

# South Hams Council



<b>Title:</b>	<b>Agenda</b>																														
<b>Date:</b>	<b>Thursday, 7th April, 2016</b>																														
<b>Time:</b>	<b>10.00 am</b>																														
<b>Venue:</b>	<b>Council Chamber - Follaton House</b>																														
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Bramble</p> <p style="text-align: center;"><b>Vice Chairman</b> Smerdon</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Baldry</td> <td style="width: 33%;">Hopwood</td> </tr> <tr> <td>Bastone</td> <td>Horsburgh</td> </tr> <tr> <td>Blackler</td> <td>May</td> </tr> <tr> <td>Brazil</td> <td>Pearce</td> </tr> <tr> <td>Brown</td> <td>Pennington</td> </tr> <tr> <td>Cane</td> <td>Pringle</td> </tr> <tr> <td>Cuthbert</td> <td>Rowe</td> </tr> <tr> <td>Foss</td> <td>Saltern</td> </tr> <tr> <td>Gilbert</td> <td>Steer</td> </tr> <tr> <td>Green</td> <td>Tucker</td> </tr> <tr> <td>Hawkins</td> <td>Vint</td> </tr> <tr> <td>Hicks</td> <td>Ward</td> </tr> <tr> <td>Hitchins</td> <td>Wingate</td> </tr> <tr> <td>Hodgson</td> <td>Wright</td> </tr> <tr> <td>Holway</td> <td></td> </tr> </table>	Baldry	Hopwood	Bastone	Horsburgh	Blackler	May	Brazil	Pearce	Brown	Pennington	Cane	Pringle	Cuthbert	Rowe	Foss	Saltern	Gilbert	Steer	Green	Tucker	Hawkins	Vint	Hicks	Ward	Hitchins	Wingate	Hodgson	Wright	Holway	
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<b>Substitutes:</b>	Named substitutes are not appointed																														
<b>Interests – Declaration and Restriction on Participation:</b>	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.																														
<b>Committee administrator:</b>	Member.Services@swdevon.gov.uk																														

**1. Urgent Business**

the Chairman to announce if any item not on the agenda should be considered on the basis that he considers it as a matter of urgency;

**2. Exempt Information**

to consider whether the consideration of any item of business would be likely to disclose exempt information and if so the category of such exempt information;

**3. Declarations of Interest**

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

**4. 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”;

**5. Bid to Purchase Land to Assist with Income Generation**

**1 - 14**

to consider an exempt report that seeks to recommend approval of an unconditional bid for an area of land located

in the South Hams (circulated separately)

**(NOTE: All Members have been sent a copy of the Overview and Scrutiny Panel agenda for its meeting on 7 April 2016 and a version of this report has been circulated under exempt cover with this agenda (Item 7 refers) Please bring your copies of this report to the meeting.)**

**6. Income Generation Proposals 15 - 30**

to consider an exempt report that presents a number of income generation proposals (circulated separately)

**(NOTE: As for item 5 above, all Members have been sent a copy of the Overview and Scrutiny Panel agenda for its meeting on 7 April 2016 and a version of this report has been circulated under exempt cover with this agenda (Item 8 refers)) Again, please bring your copies of this report to the meeting.)**

**7. Re-Admittance of Public and Press**

to consider a motion that seeks to re-admit the public and press to the meeting;

**8. Overview and Scrutiny Panel Minutes - 17 March 2016 Meeting 31 - 40**

to consider approval of the Panel recommendations specifically relating to the South Devon Coastal Local Action Group and Our Plan

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# Agenda Item 5

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**MINUTES OF THE MEETING OF THE  
OVERVIEW & SCRUTINY PANEL  
HELD AT FOLLATON HOUSE, TOTNES ON  
THURSDAY, 17 MARCH 2016**

<b>Panel Members in attendance:</b>			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	*	Cllr D W May
*	Cllr J I G Blackler	*	Cllr J T Pennington
*	Cllr D Brown	*	Cllr K Pringle
*	Cllr J P Green	*	Cllr M F Saltern (Chairman)
*	Cllr J D Hawkins	*	Cllr P C Smerdon
*	Cllr N A Hopwood	*	Cllr K R H Wingate (Vice Chairman)
*	Cllr D Horsburgh		

