

South Hams Overview and Scrutiny Panel



Title:	Agenda												
Date:	Thursday, 22nd March, 2018												
Time:	10.00 am												
Venue:	Cary Room - Follaton House												
Full Members:	<p style="text-align: center;">Chairman Cllr Saltern Vice Chairman Cllr Smerdon</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Baldry</td> <td>Cllr Hicks</td> </tr> <tr> <td>Cllr Birch</td> <td>Cllr Huntley</td> </tr> <tr> <td>Cllr Blackler</td> <td>Cllr May</td> </tr> <tr> <td>Cllr Cane</td> <td>Cllr Pennington</td> </tr> <tr> <td>Cllr Green</td> <td>Cllr Pringle</td> </tr> <tr> <td>Cllr Hawkins</td> <td></td> </tr> </table>	Cllr Baldry	Cllr Hicks	Cllr Birch	Cllr Huntley	Cllr Blackler	Cllr May	Cllr Cane	Cllr Pennington	Cllr Green	Cllr Pringle	Cllr Hawkins	
Cllr Baldry	Cllr Hicks												
Cllr Birch	Cllr Huntley												
Cllr Blackler	Cllr May												
Cllr Cane	Cllr Pennington												
Cllr Green	Cllr Pringle												
Cllr Hawkins													
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.												
Committee administrator:	Member.Services@swdevon.gov.uk												

- 1. Apologies for Absence**
- 2. Minutes** **1 - 8**
to approve as a correct record and authorise the Chairman to sign the minutes of the Panel held on 8 February 2018
- 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** **9 - 10**
A period of up to 15 minutes is available to deal with issues raised by the public;
- 7. Draft Executive Forward Plan** **11 - 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, 19 March 2018** to ensure that the lead Executive Member(s) and lead officer(s) are aware of this request in advance of the meeting.
- 8. Fusion Annual Review Presentation: January to December 2017** **17 - 36**
- 9. Development Management Pre-Application Advice** **37 - 56**
- 10. Hearing Decision Notice arising from the Code of Conduct Sub Panel meeting held on 15 January 2018** **57 - 60**

- 11. Task and Finish Group Updates (if any):**
(a) Drug and Alcohol Abuse
- 12. Actions Arising / Decisions Log** **61 - 66**
- 13. Draft Annual Work Programme** **67 - 68**
to consider items for programming on to the annual work programme of the Panel, whilst having regard to the resources available, time constraints of Members and the interests of the local community

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**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 8 FEBRUARY 2018**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	∅	Cllr E D Huntley
*	Cllr J P Birch	*	Cllr D W May
*	Cllr J I G Blackler	*	Cllr J T Pennington
*	Cllr B F Cane	*	Cllr K Pringle
*	Cllr J P Green	*	Cllr M F Saltern (Chairman)
*	Cllr J D Hawkins	*	Cllr P C Smerdon (Vice Chairman)
∅	Cllr M J Hicks		

Other Members also in attendance:
Cllrs H D Bastone, I Bramble, J Brazil, P K Cuthbert, T R Holway, N A Hopwood and K R H Wingate

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Head of Paid Service; and Senior Specialist – Democratic Services
3	O&S.88/17	Section 151 Officer
8	O&S.91/17	Case Management Manager
9	O&S.92/17	Community Of Practice Lead – Housing, Revenues and Benefits and Senior Specialist (Benefits)
10	O&S.93/17	Executive Director – Service Delivery and Commercial Development
11(b)	O&S.94/17(b)	Senior Specialist – Business Continuity

O&S.86/17 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 18 January 2018 were confirmed as a correct record and signed by the Chairman.

O&S.87/17 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 and these were recorded as follows:-

Cllr B F Cane declared a Disclosable Pecuniary Interest in Item 8: 'Section 106 Agreements Schedule' (Minute O&S.91/17 below refers) by virtue of having previously been the owner of Venn Farm, Brixton and he left the meeting room during consideration of this agenda item.

O&S.88/17 URGENT BUSINESS

The Chairman of the Panel informed that he had agreed for one item of urgent business to be raised at this meeting that related to a recent article that had been published by the BBC that had incorrectly claimed that the Council had overspent its budget by over 20% in 2016/17.

At this point, the Section 151 Officer was invited to provide a statement. In so doing, she advised that:

- the article had wrongly referred to expenditure before any deductions for Government grant income were taken into account. As a result, the figures quoted in the article were not a true reflection of the bottom line position of the Council, with the 2016/17 audited accounts in fact illustrating a £45,000 (0.5%) overspend against Budget;
- discussions had been held with the author of the article, who in turn was going to speak to their Editor to look at some form of correction and retraction; and
- contact was also being made with the other Councils, many of whom had also been wrongly referred to in the article.

O&S.89/17 **PUBLIC FORUM**

In accordance with the Public Forum Procedure Rules, there were no issues received for consideration.

O&S.90/17 **EXECUTIVE FORWARD PLAN**

The Panel was presented with the most recently published Executive Forward Plan. In the ensuing discussion, reference was made to the Waste Procurement agenda item. In light of the tight project timescales, the Panel was informed that this item would be presented direct to the Special Council meeting on 29 March 2018. Whilst accepting that it was unfortunate that this matter would be effectively bypassing the Executive / Overview and Scrutiny process, it was recognised that an Informal Council briefing session had been arranged for 22 February 2018. In addition, all Members were welcome to attend meetings of the Working Group. Finally, the Panel asked that consideration be given by the Working Group to the merits of arranging a further Member Briefing session before the Special Council meeting.

O&S.91/17 **SECTION 106 AGREEMENTS UPDATE**

Consideration was given to a report that provided an update on the progress made in monitoring and administering Section 106 Agreements by the new Section 106 Officer.

In discussion, reference was made to:

- (a) the recommendation to abolish the Community Reinvestment Fund. In the event of the Council approving the abolishment of the Fund at its Budget setting meeting, a Member sought clarity around the alternative process whereby local town and parish councils could apply for Section 106 monies. In response, officers confirmed that this would be set out in detail in the next update report presented to the Panel;
- (b) the role and input of Community Groups. A number of Members were of the view that local town and parish councils needed to broker good working relationships with their local Community Groups and, in effect, take on the role of conduit link between these Groups and the District Council. The Panel also recognised that there was a risk whereby expectations could be unduly raised and, as a result, there was a need for careful management in this regard. In conclusion, the Panel requested that reference also be made to this discussion point in its next update report;
- (c) the importance of early engagement with local Ward Members being critical;
- (d) expansion of the information contained within the full Schedule. The Panel also made a formal request for the full Schedule to be presented to it in six months' time with Devon County Council Section 106 Agreements and any other obligations that had emerged in relation to a Development also being included;

In conclusion, Members recognised that good progress had been made on this piece of work. However, the Panel had raised additional issues that required further consideration by officers before being re-presented to it in six months' time.

It was then:

RESOLVED

1. That the progress made by the new S106 Officer in monitoring and administering Section 106 Agreements be noted;
2. That early engagement with local Members and local town and parish councils is critical in order to establish (any) early needs and considerations for S106 monies. Furthermore, the Panel also suggests that Community Groups engage with their local town and parish councils as part of this early engagement; and
3. That a full Schedule be presented to the Panel in six months' time that included Devon County Council Section 106 Agreements and any other obligations that have emerged in relation to a Development.

A report was presented that outlined the impact to date of Universal Credits, future key dates and changes that had been agreed to the system in November 2017.

In discussion, the following points were raised:-

- (a) Whilst supportive of the recommendation for a further update report, some Members were of the view that the proposal for this to be in November 2018 was too late. As a way forward, it was agreed that the Chairman would liaise with the Community Of Practice Lead – Housing, Revenues and Benefits to determine an appropriate timescale for this update report. In terms of the content of this report, Members requested that it include reference to the impact on temporary accommodation and information on supported housing;
- (b) With regard to the limited funding highlighted in the presented agenda report to assist applicants with online support and budgeting advice, a Member questioned how much monies had been set aside. In response, officers advised that £7,000 (£4,500 towards budgeting support and £2,500 to assist with online support) had been awarded by the Department of Work and Pensions (DWP). The Panel recognised that these monies would not go far and the consequent challenges that this would present;
- (c) Members highlighted the effectiveness of the DWP presentation that they had received on 11 January 2018. In addition, Members also made reference to the commitment that had been given by those DWP representatives in attendance to undertake a training session for Members that demonstrated how residents could sign up to Universal Credit. In terms of the timing of this session, it was felt that it would be beneficial to arrange this event nearer to the anticipated roll out date (September 2018).

It was then:

RESOLVED

That the Panel acknowledges the impact to date of Universal Credits and requests receipt of a further update report for consideration at a future meeting.

O&S.93/17 QUARTER 3 PERFORMANCE INDICATORS

The Panel considered the Quarter 2 performance report for 2017/18. In conclusion, the report highlighted that the measures for this Quarter had maintained their good level of performance.

In discussion, reference was made to:-

- (a) planning enforcement workload. In addition to repeating previously raised concerns relating to the capacity and resilience of the planning enforcement service area, a Member also highlighted a specific example that indicated that the published case register did not include all matters and was therefore inaccurate.

In reply, the Head of Paid Service appreciated Member concerns but was satisfied that the resource allocation for the Planning Enforcement service was appropriate for the workload. With regard to the accuracy of the register, the Member was encouraged to pursue this matter with the Planning Enforcement Specialist outside of this meeting.

Furthermore, other Members shared their positive recent experiences of the service and promoted the value of the drop-in sessions with local Ward Members.

In accordance with the findings of the Development Management Service Peer Review, the Panel requested that, as part of the future quarterly performance measures report, it be in receipt of the latest set of indicators that had been presented to the Development Management Committee.

As part of any future review into performance indicators, a Member also asked that consideration be given to measuring and reporting the average case workload per planning officer;

- (b) recycling sack requests. A Member noted the number of recycling related calls and website processes during this quarter. These statistics were felt to support his view that the Council should have put messages out in the public arena to advise that, due to factors outside the control of the Council, the authority had run out of recycling sacks;
- (c) the average number of missed bins. Whilst acknowledging the unavoidable staff absences over the recent festive period, some Members recognised that communication with Members had been much improved since the establishment of the new management team. Moreover, the Panel wished to expressed its gratitude to the efforts of the Council's Operations Team, who worked tirelessly to deliver such a good frontline service;
- (d) Member access to performance measures on their iPads. By way of an update, the Vice-Chairman informed that IT was still trying to resolve a technical security issue to ensure that Members had immediate access to performance measures on their iPads;
- (e) the average time taken for processing Disabled Facilities Grants (DFGs). The Panel congratulated lead officers for their performance regarding the average time taken for processing DFGs;
- (f) sickness statistics. Members considered the sickness statistics indicator to be positive. In reply, officers informed that, whilst the winter had seen a flu epidemic, the Council had offered a free

vaccination to its staff and elected Members. When considering these performance measures, it was suggested that this initiative had been both successful and well received.

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, as part of future quarterly performance reports, the latest set of indicators (as presented to the Development Management Committee) be included.

O&S.94/17 TASK AND FINISH GROUP UPDATES

(a) Performance Measures

By way of an update, the Panel recognised that the current review of the Corporate Strategy (and the subsequent knock-on effect to the Corporate Priorities) was likely to have a big impact on the Council's Performance Measures. Whilst recognising that the decision had been made to re-commence with the joint review at the Panel meeting on 18 January 2018 (Minute O&S.83/17(a) refers), it was therefore deemed appropriate to hold this piece of work in abeyance pending the outcome of the Corporate Strategy review.

In terms of timescales, it was confirmed that the intention at this time was for the draft Strategy to be presented for approval to the Annual Council meeting on 17 May 2018.

