

South Hams Overview and Scrutiny Panel



Title:	Agenda												
Date:	Thursday, 27th February, 2020												
Time:	10.00 am												
Venue:	Cary Room - Follaton House												
Full Members:	<p style="text-align: center;">Chairman Cllr Birch</p> <p style="text-align: center;">Vice Chairman Cllr Smerdon</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Pennington</td> <td>Cllr Reeve</td> </tr> <tr> <td>Cllr Austen</td> <td>Cllr Rose</td> </tr> <tr> <td>Cllr Chown</td> <td>Cllr Spencer</td> </tr> <tr> <td>Cllr Jackson</td> <td>Cllr Sweett</td> </tr> <tr> <td>Cllr McKay</td> <td>Cllr Thomas</td> </tr> <tr> <td>Cllr O'Callaghan</td> <td></td> </tr> </table>	Cllr Pennington	Cllr Reeve	Cllr Austen	Cllr Rose	Cllr Chown	Cllr Spencer	Cllr Jackson	Cllr Sweett	Cllr McKay	Cllr Thomas	Cllr O'Callaghan	
Cllr Pennington	Cllr Reeve												
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Cllr Jackson	Cllr Sweett												
Cllr McKay	Cllr Thomas												
Cllr O'Callaghan													
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:	Democratic.Services@swdevon.gov.uk												

1. Apologies for Absence	
2. Minutes	1 - 6
to approve as a correct record and authorise the Chairman to sign the minutes of the Panel held on 23 January 2020;	
3. Urgent Business	
brought forward at the discretion of the Chairman;	
4. Division of Agenda	
to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;	
5. 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;	
6. Public Forum	7 - 8
A period of up to 15 minutes is available to deal with issues raised by the public;	
7. Executive Forward Plan	9 - 16
Note: If any Member seeks further clarity, or wishes to raise issues regarding any future Executive agenda item, please contact Member Services before 5.00pm on Monday 24 February 2020 to ensure that the lead Executive Member(s) and lead officer(s) are aware of this request in advance of the meeting.	
8. Leisure Contract - Fusion Annual Report 2019	17 - 52
9. Development Management - Performance Update	53 - 58
10. Operational Performance April - September 2019	59 - 68
11. General Dispensations to Members	69 - 76

12. Task and Finish Group Updates:

(a) Locality Service.

13. Annual O+S Work Programme

77 - 78

14. Exclusion of Public and Press

- to consider the following resolution to exclude the public and press:-

“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 items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”;

15. Accommodation Strategy Member Working Group - Progress Update

To follow

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**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 23 JANUARY 2020**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr L Austen	*	Cllr H Reeve
*	Cllr J P Birch (Chairman)	*	Cllr J Rose
*	Cllr M Chown	*	Cllr P C Smerdon (Vice Chairman)
*	Cllr S Jackson	*	Cllr B Spencer
*	Cllr J McKay	*	Cllr J Sweett
*	Cllr D M O'Callaghan	*	Cllr D Thomas
*	Cllr J T Pennington		

Other Members also in attendance:
Cllrs K J Baldry, H D Bastone, J Brazil, J D Hawkins, J M Hodgson, N A Hopwood, M Long, J A Pearce and B Taylor

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Deputy Chief Executive; and Senior Specialist – Democratic Services
8	O&S.62/19	Head of Practice – Development Management
9	O&S.63/19	Specialist – Community Safety, Safeguarding and Partnerships
10	O&S.64/19	Head of Strategy and Projects
12	O&S.66/19	Head of Practice – Environmental Health
13(a)	O&S.67/19(a)	Assets Specialist

O&S.58/19 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 21 November 2019 were confirmed as a correct record and signed by the Chairman.

O&S.59/19 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting but there were none made.

O&S.60/19 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration during this agenda item.

O&S.61/19 EXECUTIVE FORWARD PLAN

The Panel was presented with the most recently published Executive Forward Plan.

By way of an update, officers advised that the following agenda items had since been added to the Forward Plan:

- Electric Charging Points; and
- Hemerdon Mine.

O&S.62/19 PRE-APPLICATION PROCESS

Consideration was given to a report that presented the draft pre-application process. The report highlighted that the draft had been subject to a consultation exercise and 20 representations had been made. As a consequence of these representations, there were two main areas of the process that were being recommended to be changed. These were:

1. The interaction with Members and local town and parish councils; and
2. The publication of both pre-application submissions and the Councils response.

In the ensuing debate, reference was made to:-

(a) suggested further revisions to the process. The Panel requested that the following revisions also be made:

1. replacement of the word 'we' with the term 'the Council';
2. move the definitions from the end to the beginning of the Policy; and
3. expand upon reference to 'disclosures' in the Policy;

(b) the importance of applicants engaging with their local neighbours from the offset. Whilst acknowledging that early engagement was very important, the Panel did also recognise that the Council could not force applicants to hold public meetings and/or engage with their local neighbours;

(c) the involvement of local Ward Members. Officers committed to take every possible step to ensure that local Ward Members were able to attend pre-application meetings. In addition, the Panel also made the point that Members needed to be on the front foot and contact officers if they were particularly interested in a matter as soon as the weekly pre-application list was produced.

It was then:

RECOMMENDED

That the Panel **RECOMMEND** that the Executive **RECOMMEND** to Council that the draft Pre-Application process (as outlined in Appendix 1 of the presented agenda report) be approved, subject to inclusion of the following revisions:

1. replacement of the word 'we' with the term 'the Council';
2. move the definitions from the end to the beginning of the Policy; and
3. expand upon reference to 'disclosures' in the Policy.

O&S.63/19 **SAFEGUARDING POLICY**

The Panel considered a report that sought to provide Members with the opportunity to annually scrutinise and review Safeguarding practices and procedures.

In discussion, the Panel reinforced its wish to receive the outcome of the DBS viability study at a future meeting.

It was then:

RESOLVED

1. That the Panel continue to formally review safeguarding on an annual basis;
2. That the Executive be **RECOMMENDED** to adopt the revised Safeguarding Policy (as outlined at Appendix A of the presented agenda report); and
3. That the Executive be **RECOMMENDED** to instruct officers to undertake a viability study regarding the merits of DBS checks for all Members, with the outcome of this study being reported back to a future Overview and Scrutiny Panel meeting.

O&S.64/19 **PEER CHALLENGE PROGRESS UPDATE**

The Panel considered a report that provided an overview of the progress that had been made to date against the approved Peer Challenge Action Plan.

During the ensuing discussion, the following points were raised-

- (a) The Panel welcomed the increased onus on Member Workshops and Briefing Sessions, but did also emphasise the importance of Members attending these events;
- (b) A commitment was given by officers that the organisational work programme would be produced before the end of March 2020. Due to its nature, officers also made the point that the programme would continually evolve;
- (c) Having acknowledged that the Terms of Reference for the Accommodation Strategy Working Group included the ability for updates to be presented to the Panel, Members requested that the next update be considered at the Panel meeting on 27 February 2020;
- (d) By way of an update on the Chief Executive Recruitment and Selection process, the Leader advised that there would be an opportunity for all Members to meet the prospective candidates sometime during the two day interview stage that were to take place during 16 and 17 March 2020;
- (e) In respect of improving engagement and communication between the Council and town and parish councils, the Leader reaffirmed her offer that she was willing to attend any town and parish council meeting if there was a wish for her to do so.

It was then:

RESOLVED

That the progress to date on the delivery of the Peer Challenge Action Plan be noted and the proposal to bring forward the LGA interim review to ensure a solid baseline for the new Chief Executive be supported.

O&S.65/19 MEMBER 2019 INDUCTION REVIEW

A report was considered that presented the Panel with the findings of the short survey into the 2019 Member Induction Programme.

In discussion, Members were generally very positive in their feedback on the Programme but some future improvements were suggested that included:

- A reduction in the number of PowerPoint based training sessions;
- Sending out training material in advance of a session to enable Members to consider any questions and/or issues in advance;
- A bespoke session being arranged on the town and parish councils expectations of their local Ward Member(s);
- A greater focus on the Council's accounts and budget responsibilities;

- Reference to how the Council should respond to correspondence that had been circulated to all Members.

It was then:

RESOLVED

1. That the contents of the review into the 2019 Member Induction Programme be noted and the conclusions (as outlined at Section 3.1 of the presented agenda report) be taken into account in the design of future Programmes; and
2. That the Annual Work Programme be updated to include consideration of the draft 2023 Member Induction Programme.

O&S.66/19 FOOD SAFETY PLAN PROGRESS UPDATE

Consideration was given to a report that outlined progress made with the Food Safety Service Plan 2019/20.

In discussion, the importance of the Council developing a good working relationship with the NHS was recognised.

It was then:

RESOLVED

That the Panel welcome the progress made with the Food Safety Service Plan for 2019/20.

O&S.67/19 TASK AND FINISH GROUP UPDATES

(a) Leisure Review – Concluding Report

During his introduction on the concluding report, the Group Chairman highlighted that the Review had delivered on its objectives. In thanking the Members of the Group for their hard work and contributions, the Chairman was also of the view that both the Council and Fusion Lifestyle had learned a great deal from the Review. As a result, the Chairman was confident that the working relationship between the Council and Fusion Lifestyle would now be much improved.

During the consequent debate, reference was made to:-

- o confirmation that a copy of the concluding report would be sent to Fusion Lifestyle representatives before they presented to the next Panel meeting on 27 February 2020;

- the cleanliness findings. Some Members felt that cleanliness was a basic requirement and were therefore disappointed at the findings in this respect;
- a request for Fusion representatives to provide an update on their Climate Change policy at the Panel meeting on 27 February 2020;
- there was still an apparent lack of outreach services being delivered in the rural parishes of the South Hams;
- a wish to reinstate the Task and Finish Group in six months' time to monitor progress.

It was then:

RESOLVED

That the Panel note the contents of the Review and the recommendations arising from the Task and Finish Group and request that the Group be reinstated in six months' time in order to monitor progress.

(b) Locality Service

The Group Chairman advised that it was now intended that the concluding report would be presented to the next Panel meeting on 27 February 2020.

O&S.68/19 ANNUAL PANEL WORK PROGRAMME

During consideration of the latest version of the Panel's Annual Work Programme, the following additions, amendments and deletions were made:

- (a) Members acknowledged that they had earlier requested an update from the Accommodation Strategy Member Working Group at the next Panel meeting on 27 February 2020 (Minute O&S.64/19 above refers);
- (b) It was agreed that the Leisure Review Task and Finish Group would be reconvened to monitor progress before it reported back to the Panel meeting on 16 July 2020 (Minute O&S.67/19(a) above refers).

(Meeting started at 1.30 pm and concluded at 3.15 pm)

Chairman

PUBLIC FORUM PROCEDURES

(a) General

Members of the public may raise issues and ask questions at meetings of the Overview and Scrutiny Panel in relation to agenda items (and in accordance with the O&S rules in Part 4). This session will last for up to fifteen minutes at the beginning of each meeting.

(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 the Democratic Services Lead Specialist by 5.00pm on the Monday, 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 Development Management 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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SOUTH HAMS DISTRICT COUNCIL: EXECUTIVE LEADER'S FORWARD PLAN

This is the Leader of Council's provisional forward plan for the four months starting March 2020. It provides an indicative date for matters to be considered by the Executive. Where possible, the Executive 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 Executive and all councillors, the public and other stakeholders. It will also assist the Council's Overview and Scrutiny Panel in planning their contribution to policy development and holding the Executive to account.

Local authorities are required to publish updated forward plans on a regular basis. The Plan is published in hard copy and on the Council's website (www.southhams.gov.uk)

Members of the public are welcome to attend all meetings of the Executive, which are normally held at Follaton House, Totnes, and normally start at 10.00 am. If advance notice has been given, questions can be put to the Executive at the beginning of the meeting.

The Executive consists of six Councillors. Each has responsibility for a particular area of the Council's work.

