

**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		Ø Denotes apology for absence	
*	Cllr K J Baldry	Ø	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)
Ø	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