

# Overview and Scrutiny **Annual Report**



**2017 - 2018**



**South Hams  
District Council**

# Foreword from the Panel Chairman

The work of the Panel throughout the 17/ 18 year has covered a very broad span as can be seen from the following report. The detailed analysis of each topic is extremely important as it seeks to underpin the quality of performance across the Council and provide assurance and full transparency to our residents and visitors across the South Hams.

The year has seen a focus on Homes, with all aspects ranging from the new development at Sherford to consideration of how the Council approaches affordable housing. Our Village Housing Initiative, Community Housing Strategy and Allocation Policy have all undergone extensive reviews. I very much look forward to the business case completion this year for an exciting new approach to delivery of affordable homes by the Council.

In highlighting just one focus for the year, I do not detract from all the other work and the emphasis on ensuring value for money throughout the Council's services. With the reduction in central Government funding, we as a Panel have had the demanding task of thorough examination of all areas to create savings and income generation. Some of this work has been undertaken through small Task and Finish Groups and I am very appreciative of all the time and dedication by members of the Panel who have contributed in these groups.

The Panel is pleased to see the completion of the Council's Transformation Programme which has brought about annual savings of £2.9m which equates to savings of 25% of our annual budget. Having been instrumental in monitoring the process throughout, the Panel highlighted difficulties which arose and sought early resolutions.

I would like to thank all of the Members of the Panel for their independent approach to the role and all of their hard work throughout the year. I would also like to thank the lead officers for their help and support and a thank you to all of the Council officers and external organisation representatives who have attended the Panel throughout the year.



**Cllr Michael Saltern**

Chairman of  
South Hams  
District Council  
Overview and  
Scrutiny Panel

# Introduction

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during the 2017-18 Municipal Year and which provides general information on the overview and scrutiny function at South Hams District Council.

Overview and Scrutiny is a key part of the democratic decision-making process in local councils, where Panel Members can contribute to shaping Council policy, community wellbeing and accountability. The Panel does this by: reviewing Council services and policies, community issues and key decisions and making recommendations for improvement.

The four key principles of Overview and Scrutiny are:

- Provides a 'critical friend' challenge to executive policy makers and decision-makers;
- Enables the voice and concerns of the public to be heard;
- Is carried out by 'independent minded Members' who lead and own the scrutiny role; and
- Drives improvement in public services.

The Panel Members consider these principles when selecting topics to investigate whether it is holding the Executive to account, reviewing policies, policy development or the scrutiny of external bodies.

The Council recognises the importance of the overview and scrutiny function in its governance arrangements and officer support.

The Council's governance arrangements specify that all 31 Members of the Council are considered to be either an Executive Member (of which there are 6); a Development Management Committee Specialist Member (of which there are 12); or an Overview and Scrutiny Panel Specialist Member (of which there are 13).

The lead officers supporting the Panel for 2017/18 were the Council's Head of Paid Service (From May 2017 to February 2018; the Group Manager – Commercial Services (February to May 2018) and the Senior Specialist – Democratic Services.