Leader of the Council – Cllr Judy Pearce

Deputy Leader – Cllr Hilary Bastone

lead Executive Member for Health and Wellbeing – Cllr Jonathan Hawkins

lead Executive Member for Communities and Enterprise – Cllr David May

lead Executive Member for Environment – Cllr Keith Baldry

lead Executive Member for Customer Service Delivery – Cllr Nicky Hopwood

Further information on the workings of the Executive, including latest information on agenda items, can be obtained by contacting Democratic Services on 01803 861185 or by e-mail to democratic.services@southhams.gov.uk

All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated with *

KEY DECISIONS TO BE TAKEN BY THE EXECUTIVE

Portfolio Area	Report Title and Summary	Lead Officer/ Member	Documents to be considered in making decision	Date of Decision	Consultees and means of Consultation
Leader – Strategic Assets	Title: Commercial Investment Opportunity Purpose of report: To outline to Members an investment opportunity	Chris Brook / Cllr Pearce	Report of Director for Place and Enterprise	19 March 2020	
Environment	Title: Grounds Maintenance Service Purpose of report: To consider recommendations from the review of service performance	Steve Mullineaux/ Cllr Baldry	Report of Director of Customer Service and Delivery	19 March 2020	
Homes Page 9	Title: Empty Homes Premium Purpose of report: To consider an increase to the Council Tax premium on properties that have been empty for over two years	Issy Blake/ Cllr Hawkins	Report of the Head of Housing, Revenues and Benefits, and Customer First	19 March 2020	Consultation with various Heads of Practice
Homes Page 10	Title: Release of S106 funds for Affordable Housing Projects Purpose of report: To consider a report that seeks approval of the release of Section 106 funds for affordable housing projects.	Cassandra Harrison/ Cllr May	Report of Specialist Place Making	19 March 2020	
Health & Wellbeing	Title: Wellbeing Strategy Purpose: To recommend to Members the adoption of key wellbeing priorities and associated outcomes	Ian Luscombe/ Cllr Hawkins	Report of Head of Environmental Health	19 March 2020	
Environment	Title: Re-procurement for Cashless Parking Payment System Purpose of report: To seek approval to commence the tender process to re-procure the cashless parking contract through a joint procurement with other Devon Authorities.	Emma Widdicombe / Cllr Baldry	Report of Senior Specialist Parking	19 March 2020	
Environment	Title: Implementation of new recycling service from September 2020	Jane Savage / Cllr Baldry	Report of Portfolio Holder for Waste	19 March 2020	Consultation with SH Members on the Partnership Board

	Purpose of report: To review method and revised costs associated with the implementation				
Environment	Title: Review of Permit Charges Purpose of report: To review the Council's approach to the issuing of Car Parking Permits.	Emma Widdicombe / Cllr Baldry	Report of Senior Specialist Parking	19 March 2020	Consultation with stakeholders
Environment	Title: Coastal Concordat Purpose of report: To outline to Members the protocol for formal processes where these are shared across administrative boundaries / responsibilities	Thomas Jones / Cllr Pearce	Report of Head of Place Making Practice	14 May 2020	
SLT	Title: Corporate Strategy – Business Plans Purpose of report: To seek approval of the Business Plans that underpin the Council's Corporate Strategy	Neil Hawke / Cllr Pearce	Report of Head Strategy and Projects	14 May 2020	
Homes	Title: Homeless Strategy Year 4 Action Plan Purpose: To provide to Members an update on the Homeless Strategy Action Plan	Isabel Blake/ Cllr Hawkins	Report of Head of Housing, Revenues and Benefits Practice	18 June 2020	
Council	Title: Write Off Report for Quarter 4 2019/2020 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle / Cllr Bastone	Report of Strategic Lead Finance	30 July 2020	
Council	Title: Write Off Report for Quarter 1 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	17 September 2020	
Council	Title: Revenue Budget Monitoring Quarter 1 Purpose of report: A revenue budget monitoring report to monitor income and expenditure variations against	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	17 September 2020	

	the approved revenue budget for 2020/21, and to provide a forecast of the year end position				
Council	Title: Capital Budget Monitoring Quarter 1 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2020/21, including an assessment of their financial position	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	17 September 2020	
Council	Title: Medium Term Financial Strategy for the five years 2021/22 to 2025/26 Purpose of the report: To set the strategic intention for all of the different strands of funding available to the Council. This brings together all known factors affecting the Council's financial position and its financial sustainability, to provide a long term financial forecast.	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	17 September 2020	
Enterprise page	Title: Town Strategies Progress Report Purpose: To provide Members with an update on town strategies	Tom Jones / Cllr May/ Cllr Bastone	Report of Head of Place Making Practice	22 October 2020	
Homes 2	Title: Council Tax Reduction Scheme Purpose of report: To seek approval for revised Council Tax Reduction scheme	Issy Blake/Cllr Hawkins	Report of the Head of Housing, Revenues and Benefits	3 December 2020	
Council	Title: Write Off Report for Quarter 2 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	3 December 2020	
Council	Title: Revenue Budget Monitoring Quarter 2 Purpose of report: A revenue budget monitoring report to monitor income and expenditure variations against the approved revenue budget for 2020/21, and to provide a forecast of the year end position	Pauline Henstock / Cllr Bastone	Report of Head of Finance	3 December 2020	

Council	Title: Capital Budget Monitoring Quarter 2 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2020/21, including an assessment of their financial position	Pauline Henstock / Cllr Bastone	Report of Head of Finance	3 December 2020	
Council	Title: Draft Revenue Budget Proposals 2021/22 Purpose: To present Budget proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	3 December 2020	
Council	Title: Draft Capital Programme Proposals 2021/22 Purpose: To present Capital Programme proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	3 December 2020	
Council	Title: Revenue Budget Monitoring Quarter 3 Purpose of report: A revenue budget monitoring report to monitor income and expenditure variations against the approved revenue budget for 2020/21, and to provide a forecast of the year end position	Pauline Henstock / Cllr Bastone	Report of Head of Finance	February 2021	
Council	Title: Capital Budget Monitoring Quarter 3 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2020/21, including an assessment of their financial position	Pauline Henstock / Cllr Bastone	Report of Head of Finance	February 2021	
Council	Title: Write Off Report for Quarter 3 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle / Cllr Bastone	Report of Strategic Lead of Finance	February 2021	
Council	Title: Revenue Budget Proposals 2021/22 Purpose: To present Budget proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	February 2021	
Council	Title: Capital Programme Proposals 2021/22 Purpose: To present Capital Programme proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	February 2021	

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Report to: **Overview and Scrutiny Panel**
Date: **27 February 2020**
Title: **Leisure Contract - Fusion Annual Report 2019**
Portfolio Area: **Customer First / Health & Wellbeing**

Wards Affected: **All**
Relevant Scrutiny Committee: N/A

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:
Immediately

Author: **Jon Parkinson** Role: **Specialist (Leisure) Assets**

Contact: **jon.parkinson@swdevon.gov.uk**

Recommendations:

That the Overview and Scrutiny Panel note the contents of Fusion's Annual Report for 2019 and proposals for 2020.

1 **Executive summary**

- 1.1 This is an introduction to the Annual Report from Fusion Lifestyle in the management of all six leisure centres across South Hams and West Devon (as attached at Appendix 1). This provides a performance review summary for last year, 2019.

2 **Background**

- 2.1 Fusion Lifestyle were awarded a new 25 year contract on 1st December 2016 as the joint leisure management operator for both West Devon and South Hams Council's, managing all 6 leisure centres.
- 2.2 The new arrangement followed a comprehensive procurement process and is based on a design, build, operate and maintain contract through an output specification. It also involved a major investment programme across all the centres. At Totnes Leisure Centre, the Council has granted a lease to Tadpool and they have a direct management contract with Fusion.

- 2.3 The provision of leisure centres is a discretionary service. However the activities align with our strategic corporate priorities for efficient and effective Council services, strong and empowered Communities and supporting Wellbeing and healthy lifestyles.
- 2.4 There is no financial cost to this Council in the provision of the leisure contract. Previous management fees are no longer required and an actual income payment will be made during the term of this contract.

3 Outcomes/outputs

- 3.1 Strategic high level outcomes for the leisure contract and service were set by both Councils during the procurement and contract award stages. These covered key areas such as; delivering a joint sustainable service, reductions in revenue costs, provision of capital investment and to allow opportunities for future efficiencies, flexibility and service improvements.
- 3.2 The leisure contract sets out specific performance indicators which Fusion will deliver through its plans and targets, these include:
 - A more active district – through increased leisure centre usage and overall levels of physical activity.
 - Promoting community development – increase in use by target groups.
 - Improving health and wellbeing by increased use of exercise referral schemes, targeted health programmes.
 - Quality of Services – through maintaining and improving Quest scores, increased User satisfaction levels.
 - Sustainability/ Environmental improvements – through reduced CO2 emissions, reduced energy use and decrease in waste.

4 Options available and consideration of risk

- 4.1 Recently the Council set up an Overview and Scrutiny Task and Finish Group to undertake a review of the relationship between Fusion and its local communities using the facilities. Also to consider Fusion's key objectives and outcomes before it presents its Annual Report to this Committee. The findings were reported to Overview and Scrutiny on the 23rd January (Minute O&S.67/19 refers) and have been passed to Fusion for due consideration and action. For completion, a copy of the Group's concluding report has been attached to this report at Appendix 2.
- 4.2 The risks associated with the ongoing operation of the contract, have been minimised through the use of Sport England Standard contracts and outcomes, promoting best practice.

- 4.3 The contract includes the lease of the facilities to Fusion on a full repairing basis, removing previous historical complexities of shared maintenance responsibilities.
- 4.4 The contract places the responsibility for the financial delivery and payment of management fees with Fusion throughout the life of the contract.
- 4.5 Fusion have overall management responsibility for programming, prices, policies, marketing, maintenance, health and safety etc. to achieve the contract outcomes. As well for prices, it should be noted that these were held the same for the first 2 years of the contract. For this year, 2020, some of the prices – including membership fees and hire charges, will be increased accordingly to Fusion’s business planning and to meet the required outcomes.
- 4.6 In addition Fusion have responsibility for delivering Sports and Community Development across both areas, working with key local partners – Active Devon, Governing Bodies of Sport, clubs and schools. In West Devon this work is supported through a partnership with OCRA – Okehampton Community Recreation Association.
- 4.7 The development work includes helping target groups and areas to be more active, supporting local clubs and groups where specific needs have been identified and promoting health improvement schemes. Also to attract and enable funding opportunities to be developed.
- 4.8 For contract monitoring this is undertaken through monthly contract meetings and reports, Quarterly performance reports and a Strategic annual report and meeting.

5 Proposed Way Forward

- 5.1 Ongoing provision and management of the leisure centre contract with Fusion Lifestyle and consideration of its service planning for 2020.

6 Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Leisure is a discretionary service. The management of the council’s leisure centres are agreed in a formal contract agreement with appropriate reporting structures.
Financial	Y	The investment borrowing and contract payments were approved as part of the contract award.
Risk	Y	Mitigated through the formal procurement process and the business case appraisal.

Supporting Corporate Strategy	Y	Council, Communities, Wellbeing
Climate Change – Carbon / Biodiversity Impact	Y	Contract targets to reduce energy usage
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	All leisure centres remain open and have activities open for all sections of the community
Safeguarding	Y	Relevant policies and practices in place through the contract.
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	Y	Improved through better facilities and part of service delivery.
Other implications		none

Supporting Information

Appendix 1 – Fusion Annual Report 2019; and
Appendix 2 – Copy of the Task and Finish Group’s concluding report that was considered by the Panel at its meeting held on 23 January 2020.

Fusion Annual Review Presentation

**South Hams District Council
West Devon Borough Council**

Period : January - December 2019

February 27th 2020

Annual Review

Agenda

- Capital Developments
- Cashless Implementation
- Key Performance Indicators:
 - Sustainable and Cost Effective Service
 - A More Active District
 - Promoting Community Development
 - Improving Health and Wellbeing
 - Quality of Service
 - Repair, Maintenance and Cleaning
 - Environmental and Carbon Footprint
- Performance Update 2019
- 2020 Vision and Continued Investment

Annual Review

Capital Developments

- Total Amount Invested: £c.9m
- Capital investment work completed at:
 - Dartmouth, Totnes, Ivybridge, Meadowlands, Parklands & Quayside
- Ivybridge Launch:
 - Works completed:
 - Soft opening: 1/2/20
 - Full Centre Opening: 22/2/20
 - Official Launch TBC following date agreement with SHWD
- Totnes:
 - Legal process currently being finalised
 - plans for Totnes phase 2 will then be developed with the Council and the Trust

Annual Review

Cashless Implementation

- This was the reason behind the formation of the Tasks and Finish group
- 8 week lead in took place successfully
- Cashless introduced 1st October 2020
- No problems on the day
- Very limited customer issues since implementation – any that have arisen have been dealt with appropriately
- Participation continues to increase
- A positive investment in our services and improved customer journey
- Continuing to monitor any attempted cash payments through manual reporting and through customer feedback system

Annual Review

Sustainable / Cost Effective Service

- Introduction of new Assistant General Manager role to support service delivery and career pathways
- Conduct review of staff structures to match customer demands
- Introduce new membership options to create flexibility
- Review and introduce new pricing for April'20
- Open new pool at Ivybridge and pool programme
- Tourist summer membership pass for holiday periods
- Challenges for 2020 with increased utility cost, staffing and consumables
- Further Investment in Front of House Services