(b) Drug and Alcohol Abuse

Following the request at the last Panel meeting (Minute O&S.85/17 refers), the draft Terms of Reference for the Drug and Alcohol Abuse Task and Finish Group were presented for consideration.

In discussion, the following points were raised:-

- Since the agenda had been published, further consideration had been given to the role of Totnes Town Council during this review. Instead of inviting one Town Councillor to be a part of the Group, the majority of Members felt it would be preferable to gain the collective view of the Town Council as a corporate body rather than the views of one individual;
- To provide more flexibility to the Group, some Members were of the view that by the proposal to only engage and meet with 'concerned parents and young adults' was too restrictive. Whilst the Terms of

Reference had been drafted to ensure that the Review was realistic and not overly ambitious, the majority of Members felt that they should be revised to include reference to engaging and meeting with '*informed parties*';

- A Member highlighted that Sergeant Perrin had attended the meeting of Totnes Town Council on 5 February 2018 and had made some very interesting points that were relevant to this Review. As a result, the Member encouraged the Task and Finish Group to listen to the recording of the presentation that was available on the Town Council website;
- The Group recognised the need for a Communications Strategy to support this Review and it was hoped that, at a convenient point, a press release would be issued;
- It was noted that the Group appreciated that representatives of the South Devon and Dartmoor Community Safety Partnership would play an integral role in this Review.

It was then:

RESOLVED

That the draft Terms of Reference be approved, subject to inclusion of the amendments as outlined in the detailed minutes above.

O&S.95/17 ACTIONS ARISING / DECISIONS LOG

The contents of the latest version of the Log was presented for consideration.

In so doing, the following points were raised:-

- (a) In noting the time delay on the progress update on the pre-application service review, the Panel requested that this matter be scheduled on to its next meeting agenda (22 March 2018);
- (b) It was confirmed that the action regarding Sovereign / Spectrum Housing arrangements had now been completed;
- (c) With regard to the Member Training and Awareness session on the General Data Protection Regulations, it was confirmed that officers were in the process of fixing a suitable date.

O&S.96/17 ANNUAL WORK PROGRAMME 2017/18

In consideration of its Annual Work Programme, the following comments, additions and amendments were made:-

- (a) With regard to the update on heating at Follaton House, it was noted that this matter had now been resolved. The Panel therefore agreed to remove this item from its Work Programme;
- (b) It was agreed that the Devon Building Control Partnership update should be scheduled for consideration by the Panel at its June 2018 meeting;
- (c) With regard to the proposal to install electric car charging points in the Council's public car parks, it was confirmed that officers were in contact with a company who had looked at a similar proposal for East Devon District Council at no cost to the authority;
- (d) In light of the Panel having a new lead officer, it was noted that the Scrutiny Proposal Form would be amended to ensure that this officer was added to the list of consultees during the delegation process.

(Meeting started at 10.00am and concluded at 12.10pm)

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 15 March 2018. 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 monthly 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.

Cllr John Tucker – Leader of the Council

Cllr Simon Wright – Deputy Leader and lead Executive Member for Support Services

Cllr Keith Wingate – lead Executive Member for Business Development

Cllr Rufus Gilbert – lead Executive Member for Commercial Services

Cllr Hilary Bastone – lead Executive Member for Customer First

Cllr Nicky Hopwood – lead Executive Member for Customer First

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

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

INDEX OF KEY DECISIONS

Service	Title of Report and summary	Lead Officer and Executive member	Anticipated date of decision

KEY DECISIONS:

For the purpose of the Executive Forward Plan, a key decision is a decision that will be taken by the Executive, and which will satisfy either of the following criteria:

'to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates

(For this purpose significant expenditure or savings shall mean:

Revenue – Any contract or proposal with an annual payment of more than £50,000; and

Capital – Any project with a value in excess of £100,000); or

to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority, in the opinion of the Monitoring Officer (or the Democratic Services Manager in his/her absence).

A key decision proforma will be attached for each key decision listed above.

OTHER DECISIONS TO BE TAKEN BY THE EXECUTIVE

Service	Title of Report and summary	Lead Officer and Executive Member	Decision maker	Anticipated date of meeting	
				Executive	Council
Support Services	Treasury Management Strategy for 2018/19 onwards – to set out the strategy for the Council’s investments and borrowing, together with Counterparty criteria and associated prudential indicators.	LB/Cllr Wright	Council	15 March 2018	29 March 2018
Customer First	South Hams Special Area of Conservation, Joint SPD – Approval for Consultation – to seek approval to go out for consultation on the SPD draft	RS/Cllr Bastone	Executive	15 March 2018	29 March 2018
Commercial Services	Procurement of the Waste Contract - Haulage	JS/Cllr Gilbert	Council	26 April 2018	17 May 2018
Commercial Services	Waste Policies - Update	JS/Cllr Gilbert	Council	15 March 2018	29 March 2018
Support Services	Transformation Programme Closedown – to provide a closedown report of the T18 Transformation Programme	LB/Cllr Tucker	Executive	26 April 2018	17 May 2018
Strategy and Commissioning	Corporate Strategy	NT/Cllr Tucker	Council	26 April 2018	17 May 2018
Support Services	Medium Term Financial Strategy for 2019/20 onwards	LB/Cllr Tucker	Council	26 April 2018	17 May 2018
Strategy & Commissioning	Annual Report	NT/Cllr Tucker	Council	26 April 2018	17 May 2018
Support Services	GDPR/Data Protection Act 2018 Compliance	DA/Cllr Wingate	Council	26 April 2018	17 May 2018
Customer First	Follaton HQ Review	CB/DP/Cllr Tucker	Executive	26 April 2018	17 May 2018
Customer First	Kingsbridge Masterplan	CB/DP/Cllr Tucker	Executive	26 April 2018	17 May 2018
Customer First	Regulatory Reform Policy on Disabled Facilities Grants	IL/Cllr Hopwood	Council	26 April 2018	17 May 2018
Customer First	Discretionary Rate Relief	IB/Cllr Bastone	Executive	14 June 2018	26 July 2018
Support Services	IT Procurement	NH/Cllr Wright	Council	14 June 2018	26 July 2018
Customer First	Batson Masterplan Update and Next Steps	CB/DP/Cllr Tucker	Executive	14 June 2018	26 July 2018
Strategy &	Sherford Opportunities	DA/CB / Cllr	Council	14 June 2018	26 July 2018

Commissioning		Tucker			
Customer First	Homelessness Strategy Year 2	IB/Cllr Bastone	Executive	14 June 2018	26 July 2018
Customer First	Increasing Housing Supply Options	DA/Alex Rehaag/Cllr Wingate/Bastone	Council	14 June 2018	26 July 2018
Customer First	JLP return – closely followed by SPD	TJ/Cllr Tucker	Council	14 June 2018	26 July 2018

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

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

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

LB – Lisa Buckle –s151 Officer

HD – Helen Dobby – Group Manager Commercial Services

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

AR – Alex Rehaag – Specialist Place and Strategy

TJ – Tom Jones – COP Lead Place Making

CBowen – Catherine Bowen – Monitoring Officer

DA – Darren Arulvasagam – Group Manager Business Development

SLT – Senior Leadership Team

CB – Chris Brook – COP Lead Assets



South Hams
District Council

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Fusion Annual Review Presentation

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

Period : January - December 2017

January 2018

Annual Review

Agenda

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- Annual Performance
 - summary overview
 - financial performance
 - participation
 - customer satisfaction
 - health and safety
 - facility management
 - staffing
 - marketing
 - sports and community development
 - capital developments
- Fusion update

Annual Review

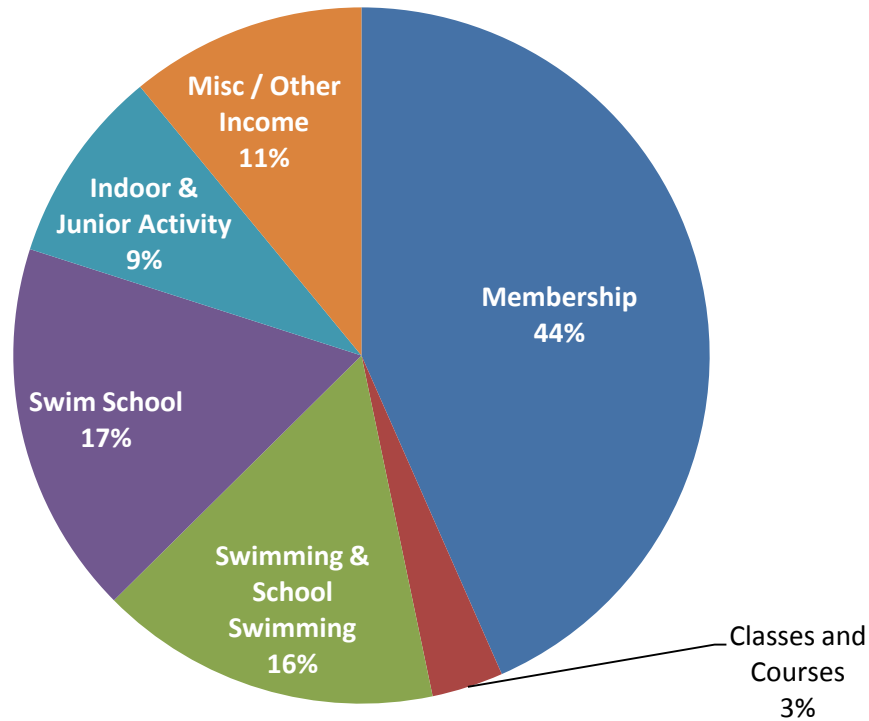
Performance Summary Overview

- all figures are baseline figures for first 12 months
- total income: c.£3.4m YTD
- total participation: c.623,000 YTD
- average customer satisfaction score: 71%
- memberships: c.4,500
- good progress made in health and wellbeing (SCD)
- good progress made in capital projects
- current challenges:
 - managing the facilities with minimum disruption during the refurbishments

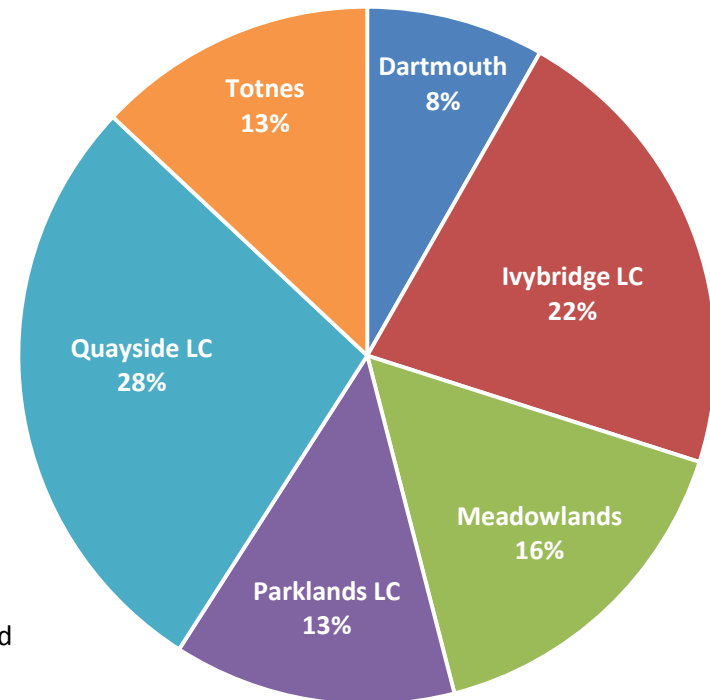
Annual Review

Financial Performance

- total income: £3.4m YTD
 - split by activity:



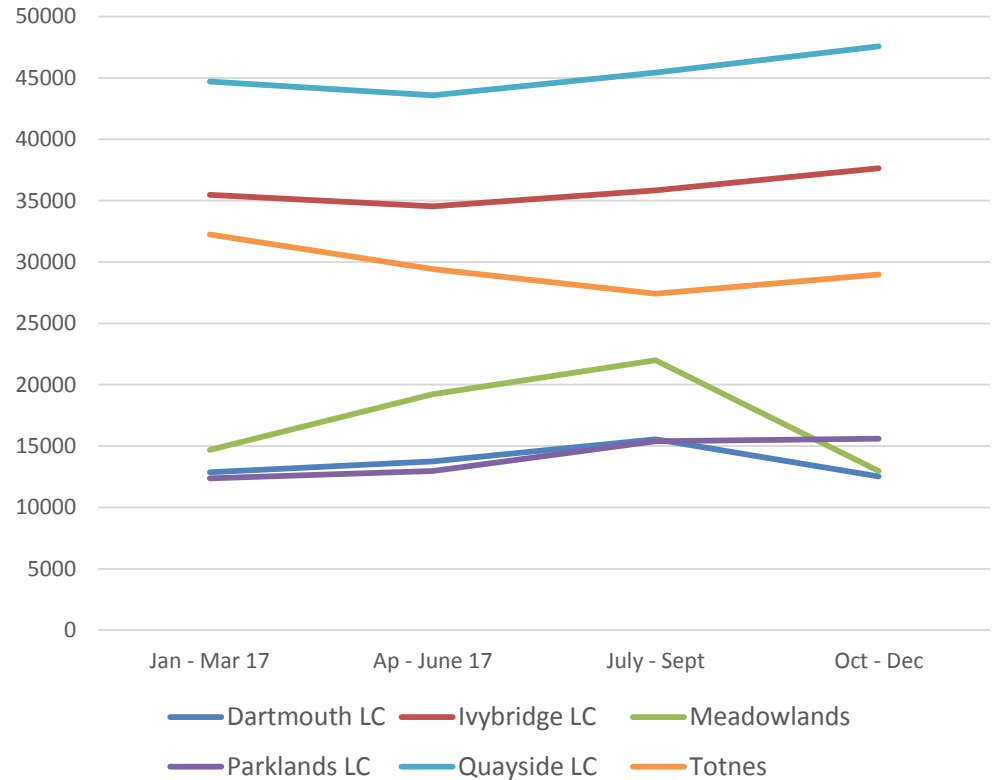
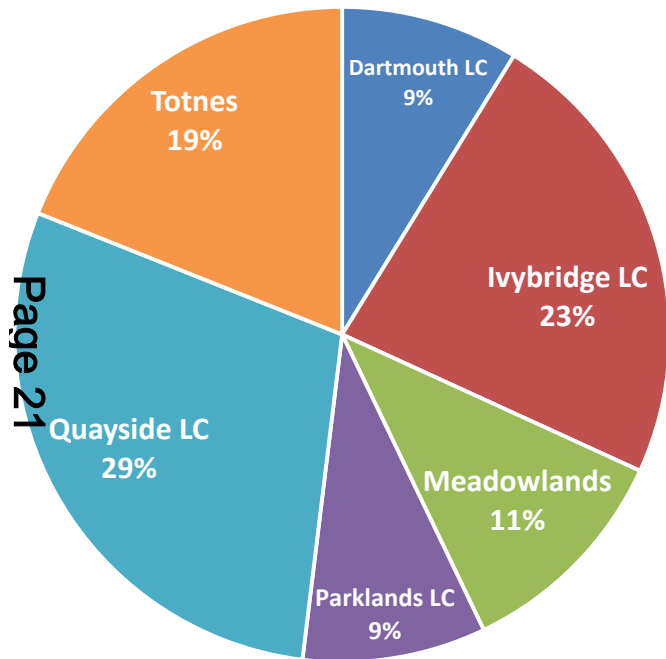
- split by centre:



Annual Review

Participation

- total participation c.623,000 YTD (Jan-Dec)
 - split by centre:

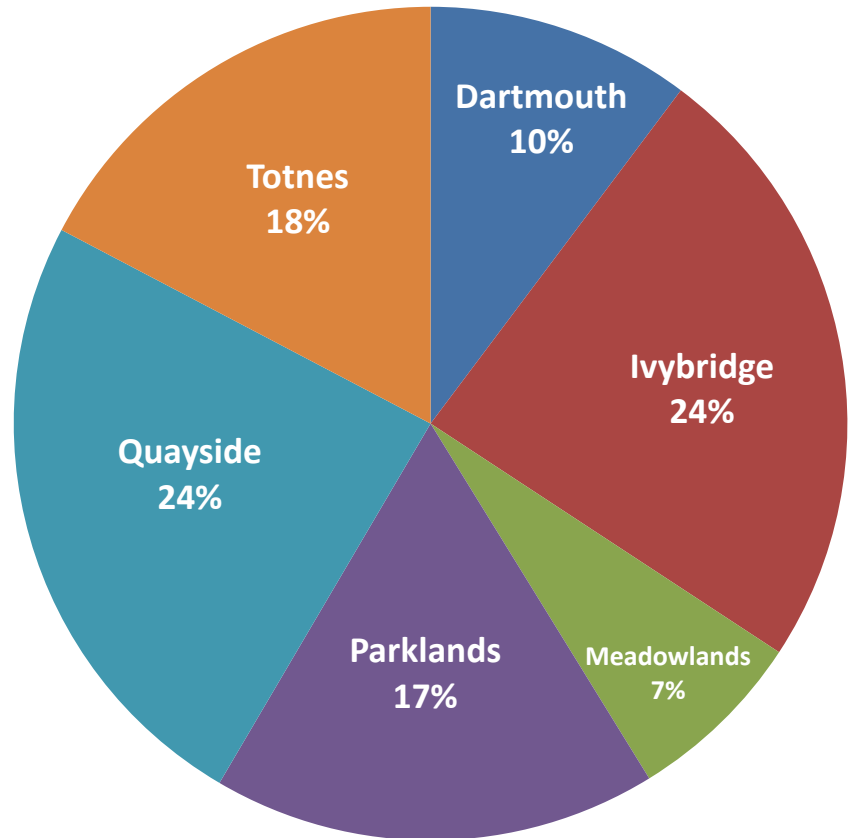
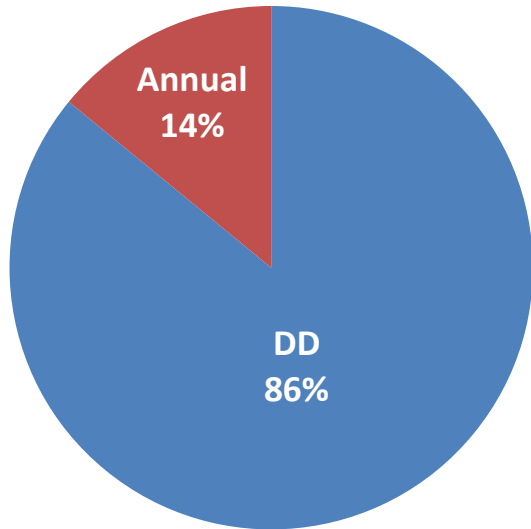


Annual Review

Participation

- memberships: 4,477
 - DD: 3,847
 - annual: 630

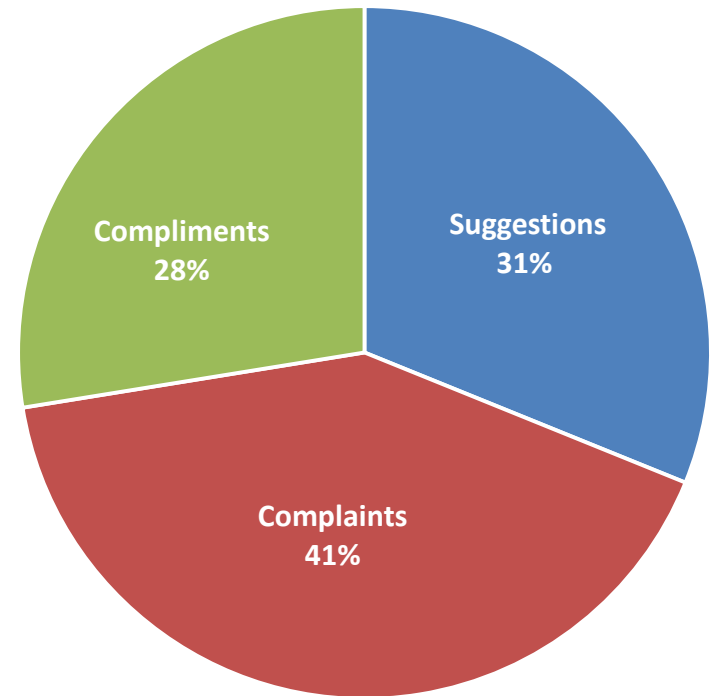
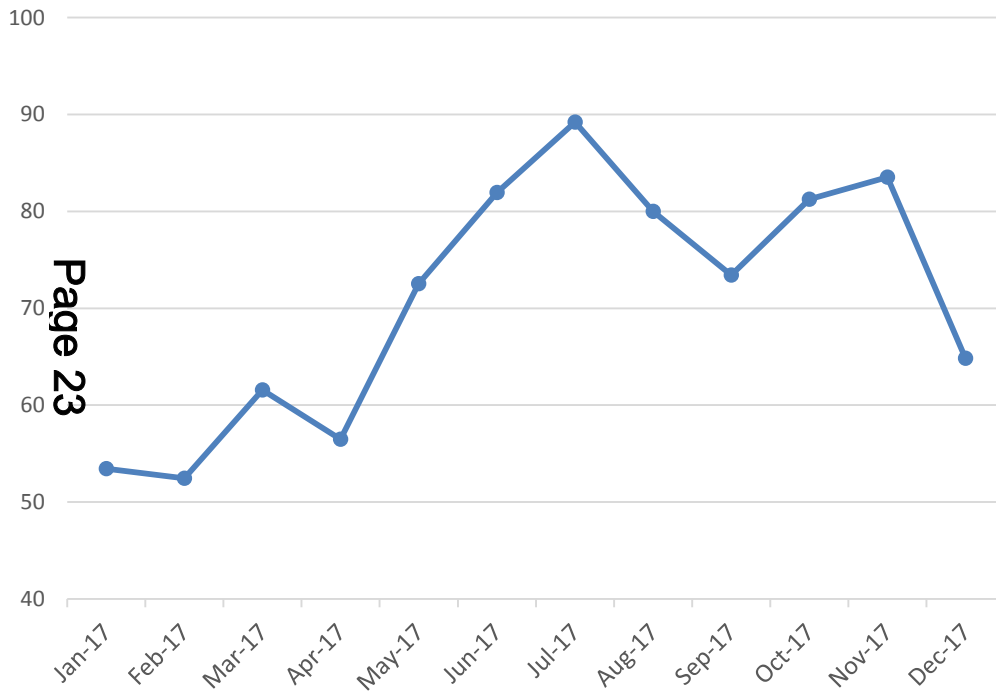
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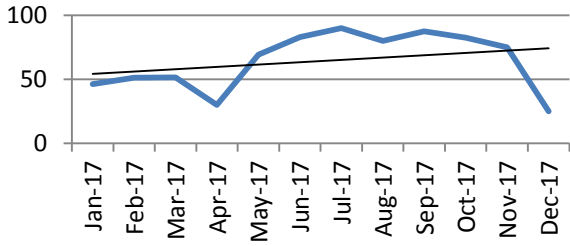
Annual Review

Customer Satisfaction

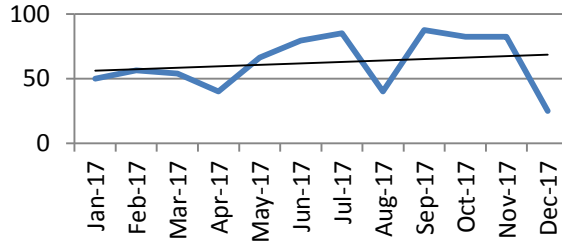
- 1,006 submitted PTUWYT comment cards
 - 363 completed PTUWYT comment cards
 - overall 71% average satisfaction