# Panel Membership

Cllr Michael Saltern  
**Chairman**



Cllr Peter Smerdon  
**Vice-Chairman**



Cllr Jonathan Hawkins

Cllr Keith Baldry



Cllr Michael Hicks

Cllr John Birch



Cllr Elizabeth Huntley

Cllr Ian Blackler



Cllr David May

Cllr Basil Cane



Cllr Trevor Pennington

Cllr John Green



Cllr Karen Pringle

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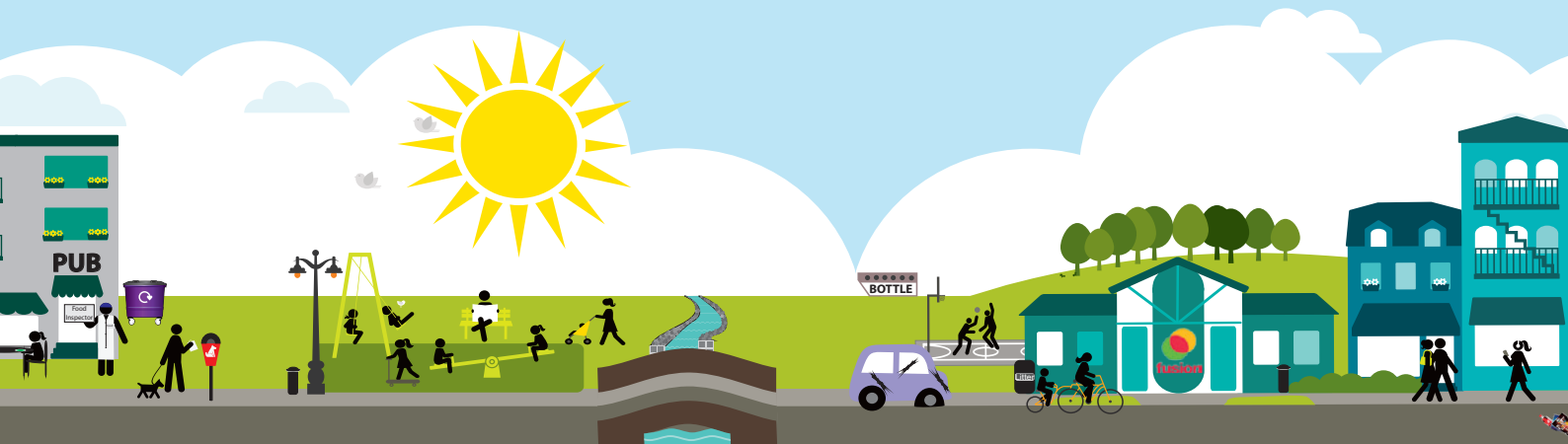
# The role of the Overview and Scrutiny Panel

Overview and Scrutiny is a key part of the Council's political structure and it plays a vital role in improving the services that people of the District use – whether a resident, employed here or just visiting. Overview and Scrutiny does not just look at the way the Council does things, it can look at anything which affects the lives of people within the District and it allows citizens to have a greater say in Council matters.

Overview and Scrutiny allows Members to review and scrutinise decisions, look at existing practices and make recommendations to help ensure the residents of the South Hams receive excellent services. The overall aim is to ensure overview and scrutiny adds value to the Council's decision-making process and makes a positive contribution towards policy development.

The detailed terms of reference and procedure rules for the Overview and Scrutiny Panel can be found at: Part 2 – Article 5; Part 3 – Delegation Scheme; and Part 4 – Rules of Procedure of the Council Constitution. The Council Constitution can be accessed via the following link:

<http://shdcweb.swdevon.lan/article/1815/Our-Constitution>

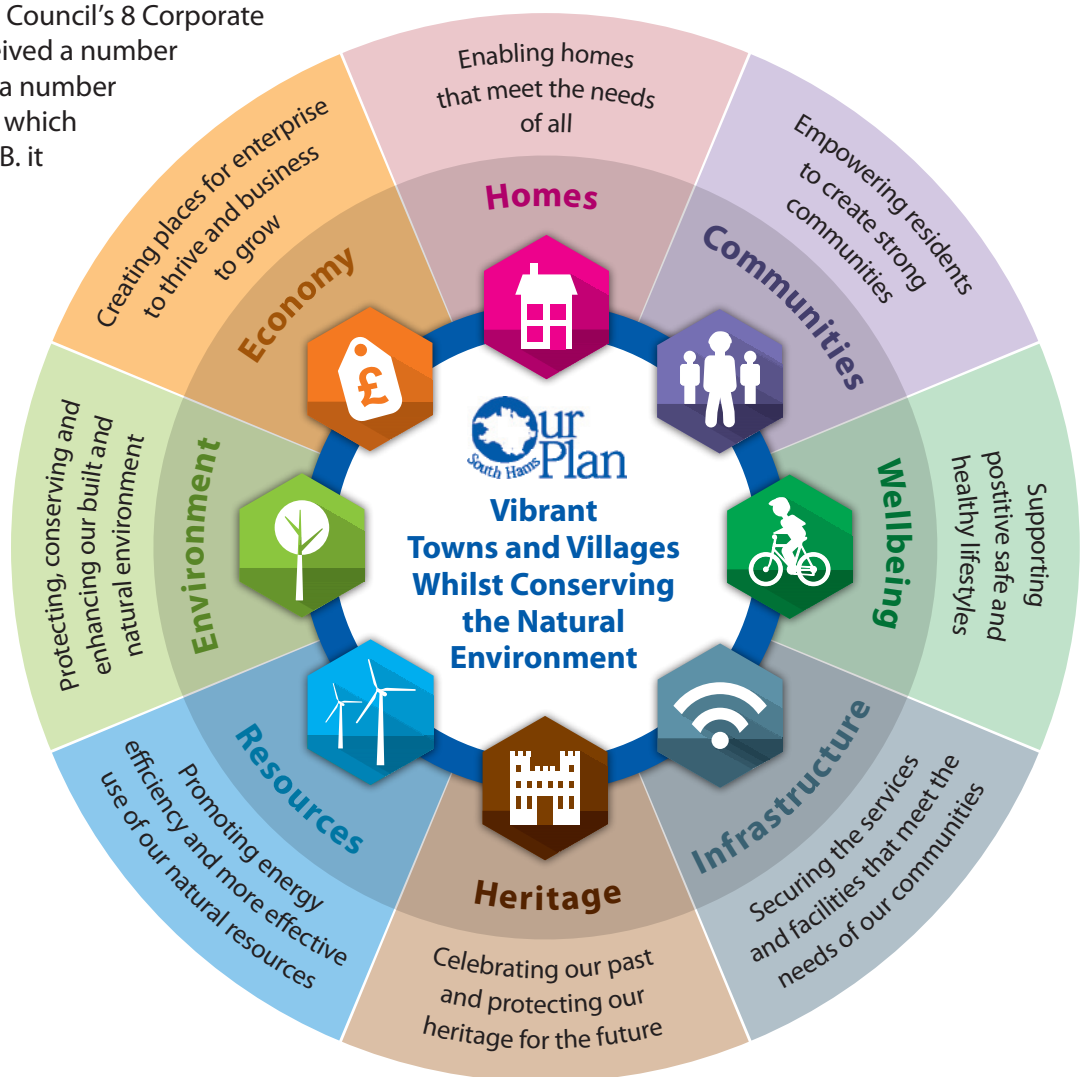


# Agenda Items – Corporate Priorities

The Overview and Scrutiny Panel met formally on eleven separate occasions during the 2017/18 Municipal Year.

In addition, the Panel met jointly with the Development Management Committee on one occasion to consider the draft Budget Proposals (and Fees and Charges) for 2018/19. Due to the relevance of the matter to both Member Bodies, a Review of the Planning Enforcement Service was also presented to the Joint meeting.

In considering its work programme, the Panel gives great emphasis to the Council's 8 Corporate Priorities and has received a number of reports (and made a number of recommendations) which are linked to these. (NB. it is acknowledged that these have now been superseded following the Annual Council meeting held on 17 May 2018):



## HOMES – Enabling homes that meet the needs of all



Item	Issue
Section 106 Agreements	<p>The Panel received a report that set out the Section 106 contributions that the Council had received.</p> <p>Following a lengthy debate, the Panel resolved to:-</p> <ol style="list-style-type: none"> <li>1. acknowledge the amount of Section 106 funding held at 31 March 2017 (as set out in Appendix A of the presented agenda report (totalling £4.413 million)) and the proposed future reporting arrangements;</li> <li>2. express its concern over the lack of emphasis being given to monitoring, control and communication as part of the current process for spending S106 funds;</li> <li>3. stress the need for the Council to appoint a person to be responsible for the monitoring, control and liaison with both local Ward Members and town and parish councils as part of the process for spending S106 funds;</li> <li>4. encourage legal officers to introduce revised procedures to ensure more effective internal communications within the Council;</li> <li>5. approve the flowchart (as outlined at Appendix B of the presented agenda report) that illustrates the process for spending Section 106 funding for Affordable Housing;</li> <li>6. approve the draft application form for Section 106 funding for Affordable Housing (as outlined at Appendix C of the presented agenda report); and</li> <li>7. require the production of a Schedule that lists all Section 106 Agreements (irrespective of whether or not payment has been received) for consideration at a future Panel meeting.</li> </ol> <p>By way of an update, the Panel received a further report on the progress made in monitoring and administering Section 106 Agreements by the new Section 106 Officer.</p> <p>Whilst Members had recognised that good progress had been made on this piece of work, the Panel had raised additional issues and resolved that:</p> <ol style="list-style-type: none"> <li>1. the progress made by the new S106 Officer in monitoring and administering Section 106 Agreements be noted;</li> <li>2. 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</li> <li>3. 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.</li> </ol>
Street Naming and Numbering Policy	Having considered the Policy, the Panel recommended its adoption. The Council proceeded to adopt the Policy at its meeting on 28 September 2017.