Annual Review

A More Active District

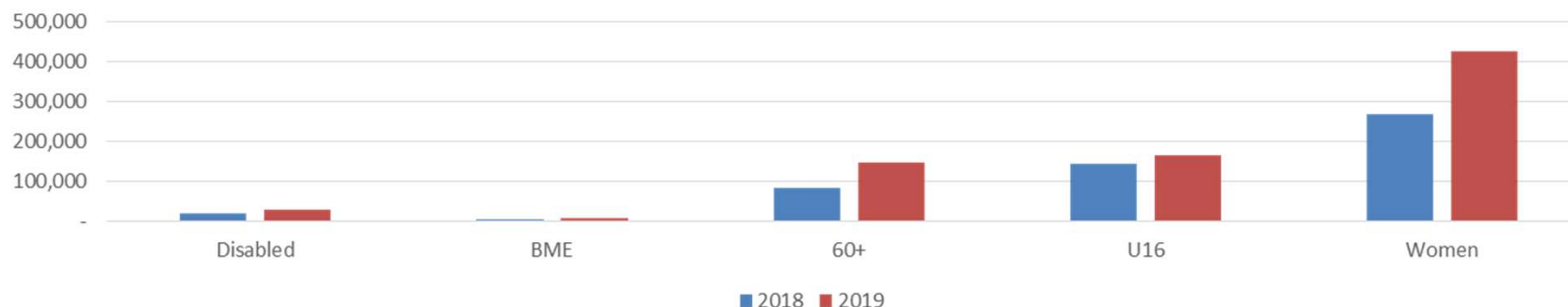
- Overall Participation has increased by 10.2% 2018 v 2019
- Membership figures have increased by 24% 2018 v 2019
- Swim School figures have increased by 4% 2018 v 2019
- All Target Group Participation has increased 2018 v 2019

- We have worked closely with 20+ partners in SHWD over the last 12 months
- We have proactively explored opportunities for external funding
 - 2019 - £8,998 secured for Fusion in SH

Annual Review

Promoting Community Development

- Target Group Participation Increases:



- The Friday night Youth Leisure Nights average Monthly attendances
 - Totnes – 38, Quayside – 27, Ivybridge - 10, Dartmouth – 17.
 - Totnes is now staffed by volunteers supported by Youth Genesis and is sustainable.
 - Quayside is run in partnership with FAST (Family Advice Support Team).
 - Ivybridge is relaunching in February with Youth Genesis and funding from Devon Community Foundation, DCC and SHDC locality funds.

Annual Review

Improving Health & Wellbeing

- EOR – Exercise on referral scheme
 - Total number of referrals for 2019
 - Quayside – 202
 - Ivybridge – 57
 - Totnes – 62
 - Parklands – 154
 - New schemes starting at Meadowlands and Dartmouth
 - New KPIS to be measured for 2020
- Other schemes:
 - Kingsbridge Dementia friendly sports community project
 - Outreach work outside of the leisure centres
 - Work with Caring Town on Health & Wellbeing Events

Annual Review

Quality of Service

- Quality of Services
 - New customer comments programme introduced in Dec'19
 - New cleaning schedule and contract starting from 1st March
 - Full strength Technical Team
 - Full strength Management team
- Quest:
 - Dartmouth - Good, Meadowlands - Good, Parklands – Very Good, Quayside – Very Good
 - Ivybridge – assessment to be completed 2020 following work completion

Annual Review

Repair, Maintenance & Cleaning

- PPM Schedule:
 - Tasks Completed: 95%
- F360 Audit Compliance: 96.94%
 - AM Audit Score – 96.84%
 - PM Audit Score – 97.03%
- Cleaning:
 - New cleaning contract (KGB) starting March'20
 - Allocated weekly cleaning hours c.120
 - Supplemented by staff additional cleaning tasks
 - Deep clean of key areas scheduled

Annual Review

Repair, Maintenance & Cleaning

- Key Investment Items: £64,032
 - Totnes: £5,410 (Dosing Unit, Showers, Boilers)
 - Ivybridge: £7,871 (Fire Doors, Roof Repairs, AHU)
 - Meadowlands: £23,749 (AHU, Pool Pumps, Dosing Unit, Sewage Pumps)
 - Parklands: £4,992 (Moveable Floor)
 - Quayside: £12,939 (LEDs, Boilers, Water Mains, Bowls hall heating)
 - Dartmouth: £9,071 (Boilers, Filter Media)
- Current Key Items:
 - Heating - Quayside, Meadowlands
 - Roof Leaks - Ivybridge, Totnes & Quayside
 - Lifts - Quayside & Totnes
 - AHU - Meadowlands & Ivybridge

Annual Review

Environmental & Carbon Footprint

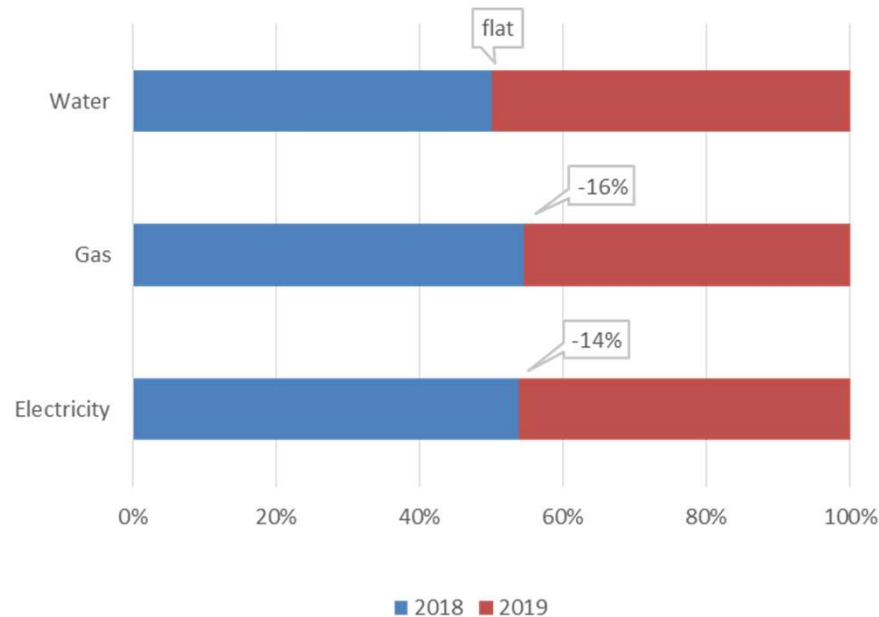
- Progress to date through day to day operations:
 - focused on operational actions to improve energy efficiency through day-to-day activities of all of our staff, achieved through:
 - Daily monitoring of energy usage (standards audits)
 - F360 pool testing verifies pool and air temperature compliance
 - Facility checklist
- Short and Long Term Plans:
 - Variable speed drives on AHU and pool pumps, to reduce electricity consumption
 - Pool covers, to reduce gas and electricity consumption
 - Further LED lighting upgrades, to reduce electricity consumption.
 - Solar panel option currently being explored

Annual Review

Environmental & Carbon Footprint

- Utility usage per user down on av. 10%
- total tonnes of CO2 for each site, from gas and electricity consumption down 7%

Usage per user 2018 v 2019



Total Carbon Footprint			
Total tCO2	2018	2019	var
Meadowlands	355	310	-13%
Parklands	320	294	-8%
Dartmouth	195	173	-11%
Ivybridge	272	276	1%
Quayside	373	343	-8%
Totnes	242	232	-4%
Total	1,758	1,628	-7%

Performance Overview

Period : January - December 2019

Annual Review

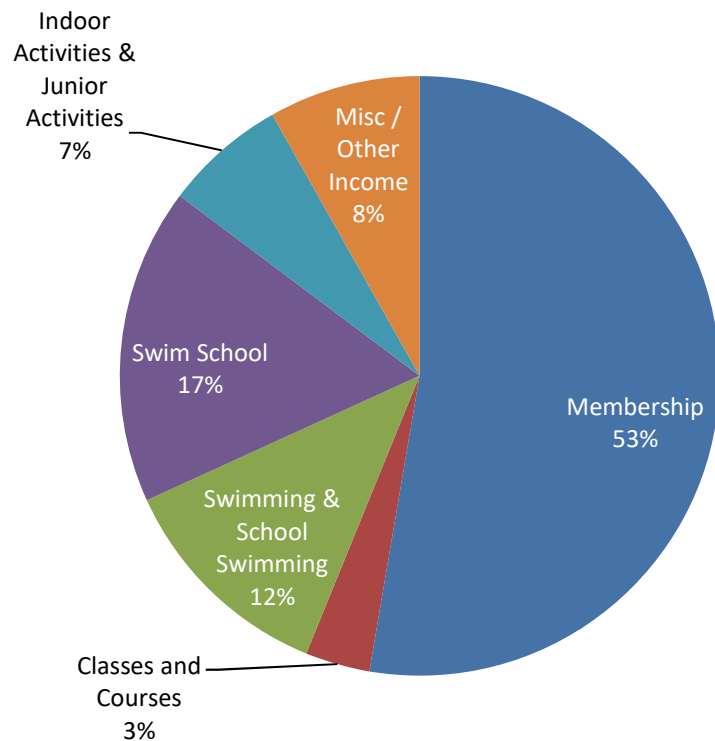
Performance Summary Overview

- total income: up 22% YoY
- total participation: up 11% YoY
 - Increases in all target group participation
- customer satisfaction score: down 0.9% YoY
- memberships: up 22% YoY
- swim school: up 4% YoY
- good progress made in health and wellbeing (SCD)

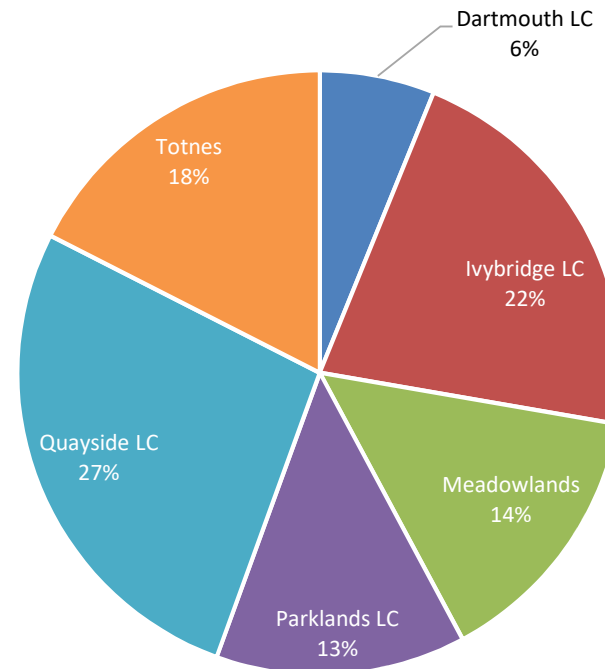
Annual Review

Financial Performance

- total income: £4.3m (up 725k YoY)
 - split by activity:



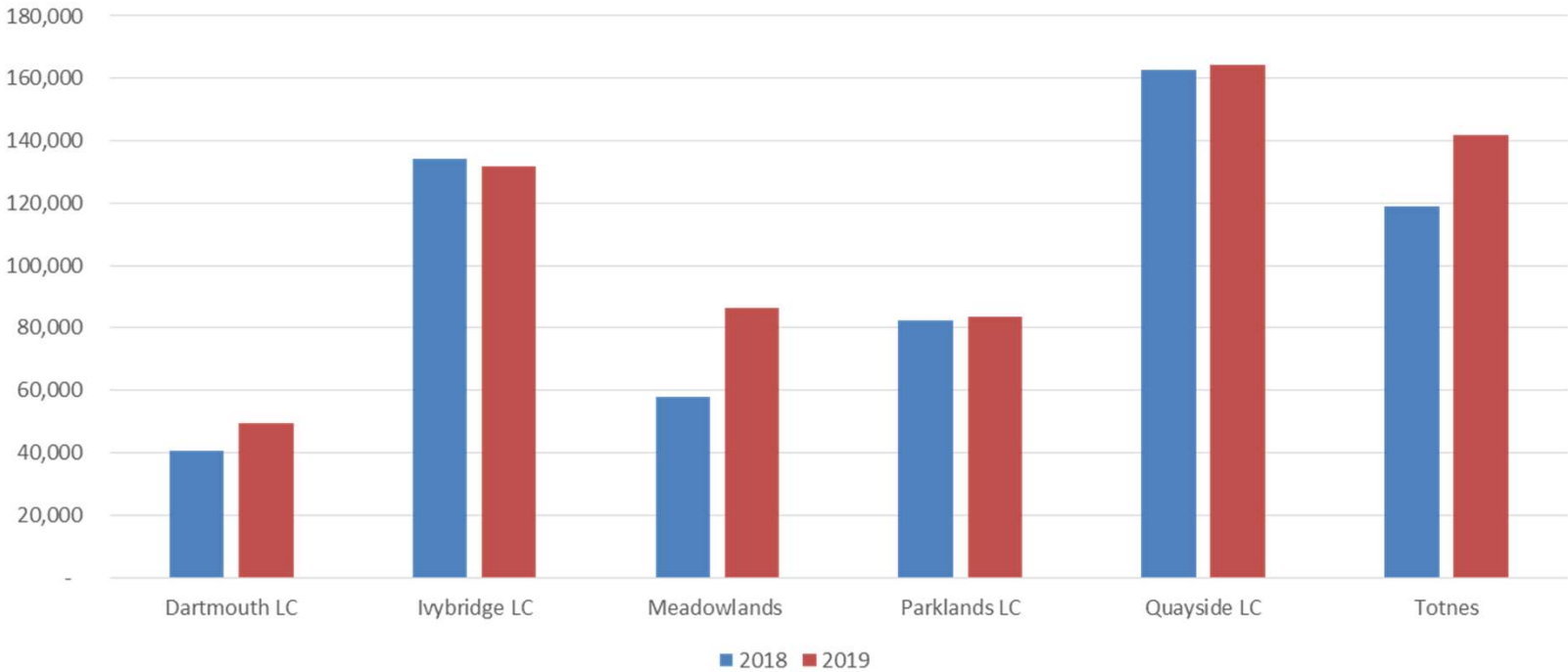
split by centre:



Annual Review

Participation

- total participation c.658k (Jan–Dec 2019)
 - up c.61k YoY
 - split by centre:

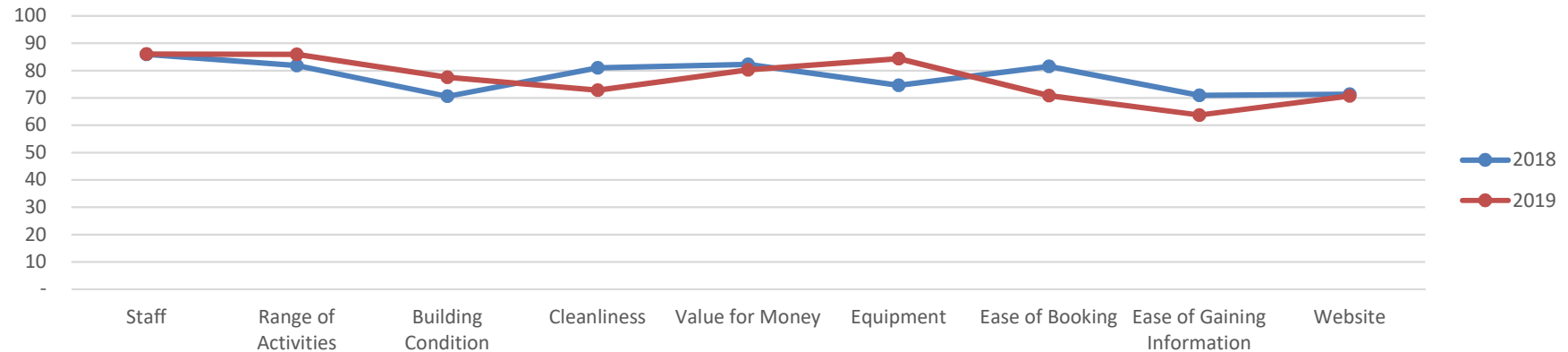


Annual Review

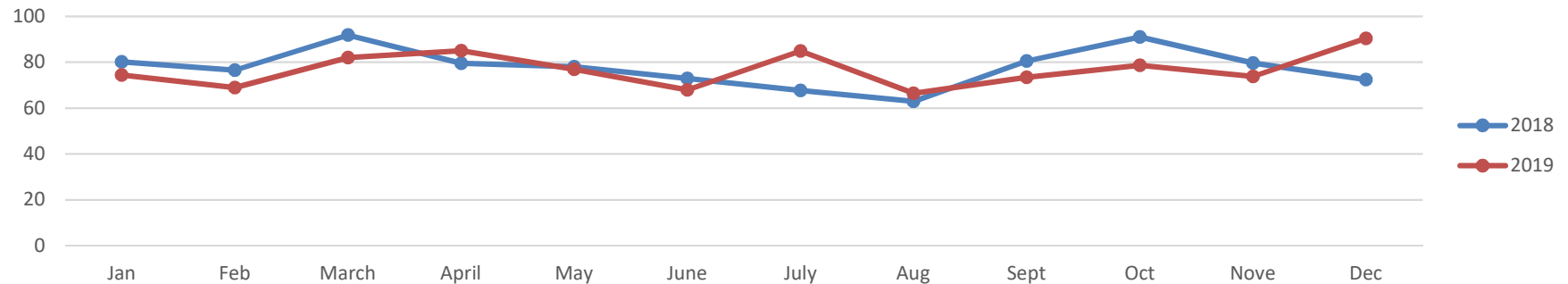
Customer Satisfaction

- overall 77% average satisfaction (down 0.9% YoY)

YoY by Category



YoY by Month



SHARE A FREE PASS TODAY

Make a difference with a friend

Please ask a member of staff for more details.

Awesome half term activities

BOOK ONLINE OR IN CENTRE NOW!

Approaching the big 4-0 made Claire rethink her fitness goals and in particular, learn how to swim, something she missed out on as a child!

"My husband and I signed up for a joint membership, planning to get fit, lose weight and generally lead a healthier lifestyle. it's one of the best decisions we've made!"

Claire learning to swim made a difference to her confidence. How will you make a difference this year?

Claire learning to swim made a difference to her confidence.

Meadowlands Leisure Centre

Our fantastic facilities:

- Exercise studios - over 30 classes a week including Indoor Cycling, BodyPump, Yoga and Circuits
- Fitness Suite - all the latest and best fitness equipment
- Swimming for all the family including Swim School, Wet & Wild and general swimming in our 25m Leisure Pool
- Café - delicious drinks and snacks

CHECK OUT CLAIRE'S STORY...

Claire has always loved the water but now can enjoy it as part of her fitness routine. What will she accomplish next?

Find out more about Claire's story at: www.fusion-lifestyle.com/claire

Register for your FREE! pass today fusionfitnessoffer.com

1990-2000: 12 month passes to 25m pool only for £22.00

ONE MONTH FREE*

when you join on a 12 month contract

Make a difference this year!

Fabulous fitness including gym, swim, group exercise, & much more!

ASK AT RECEPTION ABOUT OUR MEMBERSHIP OFFERS



Annual Review

2020 Vision

- Introduce new membership structure - April'20
- Review all prices for implementation - April'20
- Efficient staffing levels to match customer demands
- New cleaning schedules and contract to commence
- Solar energy potential for all sites
- Continued Investment:
 - Development review (Parklands, Quayside, Meadowlands)
 - Totnes Phase 2
 - New Front of House Investment using technology to speed people into activities mid 2020

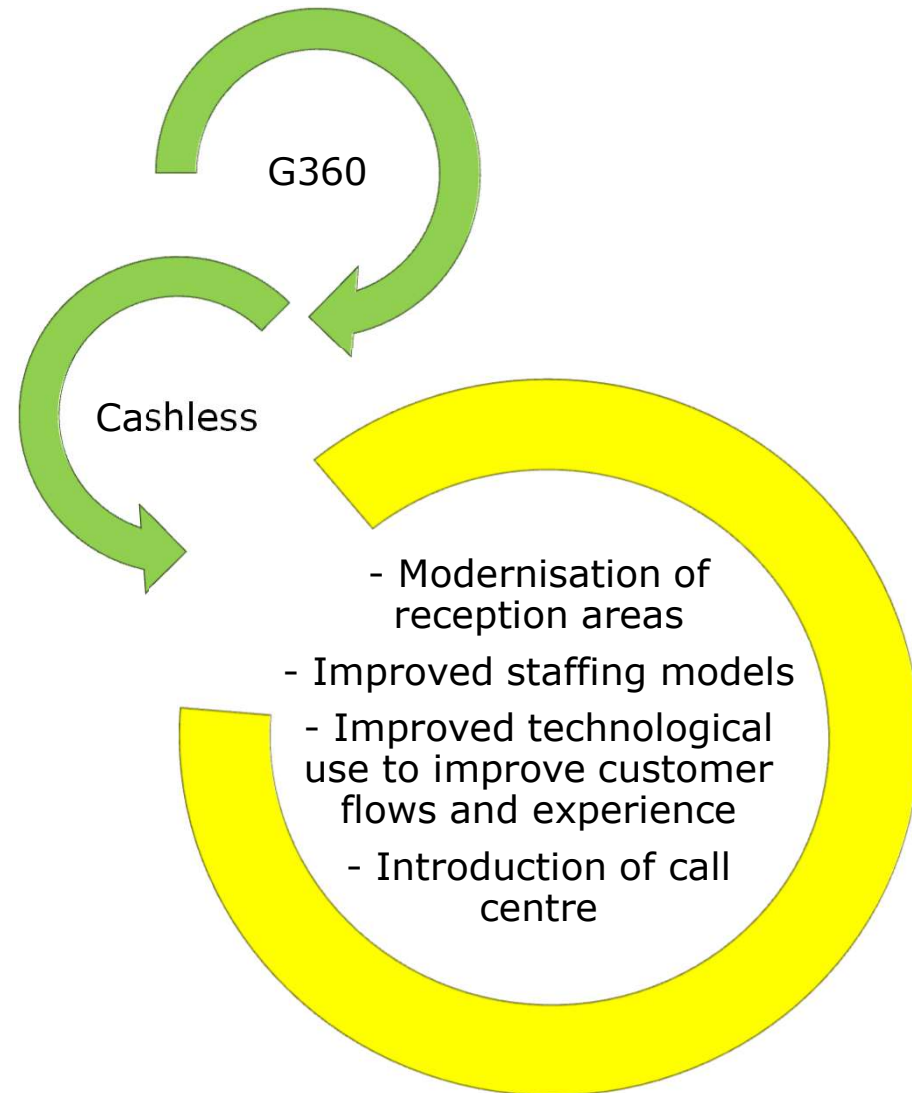
Continued Investment

Concierge Reception

- Concierge delivers an efficient self-service customer journey through the front of house and is supported by small specialised customer service personnel
- Benefits to our customers:
 - Capital investment into centre: Front of House re-modelling
 - Investment into state of the art technology
 - creation of suitably skilled and trained Proactive Call
 - to encourage faster entry into the centres with less queuing time
- Benefits to Fusion:
 - flexible reception option - optimising the effectiveness of FOH staff
 - revenue protection & providing additional operational resilience
 - relieves pressure at peak times

Continued Investment

Service Improvement Journey



Continued Investment

Service Improvement Journey

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South Hams / West Devon & Fusion Lifestyle

Fusion Annual Review Presentation

**South Hams District Council
West Devon Borough Council**

Period : January - December 2019

February 25th/27th 2020

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Report to: **Overview and Scrutiny Panel**
Date: **23 January 2020**
Title: **Leisure Contract – Task and Finish Group
Concluding Report**
Portfolio Area: **Customer First / Commercial Services**

Wards Affected: **All**

Relevant Scrutiny Committee: Overview and Scrutiny

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:
Immediately

Author: **Cllr Peter Smerdon** Role: **Chair Leisure Task & Finish Group**
Jon Parkinson **Specialist (Leisure) Assets**

Contact: jon.parkinson@swdevon.gov.uk

Recommendations:

That the Overview and Scrutiny Panel note the contents of the review and the recommendations arising of the Task and Finish Group.

1 Executive summary

- 1.1 The aim of the review is to focus on the relationship between Fusion Lifestyle and its local communities in South Hams. In so doing, the Review will specifically focus on the delivery of Fusion's key objectives and consequent outcomes before the organisation provides its annual report.

2 Background

- 2.1 At its meeting on 5 September 2019, the Overview and Scrutiny Panel established a Leisure Task and Finish Group (comprising of Cllrs Smerdon, Abbott, O'Callaghan, Reeve and Sweett) to undertake a review of the relationship between Fusion and our local

communities, with a concluding report being presented to the Committee meeting on 23 January 2020 (Minute *O&S 23 refers).

2.2 This report will focus on the following outcomes:

- Centre experience – including accessibility/parking;
- User experience;
- Impact of cashless;
- Community engagement;
- Communication;
- Links to health;
- How are Fusion adapting to climate change; and
- Delivery against outcomes.

2.3 The key outcomes set in the leisure contract as key performance indicators which Fusion will deliver through its plans and targets, include:

- A more active district – through increased leisure centre usage and overall levels of physical activity.
- Promoting community development – increase in use by target groups.
- Improving health and wellbeing by increased use of exercise referral schemes, targeted health programmes.
- Quality of Services – through maintaining and improving Quest scores, increased User satisfaction levels.
- Sustainability/ Environmental improvements – through reduced CO2 emissions, reduced energy use and decrease in waste.

2.4 The contract includes the lease of the facilities to Fusion on a full repairing basis, removing previous historical complexities of shared maintenance responsibilities.

3 Outcomes/outputs

3.1 Task and Finish Members highlighted the need to review how the operation of cashless across the centres had gone and its impact, customer satisfaction and issues around cleanliness and maintenance.

3.2 Group members carried out their own visits to each of the Centres, gathered feedback from centre users and groups.

3.3 Customer Experience:

- i) Dartmouth – users found the centre clean, easy to park and quieter compared to the other centres. The new swimming pool is very customer friendly and still in good condition.