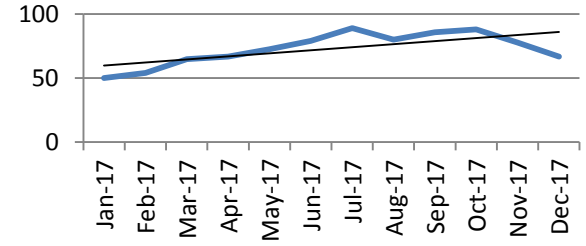
Website



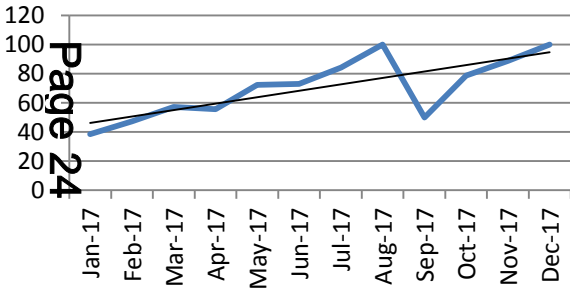
Gaining Information



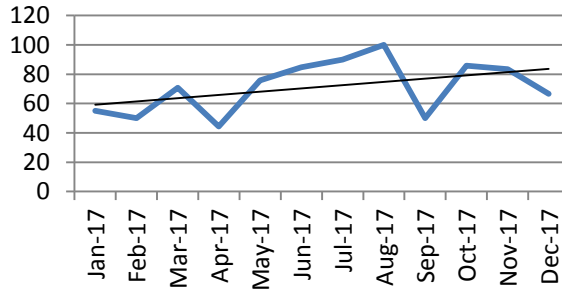
Ease of Booking



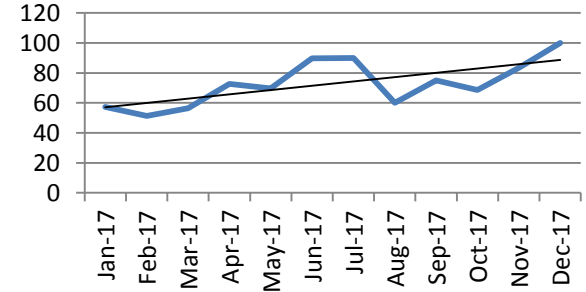
Equipment



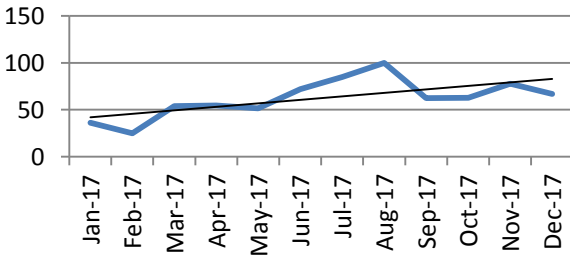
Value for Money



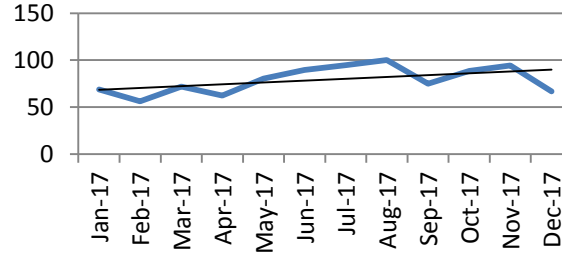
Cleanliness



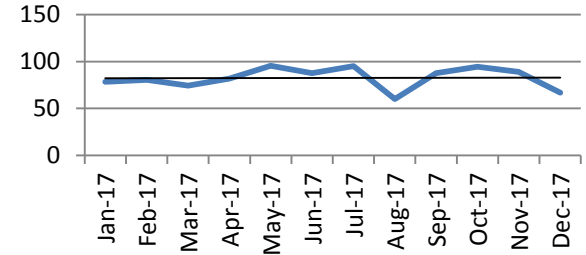
Building Condition



Range of Activities



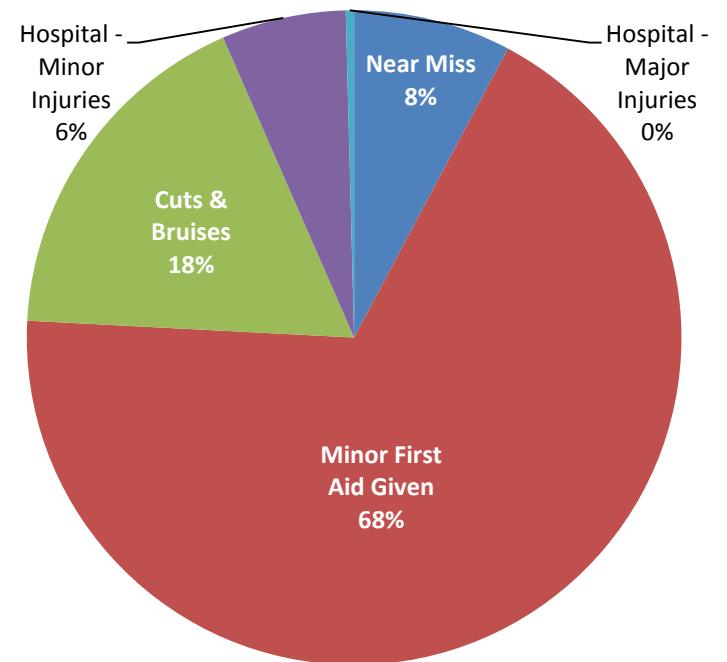
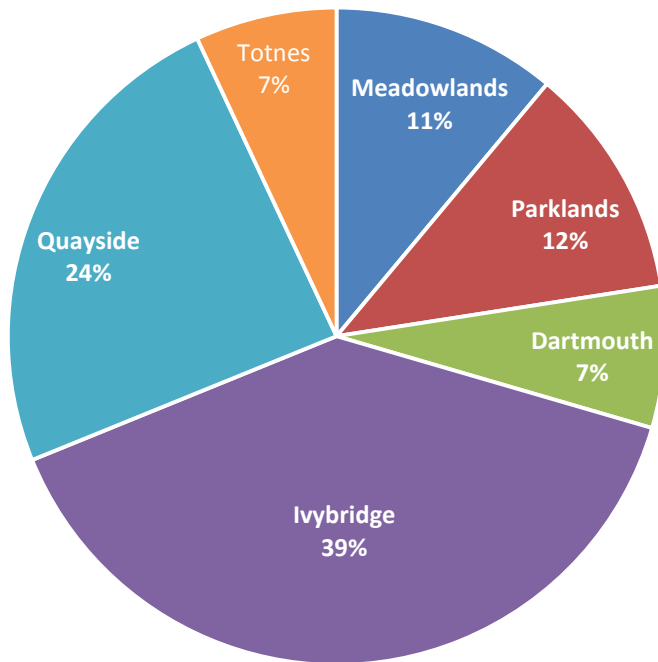
Staff



Annual Review

Health and Safety

- total accidents in YTD: 244
- accidents per 10,000 visits: 3.56



Annual Review

Facility Management

Page 26

- F360
 - 95% of scheduled inspections completed YTD
- cleaning
 - 100% of planned cleaning tasks completed YTD
- PPM
 - 99% of scheduled PPM completed across all sites for the quarter
- key facility maintenance issues:
 - Meadowlands AHU planned for replacement
 - Parklands air conditioning planned for repair
 - Quayside pool pillars programmed for repair
 - commencing 19th February – 16 weeks build plan
 - regular maintenance check with Council Officers and Fusion staff

Annual Review

Staffing

- key appointments/changes
 - Quayside GM:
 - Ben Wilkinson has left the business
 - Matt Green seconded to GM role at Quayside
 - OCRA continue to provide a key Sports Development Partnership
- training and LMPD update
 - all staff have completed corporate induction
 - online training has 100% compliance
 - 4 key team members entered on the ILM Management Training Programme level 5 and 4 on the Level 4 programme
 - apprenticeship scheme in Meadowlands will now be rolled out across the estate. ICON training will be the provider, based in Exeter.

Annual Review

Quest

- All Sites have attained Quest Accreditation:

Centre	Type	Assessment Date	Overall Score
Parklands Leisure Pool	Plus	27th July 2017	Good
Quayside Leisure Centre	Plus	7th August 2017	Very Good
Meadowlands Leisure Centre	Plus	14 th August 2017	Very Good
Ivybridge Leisure Centre	Plus	22 nd June 2017	Very Good
Dartmouth Leisure Centre	Entry	20 th June 2017	Registered

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Annual Review

Marketing

- Swim School campaign - activity includes web updates, emails to databases, press adverts in Dartmouth and a supporting digital campaign
- Schools Out – School holidays – promoted through print and digital
- Social media – Followers growing and posts & boosts were made across all centres to support all campaigns and local activities in the centres
- App - continues to grow in usage Dartmouth Leisure Centre 506, Totnes Pavilion 360, Ivybridge Leisure Centre 752, Quayside Leisure Centre 645, Meadowlands Leisure Centre 204, Parklands Leisure Centre 405
- 'What's Your Fit' Autumn campaign– free activity pass, no joining fee and referral offers - promoted digitally and in print.

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#WYF

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Tel: 01822 697774

Parklands Leisure Centre
Simmons Park, Okhampton,
Devon, EX20 1EP
Tel: 01837 669164

Powered by Fusion Lifestyle, a registered charity committed to promoting the benefits of healthy lifestyles.



*Terms and conditions apply, please check the website for more details

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SCHOOLS OUT!

MAKE OUR WEST DEVON LEISURE CENTRES YOUR FIRST STOP THIS SCHOOL HOLIDAY

BOOK ONLINE FOR FUN SCHOOL HOLIDAY ACTIVITIES

WWW.SCHOOLSOUT.TODAY

*Thanks to Fusion Lifestyle (a registered charity) contributions promoting the benefits of healthy lifestyles.

Refurbishment is underway...