<b>Other Members also in attendance:</b>
Cllrs I Bramble, J Brazil, P K Cuthbert, R F D Gilbert, M J Hicks, P W Hitchins, J M Hodgson, T R Holway, J A Pearce, R Rowe, R J Tucker, L A H Ward and S A E Wright

<b>Item No</b>	<b>Minute Ref No below refers</b>	<b>Officers in attendance and participating</b>
All		Head of Paid Service, Executive Director (Service Delivery and Commercial Development) and Senior Specialist – Democratic Services
7(a)	O&S.87/15(a)	Community Of Practice Lead Specialist Housing, Revenues and Benefits
7(b)	O&S.87/15(b)	Monitoring Officer
8	O&S.88/15	Diverse Regeneration Company Managing Director and Programme Manager (Greater Dartmoor Local Enterprise Action Fund and South Devon Coastal Local Action Group) and Group Manager – Business Development
9	O&S.89/15	Lead Specialist – Place and Strategy
10	O&S.90/15	Locality Manager
11	O&S.91/15	Specialist – Performance and Intelligence
15	O&S.95/15	Group Manager – Business Development

**O&S.84/15 MINUTES**

The minutes of the meeting of the Overview and Scrutiny Panel held on 25 February 2016 were confirmed as a correct record and signed by the Chairman.

**O&S.85/15 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.86/15 PUBLIC FORUM**

In accordance with the Public Forum Procedure Rules, no items were raised at this meeting.

**O&S.87/15 EXECUTIVE FORWARD PLAN**

Members were presented with the most recently published Executive Forward Plan.

In accordance with the Panel request made at its last meeting on 25 February 2015 (Minute O&S.78/15 refers), updates were presented on the following future Executive agenda items:

- (a) Homeless Strategy; and
- (b) Complaints Policy.

**(a) Homeless Strategy**

The Panel proceeded to consider a report that briefed Members on the commencement of work on a new joint Homeless Strategy for South Hams and West Devon. In addition, the report also sought the views of the Panel on how it wishes to contribute to the aims and actions of any proposed new Strategy.

In discussion, the following points were raised:

- (i) The Chairman reminded those in attendance and encouraged the use of the Scrutiny Proposal Form as the means for submitting future agenda item requests;
- (ii) Whilst not the unanimous view, the majority of Members emphasised the importance of Member involvement in developing the Strategy from the offset and therefore a number expressed their support for the establishment of a Task and Finish Group;
- (iii) Officers confirmed that a full consultation exercise would be undertaken as part of the development of the strategy;
- (iv) With regard to the primary purpose of the Group, the overriding view was that it should be established to develop a coherent and relevant Homelessness Strategy.

It was then:

**RESOLVED**

1. That a joint SH/WD Homeless Strategy Task and Finish Group be established, with its primary purpose being to develop a coherent and relevant Homelessness Strategy for the South Hams; and

2. That the SH representatives on this Group be as follows:  
Cllrs Brown, Cuthbert, Green and Hawkins.

### **(b) Review of Corporate Complaints Policy**

A report was presented to the Panel that recommended the adoption of a revised Corporate Complaints Policy.

In discussion, reference was made to:

- (i) the quality of the draft policy. A number of Members congratulated the Monitoring Officer for the production of an excellent draft policy;
- (ii) the proposed 30 days to prepare and send a response to a complaint. A debate ensued as to the suitability of this proposed timescale and, on balance, the Panel felt that the 30 day deadline should be retained initially and reviewed again by the Panel in nine months' time from its formal adoption;
- (iii) the complaints statistics being regularly reported through the quarterly performance measures agenda item.

It was then:

#### **RECOMMENDED**

That the Executive be **RECOMMENDED** that:

1. the revised Corporate Complaints Policy (as attached at Appendix A of the presented agenda report) be adopted and reviewed again in nine months' time from its formal adoption; and
2. That any minor amendments be delegated to the Monitoring Officer, in consultation with the Lead Executive Member for Support Services.