- ii) Ivybridge – during the refurbishment works, swimming pool and shower temperatures had suffered poorly and recent air handling problems in changing rooms. Previous Feel Good Factory Gym users felt the new gym did not cater for their needs with less equipment available. A regular user still had concerns over going cashless and that the existing old indoor pool would be neglected when the new pool opens. New squash courts and gym kit had very positive feedback.
- iii) Kingsbridge – cleanliness in existing wet side changing rooms was a big concern, more cleaning was required. Overall the wet side changing looking grubby and tired compared to the new and improved dry side facilities.
- iv) Totnes – overall the centre is old, looks dated and is in need of major refurbishment. It is a popular community facility, especially the youth nights on Fridays which are well received by the young people attending. More activities for young people needed.

3.4 Centre Visits and Group Member Observations:

- i) Dartmouth – plenty of parking available, centre clean and tidy, staff very helpful and friendly. Though, finding qualified staff/instructors is a challenge. The dry side changing rooms are looking tired even though the College are not using the Centre as they previously did. The rugby club make good use of the changing rooms at the back with easy access to the pitches. No café available, just vending machines.
- ii) Ivybridge – Main car park nearby to Centre with good disabled access. Though, by mid-morning on visit, main car park was full. Entrance was clean and welcoming, staff friendly and helpful. Changing rooms and toilets were clean on visit. The Centre has undergone a significant refurbishment with only the new indoor swimming pool to be finished the end of December.
- iii) Kingsbridge – nice open and welcoming reception area, though there is a leaky pipe over the front entrance canopy. The bowls corridor was looking tired and some of the noticeboards needed updated. The pool side changing rooms are very well used and need upgrading. The new soft play, café and gym kit looked good.
- iv) Totnes – entrance and reception is small and unwelcoming, the Centre sign at the front has not been replaced. Overall the Centre requires a much needed significant refurbishment with a new café and crèche facility. No pricing information available at the Centre. More work needed on recycling and better separation of waste. Also for solar panels to be installed, include as part of the refurbishment.

- 3.5 Impact of Cashless: This had gone well and Members were pleased to hear the positive feedback from Fusion on how users were being helped and given support to continuing using the facilities. However

there could still be individuals and minority groups not able to use the Centres and a flexible approach was required to provide support.

- 3.6 Fusion have responsibility for delivering Sports and Community Development (SCD) across both areas, working with key local partners – Active Devon, clubs and schools. Through this work, significant community engagement takes place which is highlighted in the SCD plan and reporting.
- 3.7 Exercise referral schemes, part of the Social Prescribing Initiative, have developed good links with local Primary Care Networks. Existing schemes take place at Ivybridge and Quayside, Totnes has restarted and a new scheme in Dartmouth will launch in the New Year.
- 3.8 Climate Change and Environmental Management is a key concern for this Council through its own Emergency Action Plan to this agenda. As well more work is needed to improve recycling and have better waste management across the leisure centres.
- 3.9 Car parking was an issue for customers using the Centres at certain times. The provision of parking permits was being considered as part of a wider Council review and work with Town Councils.

4 Options available and consideration of risk – future recommendations;

- 4.1 Fusion Lifestyle to give assurance and confirm that all maintenance and cleanliness levels will be carried out to the required standards of the service specification. Concern expressed that existing centre staff had to carry out cleaning whilst undertaking their main roles. Specialist cleaning services to be implemented across all centres.
- 4.2 Centre Managers are given appropriate management support and have the necessary systems and processes in place to carry out their roles and services. For Fusion to develop a comprehensive staff training programme with a focus on retaining and improving current skills and qualifications.
- 4.3 Climate change and environmental management improvements are implemented by Fusion, such as the provision of energy efficient plant and the installation of renewable energy generation systems. Also that improved recycling is developed and for links with respective Town Councils be progressed. The overall carbon footprint of both centres are measured, monitored and actions to reduce are implemented to link with the work of this Council.
- 4.4 Whilst going cashless seems to have gone well across both centres, Fusion is requested to keep records of customers trying to use cash or having difficulties paying cashless, so future monitoring can be established.

- 4.5 The risks associated with the ongoing operation of the contract, have been minimised through the use of Sport England Standard contracts and outcomes, promoting best practice.

5 Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Leisure is a discretionary service. The management of the council's leisure centres are agreed in a formal contract agreement with appropriate reporting structures.
Financial	Y	The investment borrowing and contract receipts were approved as part of the contract award.
Risk	Y	Mitigated through the formal procurement process and the business case appraisal.
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	All leisure centres remain open and have activities open for all sections of the community
Safeguarding	Y	Relevant policies and practices in place through the contract.
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	Y	Improved through better facilities and part of service delivery.
Other implications		none

Supporting Information

Background Papers:

Fusion Annual Report 2018

Leisure Task and Finish group – Terms of Reference, Centre Visits, Customer Surveys

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Report to: **Overview and Scrutiny Panel**
Date: **27 February 2020**
Title: **Development Management – Performance Update**
Portfolio Area: **Deputy Leader – Cllr Bastone**
Wards Affected: **All**
Urgent Decision: **N** Approval and clearance obtained: **Y**
Date next steps can be taken: **N/A**

Author: **Pat Whymer** Role: **Head of Development Management Practice**

Contact: patrick.whymer@swdevon.gov.uk

Recommendations:

That the Overview and Scrutiny Panel note the Performance Update and the impact of the additional Specialist Officer resource.

1. Executive summary

- 1.1 Following a recommendation by the Joint Overview and Scrutiny Panel and Development Management Committee at its meeting held on 24 January 2019 and the approval by the Council at its meeting held on 21 February 2019 (Minute Ref: 63/18(h)) an additional Specialist Officer resource was recruited to the Development Management Service.
- 1.2 Following the approval of the additional Specialist, a further service capacity review was requested to be undertaken and reported to the Overview and Scrutiny Panel six months after the additional Specialist was in post. This report sets out the current position.
- 1.3 Overall there has been a measurable improvement in performance of the Development Management service, part of which is due to process improvements and part of which is as a result of the additional Specialist. Recognition must also be given to the Urban Fringe Team that continues to manage and effectively process planning applications for the Sherford Development and is now managing the major Woolwell application as well as other

developments within the urban fringe. This ensures that the capacity of the Development Management Team can be focussed on the rest of the workload.

- 1.4 Continued effective Development Management is essential to the reputation of the Council.

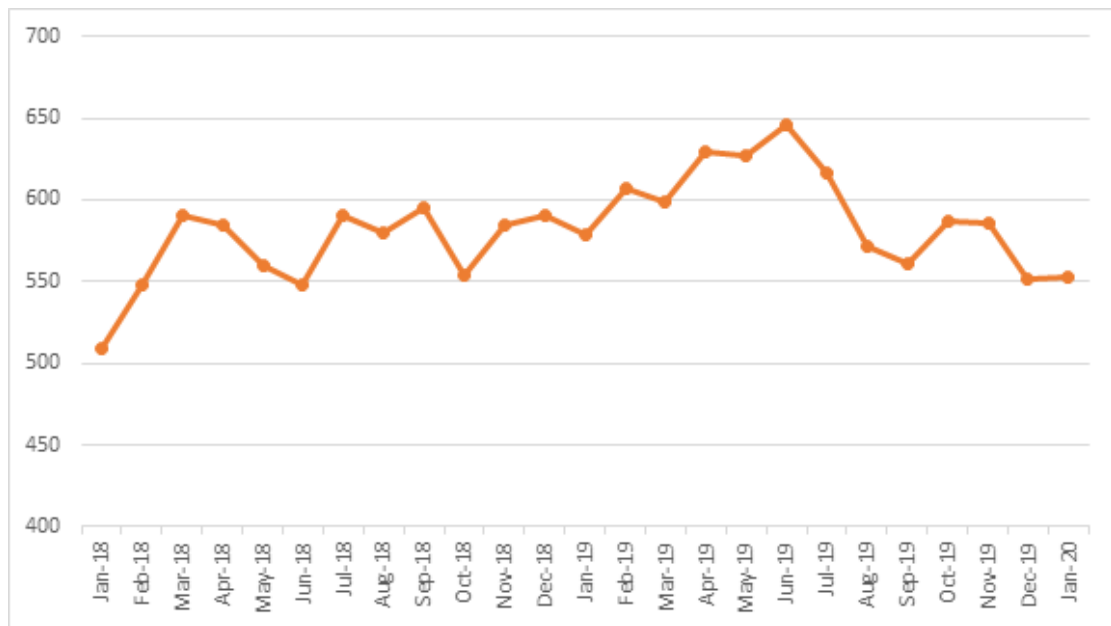
2. Background

- 2.1 At its meeting on 1 November 2018, the Overview and Scrutiny Panel considered the Performance Measures for Quarter 2 in 2018/19 (Minute O&S.65/18 refers). In so doing, a detailed debate took place and a number of concerns were raised. As a way forward, the Panel agreed that a 'Development Management Performance Review' should be given formal consideration at the joint meeting of the Joint Overview and Scrutiny Panel and Development Management Committee at its meeting held on 24 January 2019.
- 2.2 The report to the Joint Committee meeting set out that whilst there had been improvements in the Development Management service, there were a number of factors that needed to be addressed:
 - Resourcing of suitably qualified/experienced staff;
 - Reduction of the number of live applications; and
 - Improvements in the efficiency of process and a more proactive approach to keeping relevant parties informed of progress.
- 2.3 As a result, authority was given for an additional Specialist post shared with West Devon, to be included on the establishment, and the post was successfully recruited to. The additional member of the team helped to achieve improved performance for the service as a whole.
- 2.4 Progress has now been made against all three of the above factors. There is still a national shortage of qualified planning officers and it is challenging to recruit planning staff. This is not an issue specific to South Hams but at a National level. As previously reported to Members, steps have been taken to upskill existing staff into the Development Management specialism. One of the existing Specialists is attending the Planning Masters course at Plymouth University and the expectation is that one of the existing case managers will be starting the course this September. In addition we have a shared planning apprentice with Teignbridge Council and the Dartmoor National Park Authority. In time it is hoped that we can develop our own staff so as not to be reliant on outside recruitment.
- 2.5 As set out below there has been a reduction in the number of live planning applications and an improvement in the speed of

determination, with an increase in the number of decisions made within the target time without extensions of time.

3. Outcomes

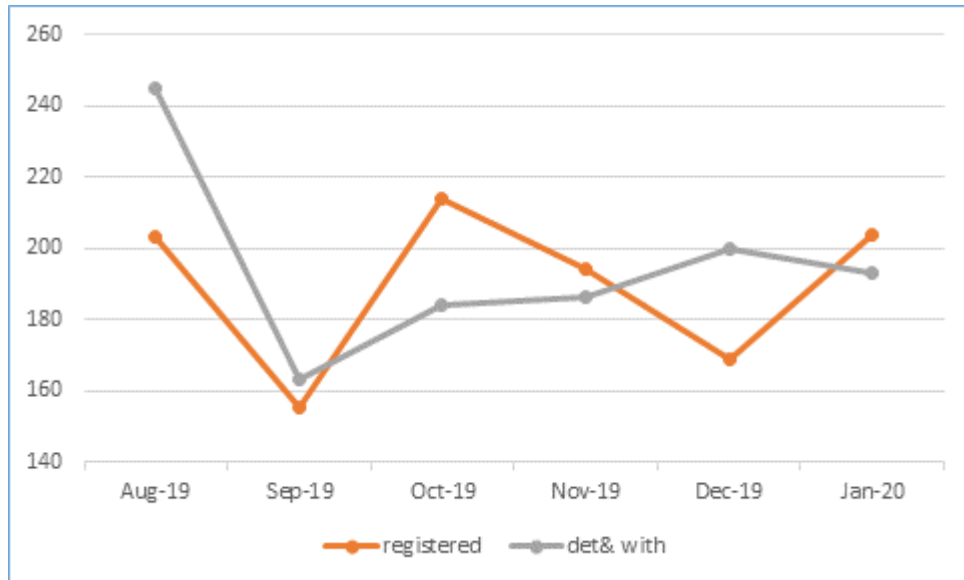
3.1 The following three tables indicate that there has been an improvement in performance. The first table is the number of live applications since the start of 2018 and demonstrates that following an increase in live applications in 2018 there is steady downward trend in the number of live applications in 2019 from a peak of 650 to 550.