Item	Issue
Neighbourhood Planning – Support to Groups	<p>The Panel received a report that outlined the support that the Council was providing to Neighbourhood Planning Groups within the South Hams. The report also outlined future plans to secure support at this level.</p> <p>In the Panel’s deliberations, some resourcing concerns were highlighted and the Panel proceeded to resolve to:</p> <ol style="list-style-type: none"> <li>1. express its concern over the adequacy of resources to address the level of support required to meet the statutory requirement of Neighbourhood Planning;</li> <li>2. support the proposal for the Council to review its Neighbourhood Planning Offer of Service to Communities; and</li> <li>3. require a review of the resources and information provided and a further overview in six months’ time.</li> </ol>
Devon Home Choice Annual Review and South Hams Allocation Policy Review	<p>The Panel received a report that presented a review of Devon Home Choice and that recommended that the Council remained a Devon Home Choice partner.</p> <p>The Panel made a series of recommendations that were ultimately approved by the Executive on 7 December 2017 as follows:</p> <ol style="list-style-type: none"> <li>1. That the Council continue as a partner of Devon Home Choice;</li> <li>2. To continue the registering of applicants in Band E (no housing need) for the purpose of Devon Home Choice; and</li> <li>3. To accept the minor changes of updated wording to the South Hams Allocation Policy.</li> </ol>
Village Housing Initiative Review	<p>The Panel made the following recommendations that were subsequently adopted by the Executive on 7 December 2017:</p> <ol style="list-style-type: none"> <li>1. That the Council continue promoting and utilising the Village Housing Initiative model and to include this model of delivery within the Supplementary Planning Document (SPD) once the Joint Local Plan is adopted; and</li> <li>2. That agreement be given to the inclusion of Band E properties following the cascade for Village Housing Initiative schemes.</li> </ol>
Joint Local Plan: Verbal Report	<p>The Committee received an update on the progress of the Joint Local Plan and paid particular attention to:</p> <ul style="list-style-type: none"> <li>● initial feedback on the consultation process;</li> <li>● the weight that could be applied to the Plan;</li> <li>● the build-up and progress of the Examination in Public; and</li> <li>● potential monitoring arrangements once the Plan had been adopted.</li> </ul>



Item	Issue
Community Housing Update	<p>The Panel considered a report that provided an update on the progress with the Council’s Community Housing Strategy and the programme of action going forward.</p> <p>In drawing the agenda item to its close, the Panel endorsed the contents of the report and requested that further update reports be presented on a six monthly basis.</p>
Disabled Facility Grants Performance	<p>Regarding the average time taken for processing Disabled Facilities Grants, the Panel congratulated lead officers for their performance in this regard.</p>
Development Management Pre-Application Advice	<p>A report was presented to the Panel that outlined a review of the planning pre-application process and a proposed draft procedure that was intended to be the subject of a public consultation exercise.</p> <p>The Panel recommended to the Executive that, subject to inclusion of some suggested minor amendments, the proposed pre-application process be approved for consultation.</p> <p>Before being approved by the Executive, it was agreed that ‘Permission in Principle’ applications should also be included in the process.</p>
Enabling Homes to Meet the Needs for All	<p>The Panel considered a report and presentation from an organisation called Altair that presented a range of options for the purpose of delivering social/affordable housing in order to meet the needs of those in the South Hams who were finding it difficult to purchase their own property and/or find suitable rented accommodation.</p> <p>As a way forward, the Panel resolved that:</p> <ol style="list-style-type: none"> <li>1. the good work carried out already to support the Council’s strategic aim of enabling homes to meet the needs for all be acknowledged;</li> <li>2. the principles (as outlined in Section 4 of the presented agenda report) be agreed and supported subject to a series of amendments being made;</li> <li>3. the Panel consider (before its presentation to the Executive) a detailed business case for the formation of a South Hams District Council WOC that will increase the Council’s capability to enable homes to meet the needs for all; and</li> <li>4. before a business case is presented to the Panel and the Executive, arrangements be made for the relevant officers to meet with Members on a ward by ward basis so as to investigate and ascertain possible opportunities that may be available (or become available) to the WOC in their area for the development of affordable housing. During these meetings, particular attention is to be given to possible ‘exception’ sites in planning terms. The outcome of these meetings will then be presented to the Panel and the Executive alongside the business case proposal.</li> </ol>