### **O&S.88/15 BRIEFING ON THE SOUTH DEVON COASTAL LAG AND GREATER DARTMOOR LEAF PROGRAMMES**

The Chairman welcomed Liz Abell (Managing Director: The Diverse Regeneration (DR) Company and Programme Manager – Greater Dartmoor Local Enterprise Action Fund and South Devon Coastal Local Action Group) to the Panel meeting.

The Panel proceeded to consider a report that detailed the governance arrangements and how decision-making was performed in respect of applications to the Greater Dartmoor Local Enterprise Action Fund (LEAF) and South Devon Coastal Local Action Group (LAG).

In discussion, the following points were raised:-

- (a) A number of Members stated their grave concerns at the amount of effort and bureaucracy involved in the decision-making process. In particular, Members commented that the administrative costs associated with the decision-making process were very excessive and there was a perception that the process almost discouraged applications from being submitted. A Member representative informed that the Dartmoor National Park Authority had also expressed similar concerns.

In reply, Ms Abell agreed with the views expressed, however advised that the process was outside the control of the DR Company and, when considering that the process was the same regardless of the grant funding sought, was particularly disproportionate for applications under £5,000. Currently, a review of the entire process was being undertaken and any support that the Council could provide (e.g. through lobbying) to reduce the administrative burden would be greatly appreciated;

- (b) Regarding the transparency of decision-making, Ms Abell took Members through the process and advised that information was not able to be made publicly available until a decision was made. Whilst accepting that the DR Company was only working within the parameters imposed, some Members still regretted the lack of transparency and local engagement in the process. Having said that, Members did comment that they would not wish to see improved transparency lead to even greater administrative burdens being placed on the process;

Since one of the agenda report recommendations posed the question of how the DR Company could keep Members informed about its activities, the following two suggestions were agreed by the Panel:

- That, as soon as they were able to be told, local DR Company officers be requested to let every local ward Member know of information relating to their local towns and parishes; and
- That local ward Members be advised of those projects that had been approved within their local areas;

- (c) The Panel was advised that each approved project was monitored on an individual basis and, as a consequence, the DR Company had worked with over 500 projects;
- (d) It was noted that the current focus for applications was on the rural economy;
- (e) In response to a question, Ms Abell confirmed that the DR Company worked particularly closely with the Local Enterprise Partnership and there was an established filtering process in place to determine which of the two organisations should consider each application;

In conclusion, the Panel thanked Ms Abell for her informative and honest responses to Member questions and it was requested that an



additional recommendation should be included whereby a letter should be sent on behalf of the Council to the District Council Network outlining the areas of concern over the current decision-making process.

It was then:

**RESOLVED**

1. That the contents of the report be noted;
2. That to ensure Members are kept more informed:
  - o as soon as they were able to be told, local DR Company officers be requested to let every local ward Member know of information relating to their local towns and parishes; and
  - o local ward Members be advised of those projects that had been approved within their local areas;

That Special Council be **RECOMMENDED** that:-

3. a letter be sent to the District Council Network outlining the Council's grave concerns over the current decision-making process.

**O&S.89/15 OUR PLAN: SOUTH HAMS REVIEW**

A report was considered that sought to recommend that the Council adopt Our Plan: South Hams for the 2016/17 Financial Year.

In discussion, reference was made to:-

- (a) infrastructure being listed as only a 'Medium' priority. Some Members were of the view that infrastructure was of vital importance and a Medium priority was likely to send the wrong message to communities. In further discussion, the Panel agreed and requested that it be upgraded and labelled as being a 'high' priority, alongside Economy and Homes the T18 Programme.