[View in browser](#)



**MEADOWLANDS LEISURE CENTRE
REFURBISHMENT UPDATE**



Hi Laura

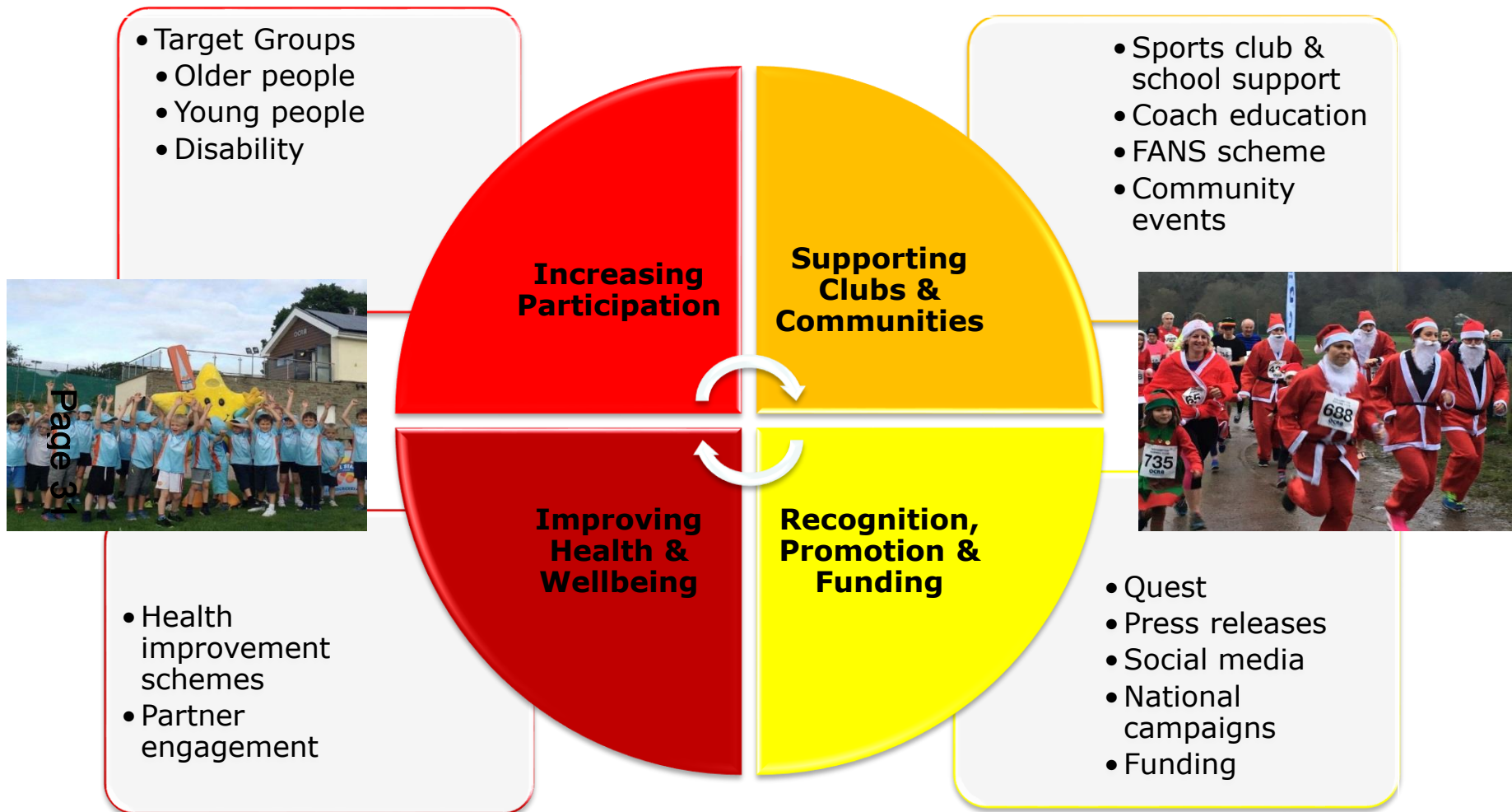
The first stage of work on the major refurbishment of Meadowlands is set to start from Monday 4th December.

Due for completion in late summer 2018, just some of the exciting improvements members can look forward to include: a **new gym** with the latest fitness equipment; a **new studio** for group exercise classes; an **improved café** and **new dry and wet-side changing areas**.

South Hams / West Devon & Fusion Lifestyle

SHWD Sports & Community Development Annual Report 2017

Our impact, achievements & highlights
in partnership with OCRA ...



‘Realising our Potential...’



SHWD Sports & Community Development

Annual Report 2017

Our impact, achievements & highlights
in partnership with OCRA ...



Increasing Participation

7 new adult sports sessions delivered
Several new fitness classes added to the programme
11 new junior activities added to the programme
12 school festivals & tournaments delivered
Worked with 6 disability groups
32 (Average) weekly attendance at Youth Nights
6 weekly sessions for over 50s
2654 people on Swim School (at 1st Dec)

Supporting Clubs & Communities

Ongoing work with 60 clubs
Hosted 7 coach education courses
26 members on the FANS scheme
Working with 10 NGBs locally
Delivered at 10 community events
27 teams entered into South West Youth Games & hosted event in Okehampton
Support to over 35 schools

Health & Wellbeing

168 GP Referrals received
4 targeted health groups e.g. Pulmonary group
Engaged with 36 partners who share objectives to improve Health & Wellbeing including Councils, Town Councils, NHS, GP surgeries, Youth groups, CVS, Active Devon, Age UK etc.
50 health checks provided to Council staff as part of workplace health.

Recognition, Promotion & Funding

Scored Excellent or Very good in Community Outcomes & SCD related Quest modules.
6 Press releases & Supported 4 National Campaigns
Social media posts 3-5 times a week using #FusionSCD
613 actions on SCD posts across 6 FB pages.
£27,882 Funding achieved in 2017
(Fusion - £8,882, OCRA - £13,500 , Partners - £5,500)
£9000 secured for 2018
£19k Submitted and awaiting outcomes

‘Realising our Potential...’



Annual Review

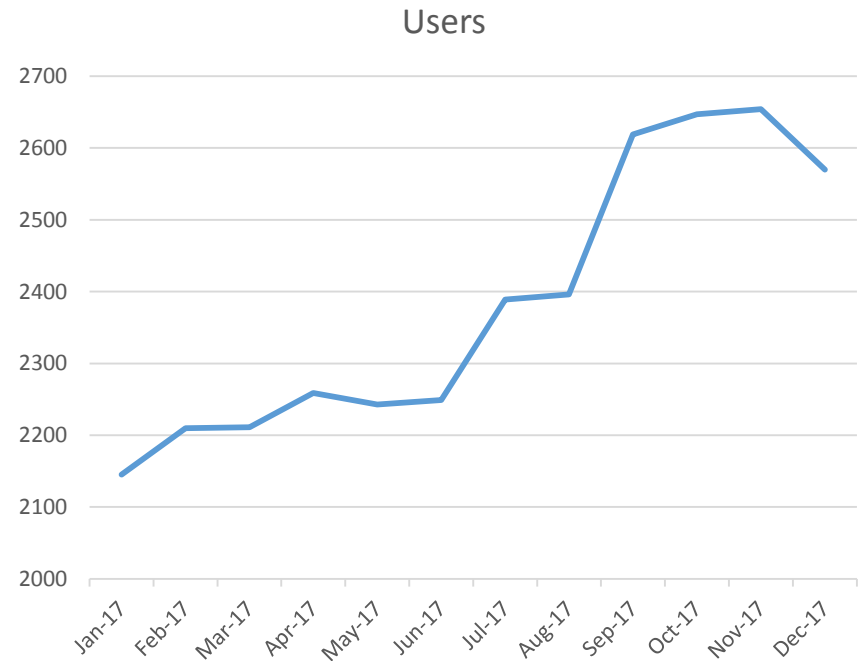
Sports and Community Development

To deliver an increase in participation by young people

Swim School

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	Users	Occupancy
Jan-17	2132	71.45%
Feb-17	2210	74.56%
Mar-17	2211	73.06%
Apr-17	2259	74.70%
May-17	2243	73.64%
Jun-17	2249	72.60%
Jul-17	2389	70.02%
Aug-17	2396	72.33%
Sep-17	2619	77.59%
Oct-17	2647	77.30%
Nov-17	2654	77.32%
Dec-17	2570	75.15%



Annual Review

Capital Developments

- work completed at Dartmouth to link the buildings together
- Meadowlands works commenced 4th December 2017:
 - changing rooms completed Friday 9th March 2018
 - new studio & gym to be completed in early-October 2018
- Parklands work commenced w/c 5th February 2018:
 - Ground floor works completion mid-March 2018
 - refurbishment of upstairs offices will commence April 2018: 12 week programme
- plans for Quayside, Ivybridge are completed:
 - Quayside – contractor appointed, works start mid-March 2018. Scheduled completion date: September 2018
 - Ivybridge – works start late April 2018. Scheduled completion date: Spring 2019
- key stakeholders have been engaged with and some project changing designs have been made:
 - e.g. retention of the squash courts at Quayside
- plans for Totnes are being currently under consideration:
 - commenced in Q1 2018 – still ongoing.

Annual Review

Capital Development: Progress

- Dartmouth
 - works completed

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Fusion Annual Review Presentation

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

Period : January - December 2017

January 2018

Agenda Item 9

Report to: **Overview and Scrutiny Panel**
Date: **22 March 2018**
Title: **Development Management Pre-Application Advice**

Portfolio Area: **Customer First – Cllr H Bastone**

Wards Affected: **All**

Relevant Scrutiny Committee: **N/A**

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

Date next steps can be taken:

Author: **Patrick Whymer** Role: **Community of Practice Lead – Development Management**

Contact: **patrick.whymer@swdevon.gov.uk**

RECOMMENDATION

That the Overview and Scrutiny Panel RECOMMEND to the Executive approval of the proposed pre-application process for consultation with users of the service.

1. EXECUTIVE SUMMARY

- 1.1** Following the Planning Peer review, it was agreed that a review of the planning pre-application process be undertaken, including the planning duty service.
- 1.2** The key elements of the existing pre-application process are robust and remain valid. There are two main areas of the process that it is recommended are changed; the interaction with Council Members and Town and Parish Councils, and the publication of both pre-application submissions and the Councils response.
- 1.3** Proposed changes in respect of the interaction during the pre-application process with Council Members and Town and Parish

Councils together with changes to the publication of Pre-application submissions and responses are provided at Appendix 1.

2. BACKGROUND

- 2.1** South Hams District Council is committed to supporting effective pre-application engagement with developers, applicants and local communities. However, it should be noted from the outset that the Council's pre application service is for the provision of advice and is not an approval service. It should aim to give developers/applicants very clear advice about whether Council officers may recommend approval for a scheme, or how it may need to change to be supported by a recommendation.
- 2.2** The National Planning Policy Framework (NPPF) advises Local Planning Authorities (LPAs) to approach decision-taking in a positive way to foster the delivery of sustainable development. LPA's need to look for solutions rather than problems and where possible, seek to approve applications for sustainable development. In this respect, LPA's should work proactively with developers/applicants to secure developments that improve economic, social and environmental conditions of an area.
- 2.3** The NPPF clearly encourages early engagement and front loading as this has significant potential to improve the efficiency and effectiveness of the planning system for all parties. Good quality pre-application discussions enable better coordination between public and private resources and improved outcomes for the community. LPA's have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage and should encourage any developers/applicants to engage with the local community before submitting their formal planning applications.
- 2.4** The more issues that can be resolved at pre-application stage, the greater the benefits. For the planning system to be effective and positive, statutory planning consultees must take the same early, pro-active approach, and provide advice in a timely manner. This assists in issuing timely decisions, helping to ensure that there are no unnecessary delays and costs.
- 2.5** We receive a significant number of pre-application submissions with 348 being received in 2017. However only 217 submissions completed the process in 2017 and it is clear that insufficient resources have been directed to pre-applications to enable the efficient processing of them within the time frame that is set out which is 6 weeks for non-majors and between 2-6 months for major schemes.
- 2.6** The existing pre-application process sets out that the Council will expect developers and applicants to be open and positive in their engagement with communities and follow the Council's pre-application process. Communities have a key role in identifying

issues and opportunities around community facilities. The pre-application process and interaction between developers and applicants, local communities and the LPA will allow those communities to express their thoughts and opinions on scale, nature and form of development in a way that is proportionate to the scale of the development proposal.

- 2.7** There appears only to be a small number of pre-application submissions during which the local community are involved. The Council has no power to compel developers or prospective applicants to engage with the community, other than for a relatively large scale energy project. However the pre-application process should continue to encourage community involvement.
- 2.8** The planning duty service sits alongside the pre-application process. The duty planning service only provides general planning advice and not pre-application advice. There are also specific appointments for Listed Building and Heritage questions. It is recognised that this does provide a service to customers who have general planning questions.