## ECONOMY – Creating places for enterprise to thrive and business to grow



Item	Issue
<p>South Devon College Principal Presentation</p>	<p>The South Devon College Principal and Vice-Principal attended a Panel meeting and conducted a presentation to the Panel.</p> <p>The presentation was particularly well received and Members congratulated the representatives on the progress being made by the College and the particular focus that was being given to apprenticeship schemes. In addition, the Panel noted that the regular meetings that were being held between Council and College representatives were felt to be a very effective means of communication between the two organisations.</p>
<p>Business Rates – Locally Administered Business Rate Relief Policy</p>	<p>A report was considered that sought to recommend adoption of the locally administered Business Rate Relief Policy.</p> <p>In its conclusion, the Panel recommend to the Executive and the Council that, following consultation with Devon County Council, Devon and Cornwall Police and Devon and Somerset Fire and Rescue, the locally administered Business Rate Relief Policy should be adopted subject to the following amendments:</p> <ul style="list-style-type: none"> <li>◆ The policy review being extended from the end of December 2017 to the end of April 2018; and</li> <li>◆ The decision-making process being amended to ensure that a greater number of Members were involved in the process.</li> </ul> <p>These recommendations were approved (without any amendment) by the Council at its meeting on 28 September 2017.</p>
<p>Feasibility of Installing Electric Car Charging Points in the Council’s Public Car Parks</p>	<p>The majority of Members were supportive of the proposals and the Panel recommended that the Executive recommend to Council that the proposed Strategy for the installation of an electric vehicle charging network in Council Car Parks be endorsed, subject to steps being taken to advance the proposed installation date as outlined in the presented agenda report (late 2019).</p>

## INFRASTRUCTURE – Securing the services and facilities that meet the needs of our communities



Item	Issue
Update Presentation on Emergency Planning and Business Continuity	<p>The Panel received a presentation that provided it with an update with regard to Emergency Planning, Response and Resilience.</p> <p>Following a detailed debate, the Panel was assured (and recognised) that the Council has a robust approach to Emergency Planning in place, which is supported by hard working and diligent lead officers.</p>
Dartmouth Lower Ferry Task and Finish Group	<p>The ongoing work of the Lower Ferry Task and Finish Group continued to be a prominent piece of work that was considered by the Panel during the early stages of 2017/18.</p> <p>When receiving the conclusions of the Group, the Panel endorsed the direction of travel and the outcomes of the Task and Finish Group. In so doing, the Panel formally disbanded the Group and asked that service updates be presented as and when requested.</p> <p>The Panel also recommended to the Executive that:</p> <ol style="list-style-type: none"> <li>1. if for any reason union agreement cannot be achieved, the final offer is the Councils' binding offer and new contracts replace existing terms and conditions to that effect; and</li> <li>2. regular consultation with the Lower Ferry workforce continues to inform service improvements and tariff setting proposals.</li> </ol> <p>The Executive approved these recommendations at its meeting on 14 September 2017.</p>
IT Procurement – Verbal Update	<p>Officers advised that the current IT contract with Civica was approaching its conclusion and, in line with technological advancements, it was now necessary to consider all possible alternatives for a future IT solution.</p> <p>Moving forward, the Panel asked that it be given the opportunity to consider, in the future, a report that outlined the lessons that had been learned from the current contractual arrangements.</p>
Pay on Entry Public Conveniences	<p>An update was sought following the Council Budget decision to delegate authority to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Public Conveniences 'Pay on Entry' charges (which should not exceed 20 pence), following completion of works and a review of appropriate charges.</p> <p>As part of this update, the importance of keeping those local Ward Members who would be affected by these charging proposals informed (and consulted) as part of the decision-making process was emphasised.</p>

Item	Issue
Update on the Urban Fringe Delivery Team and Sherford Strategic Review	<p>The Panel received a report and presentation that provided Members with an update on both the Urban Fringe Delivery Team and the Sherford Strategic Review.</p> <p>At the time of this presentation (3 May 2018), Members particularly noted that:-</p> <ul style="list-style-type: none"> <li>● 240 dwellings had been constructed;</li> <li>● The foundations for a further 200 dwellings had been established;</li> <li>● 148 dwellings were occupied; and</li> <li>● The first Primary School was currently under construction and it was intended to be officially opened in time for the September 2018 term.</li> </ul> <p>Having discussed the agenda item, the Panel resolved that:</p> <ol style="list-style-type: none"> <li>1. the set up and function of the new Urban Fringe Delivery Team be noted and supported;</li> <li>2. officers clarify the status of the 'Members Steering Board'; the 'Joint Steering Group' and the 'Sherford Project Board' in time for the Annual Council meeting to be held on 17 May 2018; and</li> <li>3. the latest update on the Sherford Strategic Review be welcomed.</li> </ol>