Furthermore, a Member felt that reference to the term 'reduced' priorities was also not conveying the right message and should therefore be re-worded;

- (b) the need for greater emphasis to be given to affordable homes. A number of Members considered that there was a strong need to include in the Plan an additional paragraph specifically relating to the importance that the Council placed on affordable housing provision and enabling residents the opportunity to work locally;

- (c) Neighbourhood Planning Groups. It was acknowledged that the draft document was currently lacking in emphasising the need to work with local Neighbourhood Planning Groups;
- (d) the establishment of SMART targets. In making the point that, on reflection, the 2015/16 Annual Activity Plan had been too ambitious and lacking in clear targets, a Member commented that the 2016/17 version should have fewer aspirations and be realistic. In response, officers highlighted the streamlined draft 2016/17 Delivery Plan contained within Appendix 4 of the presented agenda report and the role of the Panel in regularly monitoring progress against the adopted Plan;
- (e) the tone and language used in the Plan. As a general point, officers confirmed that they were aware of the need for more work to be undertaken to ensure that the Plan was reader friendly and understandable to local communities and stakeholders;
- (f) the 'Vibrant towns and Villages whilst conserving the Natural Environment' section. Members felt that there was a need to include in the content of the South Hams Vision specific reference to the term 'Natural Environment';
- (g) the merits of establishing a joint South Hams/West Devon Member working group to agree the scope and details of the Economic Development work. Some Members expressed their concern at the proposal for a joint group in light of there being a number of distinctly different economic issues facing the two areas. In response, officers gave an assurance that, as and when required, the group Members would retain the ability to meet separately within their host councils.

It was then:

### **RECOMMENDED**

That Special Council be **RECOMMENDED** that:

1. the progress on the 2015/16 Our Plan; Annual Activity Programme (appendix 1 of the presented agenda report refers) be noted;
2. *Our Plan: South Hams* (as presented at Appendix 2 of the presented agenda report) be adopted for the 2016/17 Financial year as a document that:-
  - Recognises *Our Plan: South Hams* as the single comprehensive Council Plan and recognises the importance of infrastructure being given the same emphasis as economy and homes;
  - Stresses the importance of housing being provided that reflects the unique needs and special requirements of the South Hams area;
  - Restates the Council's corporate Vision and Objectives;

- Establishes the common basis for the Councils Financial Plan, Asset Management Plan, Local Plan and all other Plans and Strategies;
- Establishes priorities for delivery including a delivery plan commencing in 2016/17;
- Establishes mechanisms for delivery and ensuring the use of SMART targets;
- Establishes engagement, monitoring and review procedures; and
- Provides context for subsequent incorporation of the Local Plan element currently subject to separate preparation

Subject to inclusion of any amendments, which are to be delegated to Lead Specialist – Place and Strategy, in consultation with the Leader of Council, Executive Lead Member for Strategic Planning and the Chairman of the Overview and Scrutiny Panel.

3. Establish a joint South Hams and West Devon Member working group to agree the scope, details and key measures of the Economic Development work, with Group Leaders being invited to make their nominations to serve on the Group whilst having consideration to the need for geographical balance of representatives; and
4. Undertake further work to identify *Key Measures* for the 8 Our Plan objectives that are clear expressions of the Councils intentions and which can be measured and readily promoted. Agreement of these to be delegated to Lead Specialist – Place and Strategy, in consultation with the Leader and Executive Lead for Strategic Planning.

## O&S.90/15 LOCALITY DELIVERY

The Panel considered a report that explained how the locality service was currently operating and proposed adjustments to the service to meet current business need. The report also sought to allay Member concerns which had recently emerged through Member consultation.

During discussion, the following points were raised:

- (a) The Chairman wished to thank those Members who had taken advantage of his invitation to make comments on the Service prior to this agenda item being presented. The responses submitted were thought to be well informed and gave a balanced overview and had been taken into account during the production of this report;
- (b) The majority view amongst Members was that the Service was still very much in its infancy and deserved to be given more time to establish itself. As a consequence, the suggestion that a further formal review be presented back to the Panel in six months' time was welcomed;

- (c) With regard to the value for money provided by the Service, it was acknowledged that the Locality team was now taking on responsibilities which were previously undertaken by higher paid officers;
- (d) Specifically regarding the Locality Engagement Officers, some Members expressed the view that there was still more work to be carried out to define the role and ensure that it was not duplicating the role of a local ward Member. For clarity, the Locality Manager confirmed that these officers were able to attend town and parish councils, however this was at the discretion of each local ward Member.