3. PROPOSED ACTIONS

- 3.1** As Members are aware, the Planning Duty service has been revised and those revisions approved as part of the Budget Setting process to take effect from 1 April 2018. Members of the public (including planning agents/architects) can book either a face to face appointment at Follaton House or have a telephone call from a member of the Development Management Team who cover the appointments on a rota. Each appointment is for 30 minutes and will be charged at £30 per appointment. At present the duty service is free and is for 15 minute appointments.
- 3.2** The Council has also approved through the budget setting process, fees for pre-applications from April 2018. A copy of the approved fees are attached at Appendix 2.
- 3.3** The target timescales for dealing with pre-application submissions have been re-visited. It is acknowledged that the response times to pre-application enquiries have not been in accordance with the target timescales. The additional resources to Development Management achieved through the increase in planning fees, will provide additional capacity that will facilitate improvements in the speed of response to such enquiries. It is proposed that the target timescales for dealing with pre-applications will be as follows:

Householder/Advertisements: Meeting to take place within 4 weeks from the date of receipt of pre-app with a full response within 6 weeks from date of receipt.

Small Minor: Scoping meeting to take place within 4 weeks from the date of receipt with notes to be circulated for agreement with 7 days of the meeting.

Full pre-app meeting within 4 weeks from date of receipt or within 2 weeks if it follows a scoping meeting. Full response within a timescale agreed at the pre-app meeting. If no further information is required or no comments from other consultees needed the response should be within 3 weeks of the meeting.

Minor: Scoping meeting to take place within 4 weeks from the date of receipt with notes to be circulated for agreement within 7 days of the meeting.

Full pre-app meeting within 4 weeks from date of receipt or within 2 weeks if it follows a scoping meeting. Full response within a timescale agreed at the pre-app meeting. If no further information is required or no comments from other consultees needed the response should be within 3 weeks of the meeting.

Small Scale Major: Scoping meeting to take place within 4 weeks from the date of receipt with notes to be circulated for agreement within 7 days of the meeting.

Full pre-app meeting within 5 weeks from date of receipt or within 3 weeks if it follows a scoping meeting. Full response within a timescale agreed at the pre-app scoping meeting or at the first full pre-app meeting.

Large Scale Major: Scoping meeting to take place within 4 weeks from the date of receipt with notes circulated for agreement within 7 days of the meeting. The timescale for the rest of the pre-app will be set out in an agreed PPA.

- 3.4** A pre-application submission should not be dealt with in the same way as a planning application and is not a vehicle for public consultation and the consideration by the Council of representations from the public or other non-technical consultees.
- 3.5** The Council will continue to encourage discussion between developers and land/property owners who submit pre-applications and the community, including Town and Parish Councils. There will not be formal consultation with the community by the Council unless a development forum takes place,
- 3.6** It is proposed that Ward Members will continue to receive a weekly list of new pre-application enquiries that have been received. In addition, it is proposed that Ward Members will be advised when pre-application meetings have been arranged to enable them to attend the meetings if they so wish. Further details are set out in Appendix 1.
- 3.7** It is also proposed that if an application is subsequently submitted following any pre-application advice being given, once the new application is registered, the pre-application submission and the

response from the Council will be published on the Council Website with the application documents.

4. CONSIDERATION OF RISK

- 4.1** The front loading of the planning application process with early engagement is set out in the NPPF as having the significant potential to improve the efficiency and effectiveness of the planning application system. The risk therefore in not engaging at a pre-application stage is reducing the efficiency and effectiveness of Development Management.
- 4.2** The changes proposed will address a potential perception that the pre-application process is not transparent, by publicising the pre application details and advice given once a full application is received.

5. IMPLICATIONS

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Paragraphs 188 - 195 of the National Planning Policy Framework set out that Local Planning Authorities should engage with a pre-application process. The EIR 2004 Regulations provide a presumption of disclosure for information including pre-apps
Financial	N	There are no direct financial implications of the contents of the report.
Risk	Y	As outlined in section 4.0 of the report
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications	N	

Appendices:

Appendix 1 – Proposed Pre-App procedure.

Appendix 2 – Approved Pre-App fees from 01/04/18

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SOUTH HAMS DISTRICT COUNCIL – PRE-APPLICATION ADVICE

MARCH 2018 – DRAFT FOR CONSULTATION

1. Overview

- 1.1 Any advice given by Council officers in response to pre-application (pre-app) enquiries does not indicate a formal decision by the Council as local planning authority. Any views or opinions expressed are given in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application following statutory public consultation, the issues raised and evaluation of all available information.
- 1.2 The response given at pre-app does not bind the Council to a decision and officers cannot give guarantees about the final formal decision that will be made on planning or related applications. It will aim to give developers/applicants very clear advice about whether Council officers will recommend approval for a scheme, and how it may need to change to be supported by a recommendation. A charge is made for this service.
- 1.3 Pre-app advice is given in accordance to the circumstances at that time and is subject to the proviso that circumstances and information may change or come to light that could alter the position.
- 1.4 If following a pre-app enquiry, a subsequent planning application is made on the site, the pre-app together with any response made by the Council will be made available for public inspection. If at any time the Local Planning Authority receives a request, under the Freedom of Information Act (FOI) or Environmental Information Regulations (EIR), to disclose information relating to this pre-application enquiry they are obliged to do so unless the information is deemed exempt under the Act. We can only withhold information under FOI or EIR if the information falls under one of the exemptions (FOI) or exceptions (EIR) set out in legislation. For certain pre-application issues the applicant would be advised to complete the section in the application form setting out why they consider the matter to be sensitive and should set out the reasons why, and for how long, they feel any information relating to the case needs to remain confidential. However, whilst we will take account of these views, the final decision on whether the information should be withheld rests with the Council. The Council maintains compliance to the Data Protection Act and we will not release any personal information to third parties.

2. Introduction

- 2.1 Open and constructive pre-application discussions are an opportunity for the Council and applicants to work together to achieve developments that deliver benefits to the individual, community, environment and the economy. This can save time and costs and optimise the potential of a site.
- 2.2 Benefits of pre-application enquiries and discussions include:
- Saving time and resources
 - Raising the quality of development
 - Speeding up the validation process
 - Gaining community acceptance through engagement
 - Reducing the number of unsuccessful planning applications
 - Identifying the need for specialist input earlier
 - Provide sufficient information to support final application
- 2.3 The more issues that can be resolved at pre-application stage, the greater the benefits. For the planning system to be effective and positive, statutory planning consultees must take the same early, pro-active approach, and provide advice in a timely manner. This assists in issuing timely decisions, helping to ensure that there are no unnecessary delays and costs.
- 2.4 With this in mind, South Hams District Council will expect developers and applicants to be open and positive in their engagement with communities and follow the Council's expectations for community engagement as set out in Section 7 below. Communities have a key role in identifying issues and opportunities around community facilities. The pre-app process and interaction between developers and applicants, local communities and the LPA will allow those communities to express their thoughts and opinions on scale, nature and form of development in a way that is proportionate to the scale of the development proposal.
- 2.5 Developers and applicants will be expected to consider all suggestions brought forward through the community consultation process and to set out detailed explanation and reasoning why they have either incorporated or excluded community suggestions and opinion.

3. The cost of a pre-application

- 3.1 Planning application fees do not cover the cost of a pre-application advice service and Council's may charge for this service. To provide a quality pre-application advice service the Council does charge for advice and the fee schedule is set out in the attached schedule.

4. What Information is required with a pre-app

- 4.1 All pre-apps must be submitted using the pre-app application form that is available on the Council website and the appropriate fee must be paid. In addition to the application form and required fee, you are required to send us as a minimum:

- A site location plan, clearly identifying the site in question
- A sketch plan showing the proposed development work
- Photographs of the site if they would help to put the development in context
- A summary of any community consultation that has been carried out

- 4.2 The application form has more detail on what you need to send us. The level of additional detail required will be dictated by the complexity of the proposal. However, the more information you can give us initially, the more detailed and comprehensive the response from officers can be.

5. Pre-application Process

- 5.1 Within 10 working days of receiving a pre-application submission the Council will contact the applicant by either telephone or email to confirm that the pre-app has been received and that the correct fee has been paid. If the correct fee has not been paid this will be advised and the correct fee requested. If the correct fee has not been received the pre-app will be held in abeyance until the correct fee is received. The name of the case officer will be provided and a date for a meeting, either in the office or on site will be arranged.

- 5.2 The timescales for the Council to respond to pre-app submissions will depend upon the complexity of the proposal, the need to consult other statutory technical consultees and whether further information is required. The timescale for an initial response to a pre-app submission to acknowledge receipt and arrange a meeting with the case officer is set out in the table below, according to the nature and complexity of the pre-app. The timescale for a full response will be agreed between the case officer and the applicant

at the initial meeting. The starting point for the proposed timescales is the receipt of a pre-app, with the correct fee and information requested on the form.

Action	Target timescales				
	Householder or Advert	Small Scale Minor	Large scale Minor	Small scale Major	Large scale Major
Register, allocate to case officer and contact applicant to arrange meeting	Within 2 weeks from receipt				
Scoping Meeting (if requested) and the circulation of notes for agreement after the scoping meeting.	N/A	Scoping meeting to take place within 4 weeks of the receipt. Notes from the meeting to be circulated for agreement within 7 days of the meeting – unless agreed otherwise at the scoping meeting.			
Pre-app meeting with officer either in office or on site	Within 4 weeks of receipt.	Within 4 weeks of receipt or within 2 weeks of receiving the information agreed as required at a scoping meeting	Within 5 weeks of receipt or within 3 weeks of receiving the information agreed as required at a scoping meeting	As agreed in a PPA	
Formal response to pre-app	Within 6 weeks from receipt or a period agreed at the pre-app meeting.	Within 3 weeks from the date of the meeting or a period as agreed at the pre-app meeting.	With timescale agreed at the pre-app meeting	As agreed in a PPA	

- 5.3 The purpose of a Scoping meeting is to establish initially whether the proposal is acceptable in principle in the context of planning policy. A scoping meeting will not consider any technical matters, including highways access or landscape impact and the advice given will be notwithstanding any technical matters that may arise later. No consultation is undertaken with external agencies. The scoping meeting will also establish the additional matters and details that will need to be considered if the matter is considered at a full pre-app stage. The Scoping meeting is a desktop exercise and will take place at the Council offices.
- 5.4 The Council recognise that there is benefit to early engagement with elected members within the planning process, including the pre-app process. Members will receive a weekly list of the pre-application submissions that have been received and once a full pre-app meeting has been arranged the relevant Ward Members will be advised of the date and time of the meeting. Should the Ward Member(s) wish to attend the meeting they should contact the case officer to arrange attendance. Members who attend any pre-app meeting should avoid expressing any detailed opinion or prior view which might be viewed as pre-determination and should follow the Members Planning Code of Good Practice.
- 5.5 The full pre-app meeting could take place on site or at the Council Offices depending on the specific nature of the pre-app. If the meeting is at the office, the case officer will visit the site in advance of the meeting. There will not be a full written response to a scoping meeting, but written notes of the discussion will be circulated for agreement.
- 5.6 If an application is subsequently submitted following any pre-application advice being given, once the new application is registered, the pre-application submission and the response from the Council will be published on the Council Website with the application documents.

6. What advice is provided to a Pre-App Enquiry

- 6.1 The Case Officer will undertake the following:
- Research the history of the site.
 - Undertake an unaccompanied site visit prior to the pre-app meeting, if required.
 - Identify and assess the prospective application against Council policies and standards.
 - Highlight the need for further investigations or key groups that need to be consulted.

- Provide a detailed written response to a full pre-app meeting in context to the information supplied, and specific questions asked in the initial enquiry and at meetings as far as practicable, which would include an opinion as to whether or not a planning application would be worth pursuing.
- Advise on the appropriate level of community engagement
- Provide written feedback from Members, the Local Council and local residents received if a Pre-application Community Engagement Forum is held.

7. Community engagement in the pre-app process

7.1 One of the core planning principles set out in the National Planning Policy Framework (NPPF) is that planning should empower local people to shape their surroundings. The NPPF also states that applicants should be encouraged to engage with the local community before submitting their applications.

