a report was currently being produced that would analyse the impact of Phase 2 on the Borough;

- (d) the original bidding process. A Member considered it to be really poor that, during the initial bidding submission, no account had been taken of the geo-physical layout of the landscape. As a consequence, the Member advised that local public opinion had really soured towards both Connecting Devon and Somerset and Airband. The officer acknowledged the points raised and stated that, in hindsight, the criticism was fair since the original bid had not taken sufficient account of the landscape;
- (e) Airband take up on Dartmoor. In reply to a question, the officer accepted that connectivity take up on Dartmoor had, to date, been disappointing. However, recent analysis had suggested that numbers were starting to increase more in line with the original projections;
- (f) the recruitment of a Marketing/Communications Officer. The Committee noted that the organisation was currently looking at employing an additional resource that would support the intention to increase engagement and dialogue with both the Borough Council and local town and parish councils. At the time of this meeting, 85% of town and parish councils had not been spoken to and this was identified as being wholly inadequate.

In conclusion, it was requested that the Presentation slides be circulated to all Members of Council and the Chairman proceeded to thank the Engagement Officer for his informative presentation and detailed responses to Member questions.

52.

Corporate Strategy: Delivery Against Themes Update

* O&S 52

The Committee considered a report that detailed work undertaken to date to develop key performance indicators for the Council's newly adopted Corporate Strategy.

In discussion, the following points were raised:-

- (a) It was confirmed that the Leader of Council was the designated lead Hub Committee Member for the Corporate Strategy;
- (b) In support of the proposed way forward, expressions of interest were invited from Committee Members to serve on the Task and Finish Group. In so doing, the Committee proceeded to nominate Cllrs Cheadle, Moody and Pearce.

It was then:

RESOLVED

That a Task and Finish Group (comprising of Cllrs Cheadle, Moody and Pearce) be established to work with officers to hone a set of Corporate Strategy key performance indicators based on: resident feedback, national benchmark and recent Institute of Customer Service findings.

53. **Financial Stability Working Group Update: Standing Agenda Item**

* O&S 53

The Committee received an update on the progress being made by the Financial Stability Working Group and noted that:

- the Medium Term Financial Strategy 2019/20 to 2023/24 had been approved by the Council at its meeting on 25 September 2018;
- attendance at the Member Budget Workshop on Monday, 8 October 2018 was important. It was intended that the next Group meeting would follow on from this Budget Workshop;
- potential projects to support the Council in the long term continued to evolve;
- the Group was confident that the Council would be able to deliver a balanced Budget for 2019/20;
- the Council's approach to its use of reserves was currently being reviewed by the Group.

54. **Joint Local Plan: Standing Agenda Item**

* O&S 54

By way of an update, the lead Hub Committee Member advised that:

- the Council was about to embark on a consultation exercise on the modifications to the Joint Local Plan (JLP). It was intended that the deadline for this exercise would be 5.00pm on 3 December 2018;
- the ongoing time slippages were attributed to the Inspector and not any of the three partner councils;
- there was every likelihood that the Plan would need to be presented to a meeting of the Council during Spring 2019 for adoption;
- it was intended that a Member Briefing on the JLP would be arranged before the end of November 2018;
- the five year housing land supply. When questioned, the lead Member felt that the Council would have a good indication of its current position by December 2018. However, the Council would not have a definitive answer on whether or not it had a five year housing land supply until the Plan had been formally adopted by each of the three councils.

55. **Task and Finish Group Updates**

* O&S 55

(a) Okehampton Outreach Services

By way of an update, Members felt that the title of the review should be broadened out to be re-named 'Northern Link Area' Outreach Services.

It was confirmed that a number of Members had expressed an interest in serving on this Task and Finish Group and the first meeting would be convened once the nominated Chairman had returned from annual leave.

Finally, it was recognised that the initial Review timetable was considered to be too restrictive and it was therefore agreed that the concluding report should be presented to the Committee meeting on 15 January 2019.

56. **Annual Work Programme 2018/19**

* O&S 56

The Chairman introduced the latest version of the Work Programme for the next 12 months and noted its concerns.

57. **Member Learning and Development Opportunities Arising from this Meeting**

* O&S 57

In discussion, the importance of Members attending the Budget Workshop on 8 October 2018 was again reiterated.

The Meeting concluded at 3.30 pm

Signed by:

Chairman