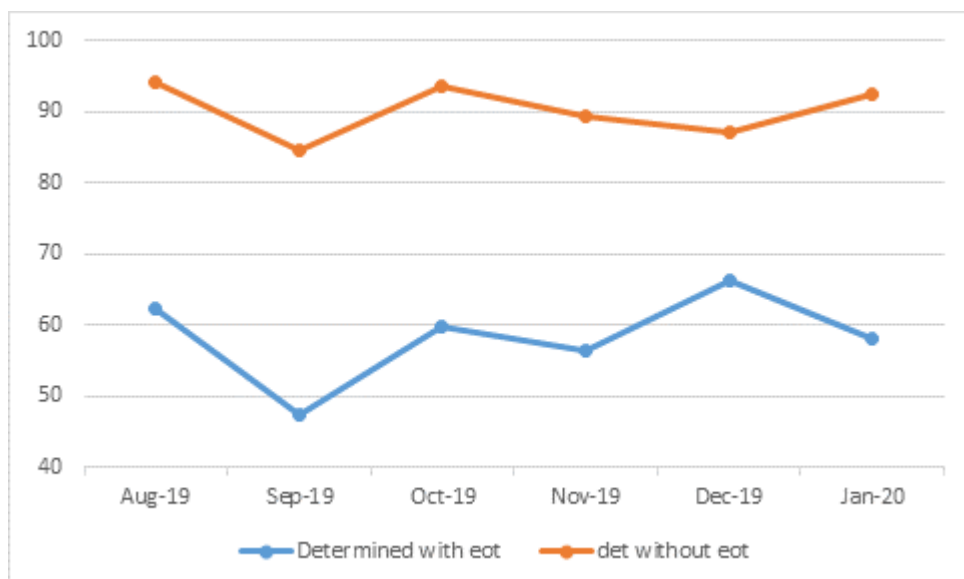
3.2 Over the last 4-5 years the volume of non-major applications that are received by the Development Management Team is very consistent being around 3,000. The permanent Development Management Team structure consists of 16.75 FTE of which 2.5 FTE primarily deal with Major applications leaving 14.25 to deal with the majority of the cases. This equates to an average of some 210 applications per officer annually which is an average case load of between 35-40 applications at any one time per officer. This is considered to be an acceptable level. The permanent structure of the service does have the capacity to deal with the workload.

3.3 At present, the average caseload is slightly higher at some 40-45 which is higher than planned for but this is mainly due to current staff turnover as set out in 4.2 below and is not considered to be the result of insufficient capacity within the team structure. Once the vacancies are filled, it is expected that the average numbers will fall back to an average of 35-40 cases per officer at any one time.

3.4 The table below shows applications received and determined/withdrawn since August 2019. On average, we received 189 applications per month and 196 applications were either determined or withdrawn. Whilst there is only a slight difference between applications received and determined/withdrawn it is gradually resulting in a reduction in the number of live applications.



3.5 The final table is the main government measure of Local Planning Authority Development Management performance which is the percentage of applications determined within the statutory time targets or within a timescale agreed with the applicant. The red line is the performance against this government target and the blue line is the percentage of applications determined within the target time without extensions of time. The additional Specialist has helped this measure retain an upward trend.



4. Options available and consideration of risk

- 4.1 The performance of the Development Management Service is important to the Council for reputation and financial reasons. The performance, since the last report to this Panel, has improved. This has, however, been during a period when the staff have been permanent employees, there have been no vacancies and no instances of significant illness.
- 4.2 Unfortunately, that is not the case at the present time. As Members will be aware, one of the two full time Senior Specialists has left the Council, a Specialist is now on an extended period of leave and a further Specialist is moving into Enforcement from 1st April, 2020. In addition, one of the Specialists is on a period of extended sickness leave. We are recruiting to replace the Senior Specialist and the Specialist who is moving into Enforcement and officers are hopeful that we will be successful. The post on extended leave has been filled on a temporary basis by recruiting an officer with previous experience of the authority. It is inevitable, however, that these changes will have an impact on performance, although all efforts will be made to minimise the impact.

5. Proposed Way Forward

- 5.1 That the performance of the Development Management service continues to be monitored.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Overview and Scrutiny Panel has the ability to set its own Work Programme and this update report has been prepared in response to a formal request from the Panel.
Financial implications to include reference to value for money	N	There are no direct financial implications of the contents of the report.
Risk		There are both reputational and financial risks associated with the performance of the DM service. Whilst there have been a number of factors that have previously had an adverse impact on the function, this report evidences that performance is improving.

Supporting Corporate Strategy		Council – delivering efficient and effective services.
Climate Change - Carbon / Biodiversity Impact		N/A
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	N/A
Safeguarding	N	N/A
Community Safety, Crime and Disorder	N	N/A
Health, Safety and Wellbeing	N	N/A
Other implications	N	N/A

Supporting Information

Background Papers:

Agendas and minutes arising from the following meetings:

Joint meeting of the Panel and Development Management Committee held on 24 January 2019; and
Council meeting held on 21 February 2019.

Apppendices:

None

Report to: **Overview and Scrutiny Panel**
Date: **27 February 2020**
Title: **Operational Performance April – Sept 2019**
Portfolio Area: **Council – Councillor Nicky Hopwood**
Wards Affected: **All**
Urgent Decision: **N** Approval and clearance obtained: **Y / N**

Date next steps can be taken:

Author: **Neil Hawke** Role: **Head of Strategy & Projects**

Contact: **01803 861323 neil.hawke@swdevon.gov.uk**

Recommendations:

- 1. That the Overview and Scrutiny Panel notes the operational performance of the Council during the 6 month period April – September 2019**
- 2. That the Overview and Scrutiny Panel considers how it wishes to receive future performance updates aligned to the Council themes to inform a report to Executive in May 2020**

1. Executive summary

- 1.1 The Council has a number of operational measures in place to demonstrate how individual Council services are performing.
- 1.2 The measures reported in this report have been in place for a number of years and therefore provide Members with a good overview of the Councils operational performance trend in the first few months of the Council term.
- 1.3 This report also sets out an approach to future monitoring of operational performance

2. Background

- 2.1 During the previous Council term, Overview and Scrutiny considered operational performance reports on a Quarterly basis in order to understand how our services were performing. This included a broad range of performance measures which didn't

necessarily align to the matters that Council considered as important.

- 2.2 In developing the Corporate Strategy themes, Members have considered a number of desirable outcomes for which we are currently undertaking work to develop performance measures.
- 2.3 While work to refine the Corporate Strategy outcomes continues, this report provides a 6 month overview of the operational performance indicators for some of our key service areas.
- 2.4 It is not proposed that this become an ongoing report.

3. Outcomes/outputs

- 3.1 Operational performance measures for the first 6 months of 2019/20 have generally continued at a high level
- 3.2 Once the Corporate Strategy Business Plans have been finalised, they will form the basis of future performance reporting, therefore this report acts as an interim update only.
- 3.3 The Council is currently developing a realtime dashboard of operational performance data which will primarily be used by Service Managers to identify performance trends and to be able to respond to pressure points where there is an increase in service requests.
- 3.4 This dashboard (known as PowerBI) will also be available to Members to understand the volumes of service requests coming from each Ward. A demonstration of this system will be scheduled for future Member training days.
- 3.5 The realtime performance dashboard will provide an overview of
 - Missed bin collections
 - Employee Sickness levels
 - Contact Centre Call volumes
 - Website transaction volumes
 - Benefit Claim volumes
 - Top Processes for District and each Ward
- 3.6 A screenshot of the draft performance dashboard is set out in Appendix B
- 3.7 In providing Members with greater transparency to realtime performance data, it is considered that these operational measures are no longer reported to Overview and Scrutiny as standard practice.
- 3.8 The focus of Overview and Scrutiny can therefore be on the Council delivery against its Corporate Strategy desired outcomes.
- 3.9 The newly appointed Business Managers and Heads of Practice will continue to monitor operational performance and will have autonomy to make tactical/ business led decisions in order to meet the targets. These will be reported to the Senior Leadership Team by exception or where they align to one of the Corporate Strategy desired outcomes.
- 3.10 Appendix A to this report sets out a summary of the operational performance of the Council in the first six months of this financial year.

4. Options available and consideration of risk

- 4.1 This report proposes the ceasing of quarterly performance reporting on operational performance measures and replacing it with the reporting on the Corporate Strategy objectives. Operational performance information would still be available to Members through the PowerBI dashboard when required.
- 4.2 Alternatively, Members could decide that they wish to continue to receive quarterly updates on these measures however given Members have set out the future objectives for the Council, these should be the focus for future scrutiny with realtime operational performance data available to Members outside of the Scrutiny process

5. Proposed Way Forward

- 5.1 For Members to note the operational performance of the Council in the 6 months to September 2019 and for training to be provided on the use of PowerBI for Members to access operational performance data in the future should they so require.
- 5.2 This ensures that there is no reduction in transparency of Council operational performance but also a renewed focus on considering performance against the Corporate Strategy objectives.
- 5.3 Draft Corporate Strategy Business Plans will be considered by the Executive at their meeting on 14 May 2020.
- 5.4 Ongoing scrutiny of delivering the objectives set out in the business plans will be by Overview and Scrutiny Panel on a 'per theme' basis rather than focusing on individual services. The report to Executive on 14 May will include recommendations on the reporting mechanism but we would welcome Scrutiny view at this stage as to what this looks like.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>Legal – None</p> <p>Governance – It is important the Overview and Scrutiny consider matters impacting the Council. This report provides an update on the performance to date and seeks to replace quarterly operational performance reports with two alternatives:-</p> <ul style="list-style-type: none"> • <i>Performance reports based on the Corporate Strategy objectives</i> • <i>Real time operational performance dashboards available at any time</i>
Financial implications to include reference to value for money	N	None

Risk	Y	Perception that operational performance is no longer subject to the same scrutiny. We will ensure that training is provided to all Members to enable them to access realtime performance data
Supporting Corporate Strategy	Y	Efficient and Effective Council
Climate Change - Carbon / Biodiversity Impact	N	No direct impacts
Comprehensive Impact Assessment Implications		
Equality and Diversity		None
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		
Other implications		

Supporting Information

Appendices:

Appendix A – Operational Performance Summary April – September 2019

Background Papers:

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed/sign off	Yes/No
SLT Rep briefed/sign off	Yes/No
Relevant Heads of Practice sign off (draft)	Yes/No
Data protection issues considered	Yes/No
Accessibility checked	Yes/No

Appendix A – Operational Performance April 2019 – September 2019

The following set out the operational performance indicators during the period April 2019- September 2019 as reported to the Senior Leadership Team through regular updates from Heads of Practice.

Customer Contact

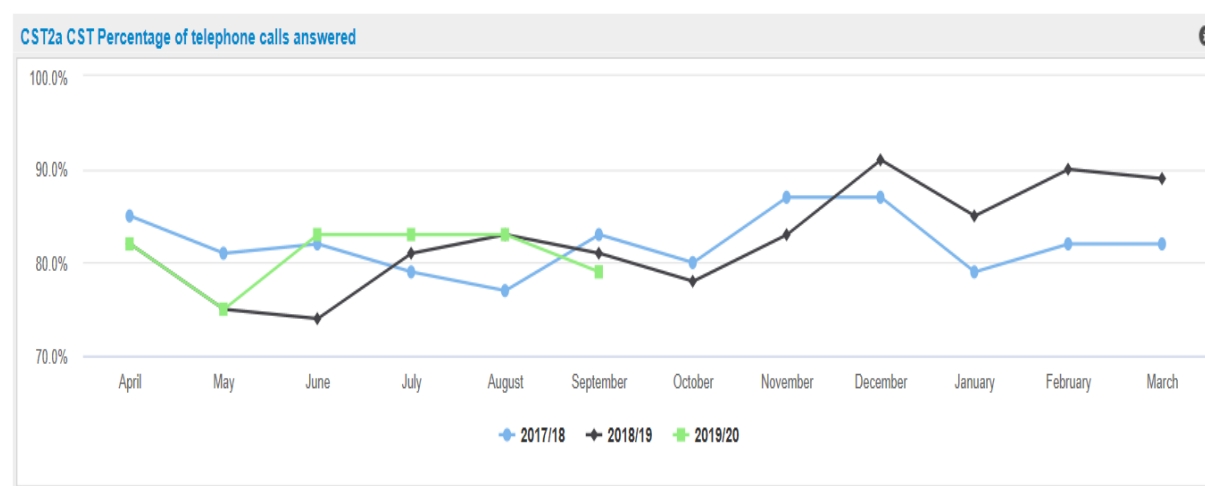
The following sets out some of the performance measurements of our customer contact team.

Total Calls to Contact Centre for the period are as follows (South Hams Calls only)

	April	May	June	July	Aug	Sept
Calls 2018	12,380	12,734	10,439	11,356	10,963	8,879
Calls 2019	10,475	11,081	12,471	9,535	9,525	8,189

% of Telephone Calls Answered

This is a measure of the percent of calls that the contact centre answer before the customer abandons the call.