As the debate ensued, it became apparent that a number of Members questioned the value of these officers attending low footfall events such as coffee mornings. The belief was also stated that there was a need to revisit the job title of this role, with 'Place Case Manager' suggested as being a more appropriate description.

To counter some of the concerns expressed, Members did also advise that the role was being well received amongst town and parish clerks and, in a number of instances, the officers had helped them to resolve local issues more easily;

- (e) There was widespread support reiterated by a number of Members for the work particularly undertaken by the Mobile Locality Officers.

It was then:

### **RESOLVED**

1. That the revisions to the Locality Service (as detailed in Section 5 of the presented agenda report) be agreed to meet existing business demand; and
2. That ongoing monitoring takes place, with a further review report being presented to the Panel in six months' time.

## **O&S.91/15 PERFORMANCE REPORT**

Members were presented with a report that outlined the performance measures for Quarter 3.

In the ensuing debate, reference was made to:

- (a) the need for future performance reports to be produced in more simplified language. Furthermore on the format of future performance, the point was made that there was a need for more accurate narratives to supplement the actual figures;
- (b) the end to end time for new benefit claims. Some Members emphasised the importance and priority of ensuring that performance was improved in this regard;

- (c) the average call answer time. A number of previously raised concerns were again raised and Members lamented the apparent lack of improvement in service performance. In response, officers reminded the Panel that, by looking at the quarter 3 indicators, these were in effect unchanged to those presented to the Panel during the last Contact Centre Update on 14 January 2016 (Minute O&S.67/15 refers). In conclusion, it was felt that a more realistic picture of the service performance would be drawn once the new IT and telephony systems were in place;
- (d) planning enforcement. In reply to some concerns, it was intended that the decisions taken at the Special Council meeting on 25 February 2016 (Minute 65/15 refers) to approve both the action plan to address the backlog in cases and the additional funding for increasing the resources in the team would lead to improvements in performance.

It was then:

### **RESOLVED**

1. That Members note the performance levels against target communicated in the Balanced Scorecard and the performance figures supplied in the background and the exception report; and
2. That Members note the data and analysis provided within the 'Deep Dive' report – Planning Performance.

### **O&S.92/15 ACTIONS ARISING / DECISIONS LOG**

At the request of the Chairman, the Panel was presented with a new concept to ensure that actions and decisions generated from previous meetings were tracked.

A number of Members confirmed their support for this practice as a standing agenda item.

### **O&S.93/15 DRAFT ANNUAL WORK PROGRAMME 2015/16**

The Panel considered its draft 2015/16 Work Programme and made particular reference to two updates since the agenda had been published. These updates were as follows:

1. The senior Local Enterprise Partnership (LEP) representative advised that he was unable to attend a Panel meeting on 21 April 2016. In his response, he had also confirmed the difficulties in being able to attend 19 separate Council's within the LEP area. As an alternative, the representative had confirmed his willingness to attend an Overview and Scrutiny sponsored all South Hams and West Devon Member Briefing session in the future; and

2. The South Devon and Torbay Clinical Commissioning Group representatives had confirmed their willingness and availability to attend a Panel meeting on 21 April 2016.

**O&S.94/15 EXCLUSION OF PUBLIC AND PRESS**

The following resolution was **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED**:

**RESOLVED**

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act is involved.

**O&S.95/15 INCOME GENERATION PROPOSALS**

An exempt report was considered that set out the income generation initiatives being pursued by officers and sought Member agreement to make a series of recommendations supporting the principles outlined.

From the initial number of questions raised, coupled with the length of the agenda, the overriding view was that the Panel was not able to give this agenda item the level of focus that it deserved and it was therefore **PROPOSED, SECONDED** and when put to the vote declared **CARRIED** that:

**RESOLVED**

That the income generation proposals agenda item be deferred for consideration to a future Panel meeting that will be arranged to take place on Thursday, 7 April 2016 at 9.00am.

(Meeting started at 9.30 am and concluded at 1.00 pm).

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Chairman