## COMMUNITIES – Empowering residents to create strong communities



Item	Issue
Customer Contact through Online Interaction	<p>The Panel recognised the improved performance relating to the percentage of customer contact through online interaction and felt that this demonstrated that the Channel Shift agenda was beginning to gain momentum.</p>
Customer Contact Centre	<p>With regard to the Contact Centre, Members reiterated a number of previously raised concerns relating to the average time taken to answer telephone calls. Whilst some Members considered the 20 second call answer target to be unrealistic, they equally felt that customers who had to wait a number of minutes to have their calls answered was unacceptable. It was concluded that these targets should be reviewed at the time that all of the Performance Measures were being reviewed.</p> <p>Panel Members were also reminded by the lead Executive Member that there was an open invitation for any Member to pay a visit to the Contact Centre to witness first hand both the work being undertaken, but to also get a sense of the nature of the issues being raised by callers. A number of Members proceeded to take up this invitation during 2017/18.</p> <p>At a later Panel meeting, some Members who had accepted the invitation to visit the Centre paid tribute to the excellent work being undertaken by the team but noted that some working practices were resulting in a duplication of effort. In reply, officers accepted the point and informed that an external advisor was currently in the Centre observing current processes and making recommendations to improve efficiency.</p> <p>The Panel also acknowledged that staff retention was an issue in the Centre and it was agreed that the merits of imposing a condition on new members of staff not being able to apply for other internal posts for a prescribed period of time should be explored.</p>
Formation of a Community Lottery for South Hams and West Devon	<p>The Panel considered a report that set out the proposal to implement a joint local community lottery scheme to benefit the residents of the South Hams and West Devon.</p> <p>At the conclusion of the debate, the Panel recommended that:</p> <ol style="list-style-type: none"> <li>1. the proposed business case for the establishment of a joint South Hams and West Devon local community lottery scheme be approved and implemented (subject to approval from West Devon Borough Council);</li> <li>2. Gatherwell Ltd be appointed as an External Lottery Manager and Aylesbury Vale District Council be appointed to assist with project implementation (subject to a successful Contract Exemption application);</li> <li>3. authority be delegated to the Head of Paid Service to nominate two responsible officers to hold the Council's lottery licence and submit the necessary application to the Gambling Commission; and</li> <li>4. authority be delegated to the Group Manager (Business Development), in consultation with the lead Executive Member, to approve the bespoke lottery business model policies required in order to submit a valid application to the Gambling Commission to obtain a lottery licence.</li> </ol>

Item	Issue
Fees and Charges 2018/19	<p>The joint meeting of the Panel and the Development Management Committee considered the setting of Fees and Charges for 2018/19 as part of the draft Budget Setting process. In so doing, the meeting recommended to the Council (via the Executive) that:-</p> <ol style="list-style-type: none"> <li>1. the proposed fees and charges set out for Parks, Open Spaces and Outdoor Sports be approved;</li> <li>2. the proposed Environmental Health Charges that are outside of the jurisdiction of the Licensing Committee be approved;</li> <li>3. the proposed Fees and Charges for Development Management be approved;</li> <li>4. delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Dartmouth Lower Ferry Fees to take account of market conditions, including competitor charges;</li> <li>5. it approves: <ul style="list-style-type: none"> <li>● an overall percentage increase of 2% to car park charges and to delegate responsibility of implementing the increase to the Group Manager for Commercial Services, in consultation with the lead Executive Member, following consultation with representative bodies (including town and parish councils); and</li> <li>● the withdrawal of weekly parking tickets;</li> </ul> </li> <li>6. delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Commercial Waste charges, once all the price modelling factors are known;</li> <li>7. delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Public Conveniences 'Pay on Entry' charges (which should not exceed 20 pence), following completion of works and a review of appropriate charges; and</li> <li>8. the changes to Boat Storage Charges be approved.</li> </ol>