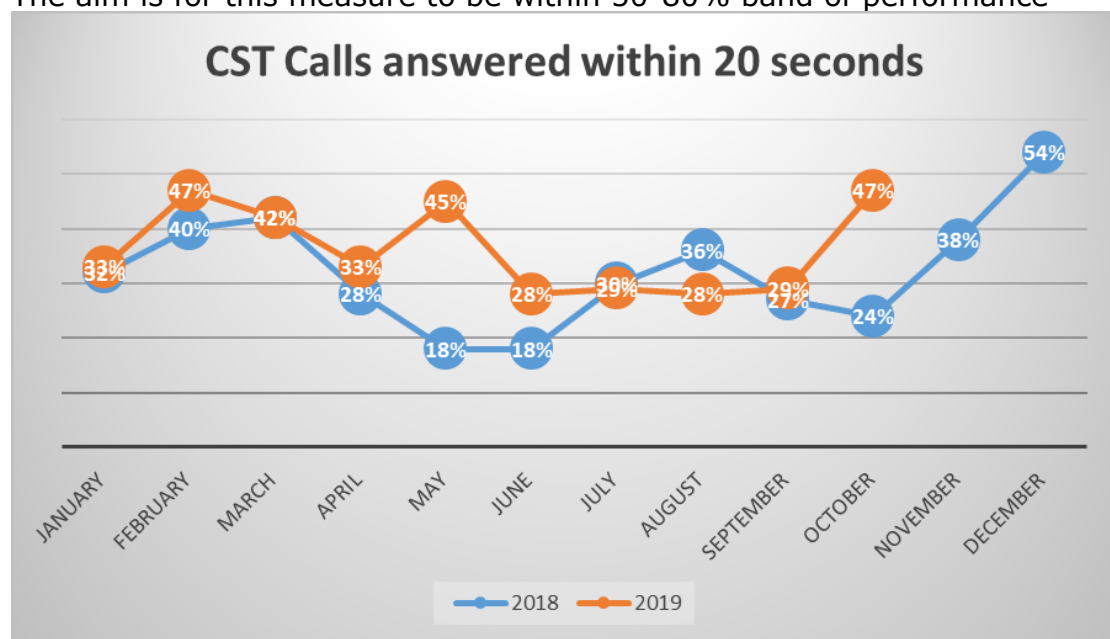
Target is 90% and is set at this level as we would expect some calls dropped as customers choose to follow recorded message recommendation and submit requests online rather than hold on the phone. The % of telephone calls answered has, on the whole, remained above the levels of the previous year (with the exception of September 19).

% of Calls Answered within 20 Seconds

We also measure the % of calls answered within 20 seconds. This measure that captures how much time CST have without a queue. Being too high would signify overresourcing. Answering a call within 20 seconds, when the average call and wrap up time is around 6 mins, is very low if all lines are already busy.

This measure therefore acts as a proxy for calculating when you have free CST agents available. The measure should maintain a middle ground, not too high, not too low and should be viewed in conjunction with long wait times

The aim is for this measure to be within 50-80% band of performance



% of switchboard calls answered within 5 minutes

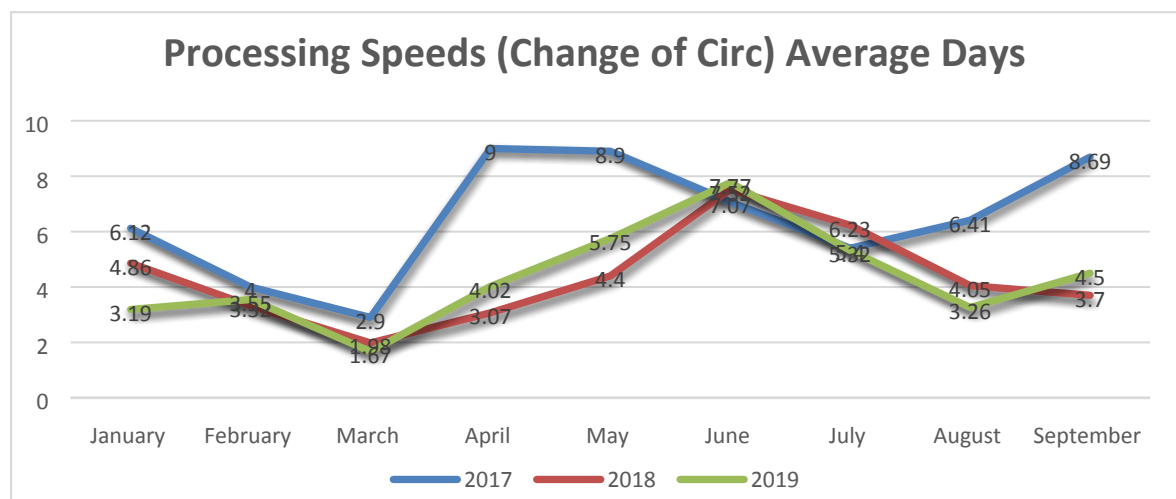
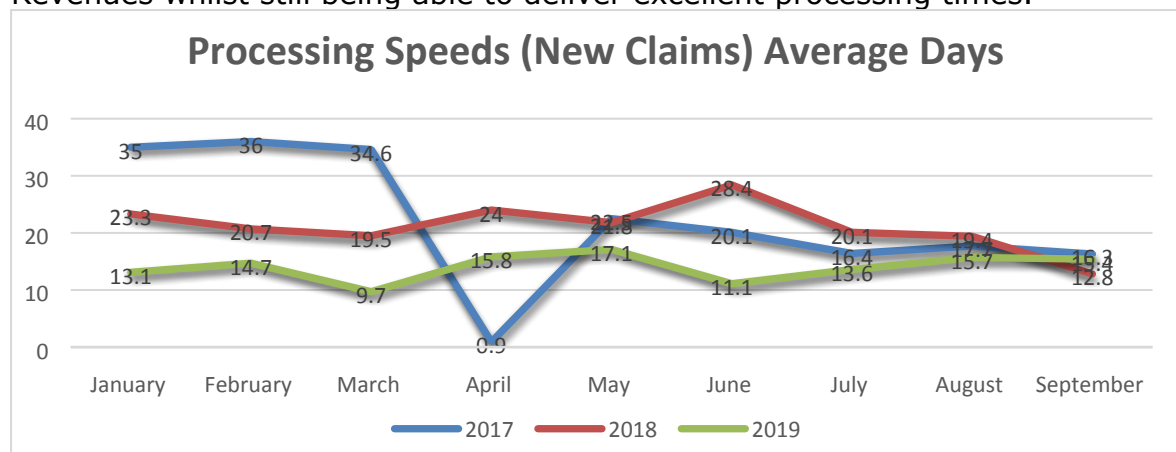
This is a self-selected measure to capture long waits. The target is for 70% of calls to be answered within 5 minutes.

All calls	April	May	June	July	August	Sept	Oct
% of calls answered within 5 mins	78%	79%	75%	69%	73%	63%	78%

The performance dip in September was linked to a Revenues summons run and a single discount review both happening in during the month. We also had two new employees within the call centre which required support and training so reduced the general capacity within the team short term but led to an return in performance levels for October.

Revenues and Benefits

South Hams became a full service area for Universal Credit in September 2018. As a consequence of this we are seeing a reducing number of new claims (as working age people claim Universal Credit instead of Housing Benefit) but an increase in volumes of changes in circumstances. We have been able to flex case management resource to both Housing Advice & Revenues whilst still being able to deliver excellent processing times.



Planning

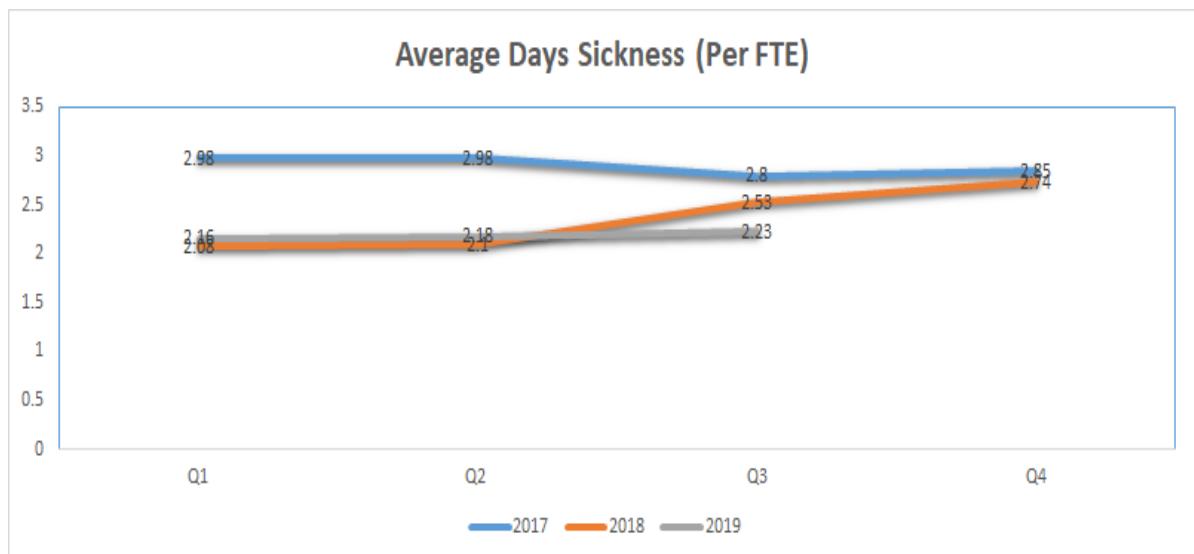
Planning performance is reported to Development Management Committee on a quarterly basis and is being reported to Overview and Scrutiny today. See separate report.

Sickness Absence

Agile working has had a very positive impact on sickness as people feeling under the weather have remained at home, working and reduced the likelihood of transfer of communicable infections to colleagues.

Given the shared workforce, figures are for both South Hams District Council and West Devon Borough Council.

Public sector averages for all sickness (long term and short term) are around 2-3days per FTE

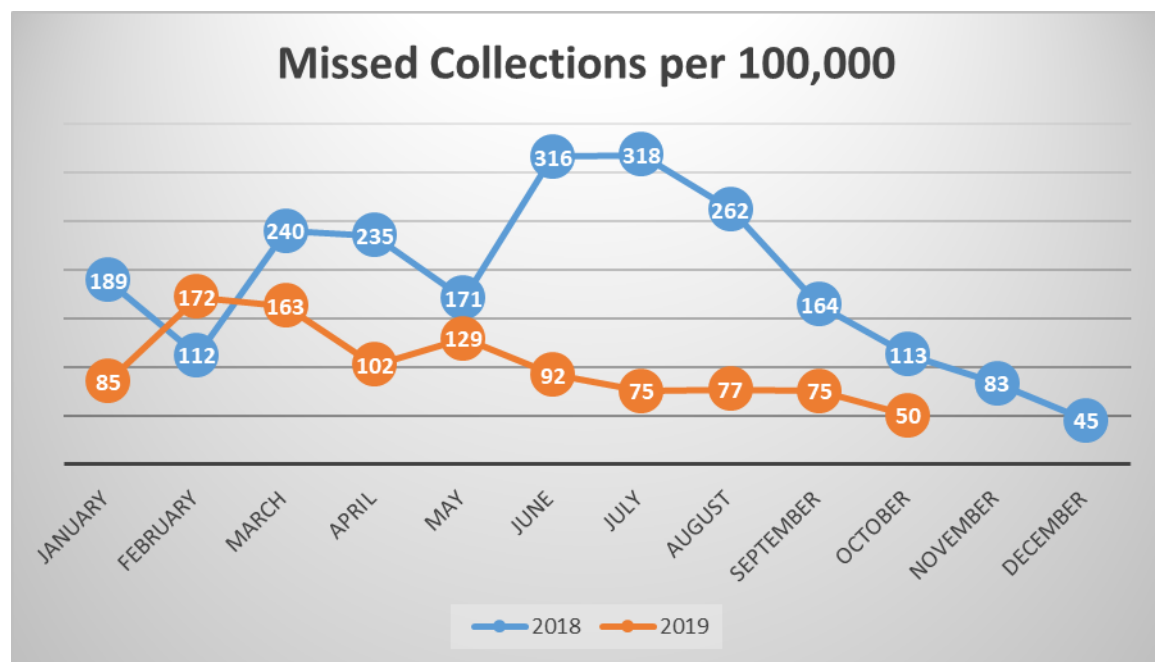


Performance so far for 2019/20 is well within the average for public sector average sickness levels.