7.2 Communities have a key role to play in identifying issues and opportunities arising from development in their area. The Council is therefore committed to encouraging developers to engage with communities, where appropriate as part of the pre-application process. Engagement is expected to be open and positive and consideration given to all suggestions brought forward with feedback as to how and why these can or cannot be incorporated in the final plans. Council Officers and Members and other stakeholders should be involved in the engagement process to provide a joined-up approach.

7.3 The level of engagement should be proportionate to the size, type, scale and location of the development. Below is set out the Council's recommended engagement process based on some of these factors. This does not preclude additional engagement or consultation where agreed by the parties involved or felt necessary to address specific issues that arise.

Minor Development

7.4 If the pre-application enquiry relates to Minor development, whilst this type of development can be small scale there should be some form of engagement with those affected by it. In some communities even a small number of additional dwellings may be considered significant. In all cases we recommend the applicant consults with those landowners or residents whose property bounds the proposed development area and any other local landowners or residents who may be affected by the development. This will assist the applicant in gaining understanding from their close neighbours and potentially avoid objections to the scheme.

- 7.5 Where more than 3 dwellings are being proposed and these are in a rural parish or smaller local centre, where such development could be considered significant, or where additional infrastructure/facilities are being delivered that will have an impact on the community as a whole it is recommended that the applicant attend a Parish Council meeting to discuss their proposals and likely timescales for application and delivery and whether wider community engagement is appropriate.

Major Development

- 7.6 As part of the scoping meeting for major developments the case officer will set out the expectations of the Council regarding the extent of community engagement to enable the local community to be involved in shaping and influencing the development.
- 7.7 For major developments the Council would expect the developer to demonstrate that the community has had a reasonable level of involvement in shaping the development. The following three stage process is suggested for large scale major development, although the developer may choose to undertake additional engagement and, particularly on some larger or more complex sites with a variety of infrastructure requirements or in local centres where such development is deemed very significant.
- 7.8 **Stage one: Attendance at a Town or Parish Council meeting**
The developer should advise the Town or Parish Council that they have commenced discussions with the District Council on the site. They should discuss the options for the development, any draft proposals they have and likely timescales for application and delivery and agree with the Town or Parish Council how and when the community will be engaged in shaping the development.
- 7.9 **Stage two: Community Engagement Event**
Whilst the exact format of the event will be left to the developer to agree with the Town or Parish Council they will need to demonstrate that the community has been enabled to participate in the engagement process by holding any event at an appropriate time, in an accessible location providing the right level of detail to enable the community to help shape and inform the development. An open day/ drop in event is more likely to result in a larger take-up from all sections of the community than a shorter public meeting. Developers will be expected to ask the community for their views and

suggestions on options and plans for the development, and share any of their own emerging plans inviting comment on these. Where possible anticipated timescales for submission of the application and development of the site should be provided. The community views will need to be collated in order to provide feedback. Developers may wish to consider a simple form for this purpose and this and other documentation should be made available on-line through the Town or Parish Council website so that those unable to attend can comment on the proposals. Both parties may also decide that an on-line survey is appropriate.

7.10 Stage three: Development Forum

Where deemed necessary and agreed as part of the pre-application process, key stakeholders will be invited to the Development Forum where the developer will need to:

- Provide feedback on options, suggestions, comments and issues raised by the community at the previous stages of the engagement process demonstrating how the developer proposes to address these. Where options suggested by the community cannot be progressed or accommodated reasons should be given. This feedback should also be made available on the Town or Parish Council website.
- Present final proposed plans and timescales to the forum.
- Answer any questions raised and indicate when feedback will be provided on any outstanding issues.

7.11 Development Forums are to be held during the pre-application stage of the development process in order to help all people involved in making a decision understand fully both the nature of the proposal and the issues involved with major, complex and controversial developments. They enable a developer to explain proposals directly to the elected Members and officers of the District Council, Town/Parish Councils, stakeholders and the community and enable the developer to shape a scheme to address community concerns and to provide adequate information to assist the decision takers to envisage the scheme and its impacts.

7.12 A Development Forum also provides a structured way in which Members can be involved in pre-application discussions without the risk of pre-determination and enable a developer to explain proposals directly to the elected Members and officers of the District Council, Town/Parish Councils, stakeholders and the community, addressing

community concerns and providing adequate information to assist the decision takers to envisage the scheme and its impacts.

7.13 DEVELOPMENT FORUM PROCESS

The Development Forum will be a meeting arranged by the Council to facilitate the explanation and examination of a development proposal, prior to an application being made. Responsibility for deciding which schemes will be presented to a Development Forum will rest with the Council's Community of Practice Lead (DM) in consultation with the Chairman of the Development Management Committee who would normally chair the Development Forum meeting.

7.14 Generally, Development Forum meetings will be held at the Council Chamber at Follaton House, Totnes. In exceptional circumstances, and where practicable, such Forum meetings may be held in venues close to the development site at the discretion of the CoP Lead (DM) in consultation with the Chairman of the Development Management Committee. Publicity/notification of a Development Forum meeting will be given between three to four weeks before the meeting.

7.15 Development Forum meetings will be held in public, where a full record of the proceedings will be taken and the minutes/notes of the meeting will be published on the web site. An attendance list will be circulated at the Forum meeting for the voluntary completion by all attendees, including name (and organisation if applicable), email/postal address and reason for attendance at the meeting. In voluntarily completing the attendance list, attendees are agreeing to provide contact information to help with the running of this event and to enable the Council to notify attendees of final minutes/notes of the Forum meeting and/or any other pertinent information and details. It should be noted that any attendees who speak at the meeting will have their name included in the minutes/notes.

7.16 Member attendance and involvement at Development Forum meetings will be subject to normal 'interest' considerations. Development Forum meetings will be for information purposes only, i.e. no predetermination, or prejudicing of a future decision until all material considerations have been considered.

7.17 Development Forum meetings will be led by the Chairman and a planning officer, with other officers in attendance as appropriate (e.g. landscape, ecology, housing, highways,

drainage,). The developer (and team) will be invited to present the scheme subject to a time limit. Generally, this time limit will not exceed 40 minutes. Each stakeholder and stakeholder representatives (e.g. Town/Parish Council representatives, local community group representatives), who have been invited to and accepted the invitation to speak at the Forum meeting, will be permitted up to 5 minutes to make comments and provide feedback on the developer's presentation and scheme as proposed.

7.18 Open questions by Members seeking clarification about aspects of the proposed scheme can be directed to the developer (and team), speakers and officers. A planning officer will summarise the main issues arising from the proposal and will explain what will happen next.

7.19 Minutes/notes of a Development Forum meeting will be forwarded to all Members, stakeholders (or their representatives) and attendees and will be published on the District Council's website.

7.20 The Development Forum is NOT a decision making body. For clarity, it is the separate Development Management Committee which makes the final decision on any submitted planning application, NOT the Development Forum.

8. Definitions

8.1 For the purposes of the pre-application process that following definitions apply:

- **Small Minor:** 1-2 Dwellings or non-residential floor space up to 499 sqm, telecommunications, Lawful Development Certificate Advice and changes of use except dwellings, where there is no operational development
- **Minor Development:** between 3 – 9 dwellings or non-residential floor space between 500 – 999 sqm or a site area up to 1 Ha.
- **Small Scale Majors:** up to 30 dwellings or Non-Residential floor space between 1000 – 4999 sqm or a site area between 1 – 2 Ha
- **Large Majors:** Over 31 dwellings or Non-Residential floor space over 500sqm or a site area over 2 Ha all renewable energy proposals unless a domestic scale and all development that requires an EIA

Pre-Application Fees	£180 plus £180 for any additional meeting/response required	Householder/Listed Building/Advertisements one meeting with a written response
	£180	Small Minor (1-2 Dwellings or non-residential floor space up to 499 sqm, telecommunications, Lawful development Certificate Advice and changes of use except dwellings, where there is no operational development) One Scoping meeting with agreed notes from the meeting
	£420 (£240 if it follows a scoping meeting) plus £180 for any additional meeting or response	Full pre-app – one meeting plus a written response.

	<p>£240</p> <p>£600 (£360 if it follows a scoping meeting) plus £180 for any additional meeting or response</p>	<p>Minor Development (between 3 – 9 dwellings or non-residential floor space between 500 – 999 sqm or a site area up to 1 Ha)</p> <p>One Scoping meeting with agreed notes from the meeting</p> <p>Full pre-app – one meeting plus a written response.</p>
	<p>£480</p> <p>£1800 (£1320 if it follows a scoping meeting). Or a specific PPA.</p>	<p>Small Scale Majors (up to 30 dwellings or Non-Residential floor space between 1000 – 4999 sqm or a site area between 1 – 2 Ha)</p> <p>One Scoping meeting with agreed notes from the meeting</p> <p>Full pre-app – two meetings plus a written response. If more than two meetings are required the pre-app will be the subject of a specific PPA.</p>

	£720	<p>Large Majors (Over 31 dwellings or Non-Residential floor space over 500sqm or a site area over 2 Ha all renewable energy proposals unless a domestic scale and all development that requires an EIA)</p> <p>One Scoping meeting with agreed notes from the meeting</p>
	Specific PPA	Full Pre-app
Exemptions:	No Charge	100% Affordable Housing schemes
	No Charge	Facilities for the disabled
	No Charge	Parish/Town Council
Pre-App Charges Notes:		<p>Floor space refers to gross external floor space The fee stated are inclusive of VAT</p> <p>For the purposes of pre-app fees flats and holiday accommodation are considered as dwellings.</p> <p>Fees will be the subject of review</p>

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South Hams District Council

Code of Conduct Scrutiny Code of Conduct Hearing Panel

Decision Notice relating to allegations of breach of the Code of Conduct

Complaint reference:	SH09 060516
Councillor:	Cllr J. Hawkins
Complainant:	Ms Liz Essex and Ms Lucy Payne
Authority:	Kingswear Parish Council
Panel Members	Cllr M. Saltern (Chairman) Cllr K. Baldry Cllr J. Green
Independent Person	Mr G Barnicott
Deputy Monitoring Officer	Ms S Nightingale
Summary of the complaint:	<p>The Complainants alleged that the Councillor had broken the Code of Conduct in that he had:</p> <ul style="list-style-type: none"> • misused his position at a series of meetings of the Parish Council between June 2015 and April 2016; • submitted a letter to the Dartmouth Chronicle; and • acted in a discourteous and disrespectful manner via a series of emails.
The Investigating Officer's findings:	<p>The Monitoring Officer referred the matter for investigation, and in his Final Report, the Investigating Officer found that the Councillor had broken the Code of Conduct for the following reasons:</p> <ol style="list-style-type: none"> 1. Breach of para 4 (a); Failure to treat others with courtesy and respect at a meeting of the Parish Council on 22 July 2015 and 8 March 2016. And 2. Breach of para 5 (h); Acting in a way which brought the authority in to disrepute at a meeting of the Parish Council on 8 March 2016.