## WELLBEING – Supporting positive safe and healthy lifestyles



Item	Issue
Sickness Absence Statistics	<p>On the occasions when the Panel considered the performance indicators related to long-term and short term sickness absence, the Panel highlighted and welcomed the improvements in this regard.</p> <p>In expanding upon the performance reporting, the Panel was also presented with a report that provided an update on the level of sickness absence amongst Council employees and the measures in place to manage and monitor short and long-term absence.</p> <p>The Panel proceeded to resolve that:</p> <ol style="list-style-type: none"> <li>1. it acknowledges that the Council continues to proactively manage and monitor short and long-term absence and that the HR Lead Specialist continues to report to the Senior Leadership Team on a monthly basis; and</li> <li>2. it recognises that the trends related to increases in long-term sickness absence and stress and depression levels are causes for concern that must be kept under close review.</li> </ol>
Revenue and Benefits Performance and Service Update	<p>The Panel considered a report that sought to give Members a greater insight into the current performance of the Revenue and Benefits service areas.</p> <p>During the introduction into this agenda item, the Case Management Manager also demonstrated the new self-service process for residents to register on the Council website.</p> <p>The Panel proceeded to resolve that it:</p> <ol style="list-style-type: none"> <li>1. recognises the current position and accepts the performance of the Revenue and Benefits Services, whilst expressing some concerns over the current level of backlog;</li> <li>2. endorses the initiatives and improvements that are currently under development;</li> <li>3. requests that, in the event of a proposal emerging whereby the debt recovery function is to be undertaken by a third party supplier, it be in receipt of a report prior to any final decision being taken.</li> </ol>
Annual Review of the Health and Safety Policy	<p>Full Council ultimately approved the Panel recommendation that he revised Policy be adopted and signed by the Head of Paid Service and the Leader of the Council at its meeting on 28 September 2017.</p>

Item	Issue
Community Safety Partnership	<p>In line with statutory requirements, the Panel considered its annual update from the CSP and raised a number of issues that were to be taken forward. For example, the value of Police Community Safety Officers and the wish for an Informal Council session to be held to increase all Member knowledge and understanding of the CSP, the statutory functions that it upholds and the relevant responsibilities of the Council.</p> <p>(NB. an Informal Council session was subsequently held on 22 February 2018).</p> <p>With regard to a recent letter from the CSP to the Police and Crime Commissioner. Some Members commended the contents of this letter on the Neighbourhood Policing Review. It was therefore suggested that the Council should add its support by way of a notice of motion being submitted to the next Council meeting on 14 December 2017. Furthermore, it was also felt that Members should encourage their local town and parish councils to add their support to this letter.</p> <p>(A motion was subsequently presented (and approved) at the Council meeting on 14 December 2017 and representations were made accordingly to the Commissioner).</p>
General Data Protection Regulation (GDPR) – Readiness Update	<p>A report was presented to the Panel that outlined the changes that the Council would need to implement in order to achieve compliance with the General Data Protection Regulation (GDPR) by 25 May 2018.</p> <p>Having considered the update, the Committee RESOLVED that the approach to GDPR readiness be supported and that Members should be fully trained in the implications and responsibilities of the Regulations. (NB. the requested training subsequently took place on 29 March 2018).</p>
Universal Credits Roll-Out Update	<p>In response to concerns over the potential impact to date of Universal Credits, future key dates and changes that had been agreed to the system in November 2017, the Panel received an update and acknowledged the impact to date of Universal Credits and requested receipt of a further update report for consideration at a future meeting.</p> <p>In order to raise Member awareness further, the Panel also asked that representatives from the Department of Work and Pensions be invited to undertake a series of training sessions before Universal Credits came into effect.</p>
Drug and Alcohol Abuse Task and Finish Group	<p>In reply to a Scrutiny Proposal Form being submitted, a Review had been instigated on the matter of drug and alcohol related issues affecting the community in the South Hams.</p> <p>Since being established, the Panel has agreed the Terms of Reference and received regular updates from the Group. It is intended that the findings arising from this Review will be considered early in the 2018/19 Municipal Year.</p>
Fusion Annual Review Presentation: January to December 2017	<p>The Panel received its first Leisure Contract presentation from Fusion Lifestyle and noted its contents and specifically requested that it give greater consideration to the Sports and Community Development Annual Report 2017 at a future meeting.</p>