Waste & Recycling

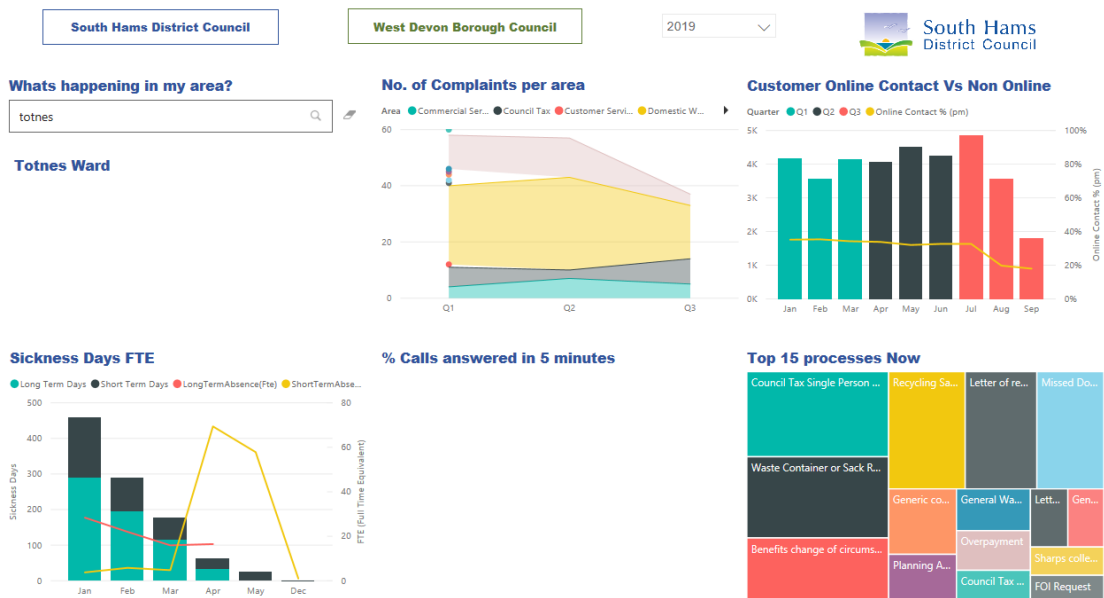
The number of missed collections is a key performance indicator under the new FCC contract. Missed collections are reported on a per 100,000 potential collection basis. Reporting in this way allows for like for like monthly comparison as well as benchmarking with other authorities. It is written in to the contract that the number of missed collections per 100,000 potential collections will not exceed 80.

A standard figure used by a high number of councils. Targets tend to be lower in city districts and higher in more rural districts due to the challenges associated with large geographic areas.



Appendix B – PowerBI Overview

- Live performance dashboard (information updated daily)
- Filter by Ward – so you can see the top interactions coming from within your own ward as well as for the whole District



- Web based system with no login required
- Pulls data from existing systems so no manual work required to update it

Report to: **Overview & Scrutiny Panel**

Date: **27 February 2020**

Title: **General Dispensations to Members**

Portfolio Area: **Cllr Hopwood (Council)**

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: 27 February 2020

Author: **Catherine Bowen** Role: **Monitoring Officer**

Contact: **Catherine.Bowen@swdevon.gov.uk**

Recommendations:

That the Overview & Scrutiny Panel grants the General Dispensations as set out in Paragraphs 2.4 and 2.5 below, from the Annual Meeting in 2020 to the Annual Meeting in 2023 so that:

- a. A General Dispensation is granted to all multi or dual-hatted Members of South Hams District Council to speak and vote on matters where they are members of another local authority and in receipt of a Members' Allowance, and**
- b. A General Dispensation is granted to all Members as set out in paragraphs 2.4.1 to 2.4.5 of this report.**

1. Executive summary

- 1.1 Members considered a report on 28 March 2019 regarding the granting of General Dispensations which would enable Members to participate in matters in which they may otherwise be prevented from speaking and voting because of a Disclosable Pecuniary Interest.
- 1.2 At that meeting some Members expressed concerns over the potential for conflicts of interest to arise for those Members who were both Devon County and South Hams District Councillors. In particular, some members felt that it was inappropriate for dual-hatted Members to be appointed to serve on the Executive. Members therefore decided that General Dispensations should only be granted until the Annual Meeting in May 2020, and further reviewed before May 2020 (Minute reference O&S.94/18).
- 1.3 This report therefore requests that Members reconsider this issue.

2. Background

- 2.1 The Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 introduced Disclosable Pecuniary Interests and rules on dispensations as part of the standards arrangements. It is a criminal offence for Members to fail to register a Disclosable Pecuniary Interest or to speak and/or vote where they have a Disclosable Pecuniary Interest unless they have obtained a dispensation.
- 2.2 The Overview & Scrutiny Panel is responsible for granting dispensations under the Council's Dispensation Policy. The Dispensation Policy is attached at Appendix 1 and shows the criteria for determining dispensations together with the current dispensations that are in place. These are General Dispensations relating to South Hams District Council Members as detailed below.
- 2.3 As Members will note in Appendix 1, General Dispensations have been previously granted for the four-year term of the Council. However, due to Member concerns in March 2019, the General Dispensations were granted for one year only from the Annual Meeting 2019 to the Annual Meeting in 2020.
- 2.4 There is a General Dispensation to all members of South Hams District Council (until the Annual Meeting in May 2020) to speak and vote where they would otherwise have a Disclosable Pecuniary Interest in the following matters:
 - 2.4.1. Housing: where a Member (or spouse/partner) holds a tenancy or lease with the Council as long as the matter does not relate to the Member's particular tenancy or lease
 - 2.4.2. Statutory sick pay: if a Member receives this or is entitled to receive it
 - 2.4.3. An Allowance, travelling expense, payment or indemnity for Members
 - 2.4.4. Any ceremonial honour given to Members
 - 2.4.5. Setting the Council Tax or a Precept
- 2.5 Multi or dual-hatted South Hams District Council Members also have a General Dispensation (up to May 2020) to speak and vote on matters where they are a member of another local authority and in receipt of a members' allowance from that other local authority.
- 2.6 Members are requested to consider granting the Dispensations set out in paragraphs 2.4 and 2.5 above for the period from the Annual Meeting in 2020 until the Annual meeting in May 2023 in accordance with the criteria in Appendix 1. General Dispensations may be granted for a maximum of four years.

3. Outcomes/outputs

- 3.1 Members are asked to consider the General Dispensation in relation to general matters affecting all councillors (as set out in Paragraph 2.4 above) and also the General Dispensation in relation to multi/dual-hatted Members who receive an allowance from another local authority.

4. Options available and consideration of risk

- 4.1 Members can grant either or both (paragraphs 2.4 and 2.5) General Dispensations for 3 years (from the Annual Meeting 2020 to 2023)
- 4.2 Members can grant either or both (paragraphs 2.4 and 2.5) General Dispensations for 1 further year (from the Annual Meeting 2020 to 2021)
- 4.3 Members can choose to grant no General Dispensations.
- 4.4 If no Dispensations were granted under the General Dispensation under 2.4 (i.e. in relation to participation in matters potentially affecting all Members such as deciding Members' Allowances) then any Members that participated in the debate and/or voted would be at risk of being prosecuted for a criminal offence (see paragraph 2.1 above) unless those affected had previously obtained a specific dispensation from the O&S Panel.
- 4.5 If a General Dispensation is not granted under paragraph 2.5 then any multi/dual-hatted Members in receipt of an allowance from another local authority would not be able to participate or vote on matters unless they had specifically obtained a dispensation in advance from the O&S Panel.

5. Proposed Way Forward

- 5.1 To grant the General Dispensations set out in the Recommendation.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 introduced Disclosable Pecuniary Interests and rules on dispensations as part of the standards arrangements. The Overview & Scrutiny Panel is responsible for promoting and maintaining high standards of conduct by Members and part of its remit is to grant dispensations where it is deemed appropriate in order that the business of the Council can be properly transacted.
Financial implications to include reference to value for money	N	There are no direct financial implications to this report.
Risk	Y	These are set out in Paragraph 4 above
Supporting Corporate Strategy	Y	Council Efficiency
Climate Change - Carbon / Biodiversity Impact	N	
Comprehensive Impact Assessment Implications		
Equality and Diversity		N/a

Safeguarding		N/a
Community Safety, Crime and Disorder		N/a
Health, Safety and Wellbeing		N/a
Other implications		N/a

Supporting Information

Appendix 1: General Dispensations

Background Papers:

Overview & Scrutiny Panel report dated 28 March 2019

South Hams District Council

Guidance on Dispensation Requests

The Law

The Localism Act 2011 provides rules on Dispensations from the prohibition of Members from participating in matters in which s/he has a Disclosable Pecuniary Interest.

Requests for Dispensations

Grounds:

A dispensation can be granted on the following grounds to enable a Member to speak and/or vote where s/he would otherwise have a disclosable pecuniary interest:

1. That so many members of the Council have disclosable pecuniary interests in a matter that it would impede the transaction of the business (i.e. it would otherwise be inquorate).
2. That without the dispensation, the representation of different political groups on the Council would be so upset as to alter the likely outcome of any vote on the matter.
3. That the Council considers that granting the dispensation is in the interests of persons living in the Council's area.
4. That without a dispensation no member of the Executive would be able to participate on the matter
5. That the Council considers that it is otherwise appropriate to grant a dispensation.

How to apply

A dispensation request must be made to the Monitoring Officer in writing or by email addressed to Catherine Bowen, Monitoring Officer, South Hams District Council, Catherine.Bowen@swdevon.gov.uk.

Please submit a dispensation request well in advance of the date of the meeting for which the dispensation is sought and in any event, other than in exceptional circumstances, the dispensation request should be submitted **not less than 10 clear days** prior to the date of the meeting to which the dispensation request relates.

Criteria

The following **Criteria** will be considered in determining whether to grant dispensation requests:

1. Whether the nature of the Member's interest is such that to allow him/her/them to participate would not damage public confidence in the conduct of the Council's business.

South Hams District Council

2. Whether the interest is common to the Member and a significant proportion of the general public; *if this is the case a dispensation is more likely to be granted.*
3. Is the participation of the Member in the business that the interest relates to justified by a member's particular role or expertise?
4. Whether the interest is trivial or remote; *if this is the case a dispensation is more likely to be granted.*

Procedure for Granting Dispensation Requests

- (i) Requests under Ground 1 may be granted by the Monitoring Officer
- (ii) Dispensation Requests for any other grounds will be considered by the Overview & Scrutiny Panel
- (iii) Where it is not expedient to wait until the next scheduled Overview & Scrutiny Panel meeting, a Dispensation Request may be granted under (ii) above by:
 - the Monitoring Officer in consultation with the Chairman and Vice Chairman of the Overview & Scrutiny Panel, or
 - an Overview & Scrutiny subcommittee
- (iv) Dispensations may be granted:
 - To speak only
 - To speak and vote
 - For a maximum of four years

Bias and Predetermination

You should note that there may be circumstances where you do not have a Disclosable Pecuniary Interest but where it would be inappropriate for you to speak and vote on any matter by reason that you may be biased (or perceived to be biased) if you were to do so. For example, speaking and voting on a planning application relating to a close family member or neighbour. A dispensation cannot be granted in such circumstances to enable you to speak and vote.

Moreover it is extremely unlikely that a dispensation will be granted in respect of a Disclosable Pecuniary Interest where circumstances of bias or predetermination may arise. For further information please contact the Monitoring Officer.

General Dispensations to District Councillors

At its meeting on **28 March 2019** the Overview & Scrutiny Panel granted a **General Dispensation**:

- to all Members of South Hams District Council
- until the **Annual Meeting in May 2020**
- to enable Members to speak and vote at meetings of the Council (as defined in the Code of Conduct) relating to:
 - **Housing**: where the Councillor (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the Councillor's particular tenancy or lease
 - **Statutory sick pay**: if a councillor receives this or is entitled to receive it
 - An **Allowance**, travelling expense, payment or indemnity for Councillors
 - Any **ceremonial honour** given to Members
 - Setting the **Council Tax or a Precept**

At its meeting on **28 March 2019** the Overview & Scrutiny granted a **General Dispensation to**:

- all dual-hatted Members of South Hams District Council to speak and vote on matters where they are a member of another local authority and in receipt of a Members' Allowance, from the date of this decision **until the Annual Meeting May 2020**.

Where a Member is unsure whether these General Dispensations apply to his/her particular circumstances, s/he is advised to make a specific request to the Monitoring Officer.

Dispensation Request

<p>Name of Councillor</p>	
<p>Nature and description of interest for which dispensation sought:</p>	
<p>Period for which dispensation is sought.</p> <p>Note:</p> <ul style="list-style-type: none"> • This may be for a maximum period of 4 years. • Where a dispensation is sought for a particular meeting, please specify date of meeting. 	
<p>Grounds on which the dispensation is sought:</p> <ul style="list-style-type: none"> • Please refer to grounds set out in the attached guidance. • Please provide supporting reasons as to why you consider the dispensation request should be granted. • Please state whether you are seeking a dispensation to speak and to vote or to speak only on the particular matter. 	

OVERVIEW AND SCRUTINY PANEL

DRAFT ANNUAL WORK PROGRAMME – 2019/20

Date of Meeting	Report	Lead Officer
23 April 2020	Executive Forward Plan	Janice Young
	Task and Finish Group Updates (if any) - Locality Service Review (concluding report)	Sarah Moody
	Electric Charging Points: Update on Lobbying and Project Costs	Chris Brook
	Waste Contract Monitoring Report	Jane Savage
	Sustainable Community Locality Fund – Expenditure and Process	Neil Hawke

16 July 2020 Meeting: Leisure Task and Finish Group – six month update (Jon Parkinson)

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