	<p>Note: The Panel noted and want to record that the breach found refers to the subject Member's conduct towards a member of the public (paragraph 5.1.1 which in turn relies upon para 4.8.7 of the report.</p>
Procedure – Paper Hearing	<p>The Councillor, Chairman, Independent Person and Deputy Monitoring Officer were consulted and considered it appropriate for the matter to be dealt with by way of a Paper Hearing because the subject Member accepted the Investigating Officer's findings and did not wish to make any further representations.</p>
Purpose of Paper Hearing	<p>In accordance with the Council's Policy, on 15 January 2018, the Code of Conduct Hearing Panel considered:</p> <ul style="list-style-type: none"> • whether or not it agreed with the Investigating Officer's findings, and reasons for a breach of the Code of Conduct; • what sanctions (if any) were appropriate; and • any other comments.
Localism Act 2011	<p>There were no additional provisions of the Localism Act 2011 for consideration</p>
Documentation considered by the Panel	<ul style="list-style-type: none"> • Emails from the subject Member about the findings and proposed sanctions; • Emails from the complainants about further Parish Council meetings; • The Members' Code of Conduct; • The Investigating Officer's Final Report and Appendices; • Adopted Policy documents on dealing with standards complaints and hearings; and • The view of the Independent Person on the findings.
The Panel's Decision	<p>Having regard to the Council's adopted policy, and having carefully considered the documentation set out above and the representations made, the Code of Conduct Hearing Panel made the following decisions:</p> <ul style="list-style-type: none"> • that it agreed with the Investigating Officer's findings that Cllr Hawkins had broken the Members' Code of Conduct save that the breach referred to by the Investigating Officer occurred on 29 June 2015; • That the events referred to on 22 July took place in 2015 NOT 2016; • That para 5.1.1 is intended to refer to the treatment of a member of the public at one meeting, as well as the Complainants at another meeting and that it was appropriate to apply the proposed sanctions; • that the Panel has no regulatory or other power to prevent the

	<p>complainants making further complaints during a fixed or any time period. The Panel is satisfied that the Investigating Officer's comments have been shared with the complainants in the final report.</p> <ul style="list-style-type: none"> • The Panel have noted the Investigating Officer's concerns.
<p>Sanctions imposed by the Panel</p>	<p>In considering sanctions, the Panel considered the overarching aim of the Code in upholding the standards of conduct expected of councillors, and had regard to the criteria set out in the adopted policy, and to the representations received on sanctions.</p> <p>The Panel considered:</p> <ul style="list-style-type: none"> • The Member's acknowledgment that he had broken the Code and his offer of apology and willingness to undergo any specified training; <p>and decided that the following sanctions were appropriate:</p> <ul style="list-style-type: none"> • that the Member give a draft written apology addressed to the Clerk and Chair of the Parish Council and the Complainants to the Chair of the Code of Conduct Hearing Panel by the end of February; • The written apology to be sent to the Clerk and Chair of the PC thereafter; • the Monitoring Officer / Deputy Monitoring Officer to provide training to Cllr Hawkins on the provisions of the Code of Conduct by 1 April 2018; • Councillor Hawkins to undertake refresher training on the Kingswear Parish Council's Standing Orders and • to report the Panel's findings to the next ordinary meeting of the Overview and Scrutiny Panel.
<p>Recommendations</p>	<ul style="list-style-type: none"> • The Code of Conduct Hearing Panel would encourage the Parish Council to renew their officer and committee training on standing orders with DALC or other appropriate body.
<p>Copies of the Decision Notice have been sent to:</p>	<ul style="list-style-type: none"> • The Members of the Code of Conduct Hearing Panel; • The Subject Member; • The Complainant; • The Independent Person; and • The Investigating Officer.

Signed by the Chairman of the Scrutiny Code of Conduct Hearing Panel

M. F. Sullivan
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Dated: February 2018

Agenda Item 12

OVERVIEW & SCRUTINY PANEL – ACTIONS ARISING

Meeting Date	Report Title and Minute Ref.	Decision / Action	Officer / Member	Officer / Member comments and Target Date
6 July 2017	Actions Arising / Decisions Log O&S.21/17	Officers gave an assurance that they would ask for a progress update to be circulated to all Members on the pre-application service review.	Pat Whymer	Update on Panel agenda for 22 March 2018
9 November 2017	General Data Protection Regulation – Readiness Update O&S.72/17	RESOLVED That the Panel support: <ol style="list-style-type: none"> 1. the approach to General Data Protection Regulation readiness ahead of its implementation in May 2018; 2. the proposal to implement a blanket scheme covering all Members to be registered as ‘Data Controllers’; and 3. the request to arrange a Member Training and Awareness session on the General Data Protection Regulation in the New Year. 	Neil Hawke Neil Hawke Neil Hawke / Darryl White	A Member session will take place during the morning of Thursday, 29 March 2018 (exact time to be confirmed)
9 November 2017	Performance Measures O&S.73/17	A Member highlighted the promotional board in the Follaton House car park that referred to some misleading information relating to recycling service performance and consequently requested that the accuracy of the information outlined on this board be revisited. Officers gave a commitment that, within the next month, a link would be available on the front page of each Member iPad that enabled Members to directly access the Council’s performance measures.	Helen Dobby Jim Davis	IT still trying to resolve a technical issue
8 February 2018	Executive Forward Plan O&S.90/17	The Panel asked that consideration be given by the Waste Working Group to the merits of arranging a further Member Briefing session before the Special Council meeting.	Jane Savage / Justin Dudley	There will be more informal Member sessions as per the Project

				Comms Plan. We have a Member Q and A session pencilled in for 28 June 2018. Officers also are now uploading the monthly project highlight reports to the Members Intranet area to assist in information flow.
8 February 2018	S106 Agreements Update O&S.91/17	<p>In the event of the Council approving the abolishment of the Community Reinvestment Fund at its Budget setting meeting, a Member sought clarity around the alternative process whereby local town and parish councils could apply for Section 106 monies. In response, officers confirmed that this would be set out in detail in the next update report presented to the Panel;</p> <p>A number of Members were of the view that local town and parish councils needed to broker good working relationships with their local Community Groups and, in effect, take on the role of conduit link between these Groups and the District Council. The Panel also recognised that there was a risk whereby expectations could be unduly raised and, as a result, there was a need for careful management in this regard. In conclusion, the Panel requested that reference also be made to this discussion point in its next update report;</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the progress made by the new S106 Officer in monitoring and administering Section 106 Agreements 	Sonia Powell	
			Sonia Powell	

		<p>be noted;</p> <p>2. That early engagement with local Members and local town and parish councils is critical in order to establish (any) early needs and considerations for S106 monies. Furthermore, the Panel also suggests that Community Groups engage with their local town and parish councils as part of this early engagement; and</p> <p>3. That a full Schedule be presented to the Panel in six months' time that included Devon County Council Section 106 Agreements and any other obligations that have emerged in relation to a Development.</p>	<p>Sonia Powell</p> <p>Sonia Powell / Darryl White</p>	<p>Scheduled on to the work programme for the Panel meeting in September 2018</p>
<p>8 February 2018</p>	<p>Universal Credit Roll-Out Update O&S.92/17</p>	<p>(a) Whilst supportive of the recommendation for a further update report, some Members were of the view that the proposal for this to be in November 2018 was too late. As a way forward, it was agreed that the Chairman would liaise with the Community Of Practice Lead – Housing, Revenues and Benefits to determine an appropriate timescale for this update report. In terms of the content of this report, Members requested that it include reference to the impact on temporary accommodation and information on supported housing;</p> <p>(b) In addition, Members also made reference to the commitment that had been given by those DWP representatives in attendance to undertake a training session for Members that demonstrated how residents could sign up to Universal Credit. In terms of the timing of this session, it was felt that it would be beneficial to arrange this event nearer to the anticipated roll out date (September 2018).</p>	<p>Isabel Blake / Cllr Saltern</p> <p>Isabel Blake</p>	

8 February 2018	Quarter 3 Performance Indicators O&S.93/17	<p>With regard to the accuracy of the Enforcement Case register, the Member was encouraged to pursue this matter with the Planning Enforcement Specialist outside of this meeting.</p> <p>As part of any future review into performance indicators, a Member also asked that consideration be given to measuring and reporting the average case workload per planning officer;</p> <p>These statistics were felt to support his view that the Council should have put messages out in the public arena to advise that, due to factors outside the control of the Council, the authority had run out of recycling sacks;</p> <p>Whilst acknowledging the unavoidable staff absences over the recent festive period, some Members recognised that communication with Members had been much improved since the establishment of the new management team. Moreover, the Panel wished to expressed its gratitude to the efforts of the Council's Operations Team, who worked tirelessly to deliver such a good frontline service;</p> <p>The Panel congratulated lead officers for their performance regarding the average time taken for processing DFGs;</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 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, as part of future quarterly performance reports, the latest set of indicators (as presented to the Development Management Committee) be included. 	<p>Chris Booty</p> <p>Jim Davis / Pat Whymer</p> <p>Lesley Crocker</p> <p>Cathy Aubertin</p> <p>Ian Luscombe</p> <p>Jim Davis</p> <p>Jim Davis / Pat Whymer</p>	
8 February	Task and Finish	Whilst recognising that the decision had	Jim Davis	

2018	Group Updates O&S.94/17	<p>been made to re-commence with the joint Performance Measures review at the Panel meeting on 18 January 2018 (Minute O&S.83/17(a) refers), it was therefore deemed appropriate to hold this piece of work in abeyance pending the outcome of the Corporate Strategy review.</p> <p>RESOLVED That the draft Terms of Reference for the Drug and Alcohol Abuse Task and Finish Group Review be approved, subject to inclusion of the amendments as outlined in the detailed minutes above.</p>	James Kershaw / Darryl White	Amendments made and sent to lead officers and Members
8 February 2018	Annual Work Programme O&S.96/17	<p>(a) With regard to the update on heating at Follaton House, it was noted that this matter had now been resolved. The Panel therefore agreed to remove this item from its Work Programme;</p> <p>(b) It was agreed that the Devon Building Control Partnership update should be scheduled for consideration by the Panel at its June 2018 meeting;</p> <p>(c) In light of the Panel having a new lead officer, it was noted that the Scrutiny Proposal Form would be amended to ensure that this officer was added to the list of consultees during the delegation process.</p>	<p>Darryl White</p> <p>Darryl White</p> <p>Darryl White</p>	<p>Work Programme updated accordingly</p> <p>Work programme updated accordingly</p> <p>Implemented</p>

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OVERVIEW AND SCRUTINY PANEL

DRAFT ANNUAL WORK PROGRAMME: May 2018 – January 2019

Date of Meeting	Report	Lead Officer
3 May 2018	Quarterly Performance Indicators (NB. to include Development Management Pl's)	Jim Davis / Pat Whymer
	Draft O+S Annual Report 2017/18	Darryl White
	Feasibility of Installing Electric Car Charging Points in the Council's Public Car Parks	Chris Brook / Emma Widdicombe
	Executive Forward Plan	Kathy Trant
	Update on the Urban Fringe Delivery Team and Sherford Strategic Review	Gina Small
	Task and Finish Group Updates (if any)	
	Options for Delivery of Social / Affordable Housing in South Hams	Alex Rehaag
	IT / Civica – Lessons Learned	Steve Mullineaux
	Neighbourhood Planning – Support to Groups: Update	Drew Powell / Tom Jones
June 2018 (date tbc)	Executive Forward Plan	Kathy Trant
	Devon Building Control Partnership	
	Task and Finish Group Updates (if any)	
July 2018 (date tbc)	Executive Forward Plan	Kathy Trant
	Task and Finish Group Updates (if any)	
	Community Housing Strategy – Six Monthly Update	Rob Ellis / Chris Brook
September 2018 (date tbc)	Executive Forward Plan	Kathy Trant
	Task and Finish Group Updates (if any)	
	Section 106 Agreements Schedule	Sonia Powell
October 2018 (date tbc)	Executive Forward Plan	Kathy Trant
	Task and Finish Group Updates (if any)	
	Ombudsman Annual Letter	Sue Nightingale

November 2018 (date tbc)	Executive Forward Plan	Kathy Trant
	Peer Review	SLT
	Task and Finish Group Updates (if any)	
January 2019 (date tbc)	Draft Budget 2019/20 (<i>joint meeting with DM Committee Members</i>)	Lisa Buckle

Future items to be programmed:-

- Regular Monitoring (Six Monthly) of the Homelessness Strategy 2017/22 and the 2017 Action Plan; and
- Renewable Energy – Income Generation Opportunities (*timing depends on outcome of Corporate Strategy*)