## ENVIRONMENT – Protecting, conserving and enhancing our built environment

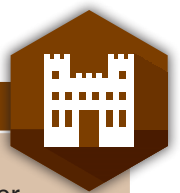


Item	Issue
<p>Planning Enforcement Service Review</p>	<p>On a number of separate occasions (both when considering the quarterly Performance Measures and formal standalone agenda items), the Panel debated at length the performance of the Planning Enforcement service amidst concerns that the number of cases was again on the increase.</p> <p>One such report advised of a proposed suite of actions to support the service. Having been informed that the proposed additional resources would be funded from existing budgets through a re-allocation of duties, the Panel supported the actions proposed and the commitment to ongoing monitoring.</p> <p>The Panel was also of the view that there was a need for greater interaction between Members and those officers working in the Service. As a consequence, the Panel requested that a Member Drop-in pilot session be arranged to provide the opportunity for Members to discuss with an Enforcement Officer any live cases within their local ward. (NB. a series of sessions have been held and have been well received by Members).</p> <p>Later on in the 2017/18 Municipal Year, the joint Panel and Development Management Committee also considered a report that sought to recommend the adoption of a Local Enforcement Plan and a Planning Enforcement Member Engagement Protocol.</p> <p>Following a lengthy debate, the Meeting RECOMMENDED:</p> <ol style="list-style-type: none"> <li>1. That the Local Enforcement Plan be adopted;</li> <li>2. That the Planning Enforcement Member Engagement Protocol be adopted;</li> <li>3. That the improved actions proposed in the report be endorsed;</li> <li>4. That authority be delegated to the Community Of Practice Lead Development Management, in consultation with the lead Executive Member for Customer First, to make any minor amendments to the Plan, Protocol and Actions prior to their adoption; and</li> <li>5. That it be noted that the Overview and Scrutiny Panel has requested inclusion in its Future Work Programme of a review within the next six months of this Plan, Protocol and Actions being adopted.</li> </ol> <p>Each of these recommendations were subsequently approved by the Executive at its meeting on 1 February 2018.</p>

Item	Issue
Waste and Recycling Service	<p>The Panel received a concluding report of the Waste and Recycling Task and Finish Group and made the following recommendation to the Executive:</p> <p>In its deliberations, the majority of Members welcomed the findings and recommended to the Executive that:</p> <ol style="list-style-type: none"> <li>1. the key findings of the Waste Working Group be referred to the SH/WD Joint Steering Group and used to inform the Budget Setting process for 2018/19;</li> <li>2. with immediate effect, the Council furthers discussions with Devon County Council related to disposal costs linked to service design and transfer station use;</li> <li>3. efficiencies linked to current service delivery (as outlined in the Working Group scope) and at paragraphs 3.4 – 3.11 inclusive of the presented agenda report are delivered during 2017/18 where proven to be operationally feasible;</li> <li>4. a charge of £35 per container be imposed on new standard 180 litre wheeled bins for any newly built properties and for any householder requests to be in receipt of additional bins; and</li> <li>5. the notes arising from meetings of the SH/WD Joint Steering Group be presented to future Panel meetings for consideration.</li> </ol> <p>Each of these recommendations were approved by the Executive at its meeting on 29 July 2017.</p> <p>When considering the quarterly performance measures during the year, the Panel asked that lessons be learned following the recent shortage of recycling sacks and some concerns were also raised over the number of missed bin collections. On a more positive note, the Panel recognised that communication with Members was now much improved within Commercial Services and gratitude was expressed for the efforts of the Council's Operations Team, who were felt to work tirelessly to deliver such a good frontline service.</p>

## HERITAGE – Celebrating our past and protecting our heritage for the future

Item	Issue
Follaton House Heating Provision	<p>Whilst an update on the heating provision at Follaton House was scheduled on to the Panel Work Programme, it was noted that the matter had now been satisfactorily resolved and this item was therefore removed from the Forward Plan.</p>
Follaton HQ Review	<p>Concerns were raised over the newly installed barriers at Follaton House Car Park and the lack of access to the site at weekends. In response, officers highlighted the fine balance between access provision and the ability for the Council to control the use of the private car park. Whilst it would be kept under close and regular review, officers confirmed that the decision had now been taken to leave the barriers up.</p>



## RESOURCES – Promoting energy efficiency and more effective use of our natural resources



Item	Issue
Overview and Scrutiny Annual Report	<p>The Panel considered its Annual Report and recommended its adoption to full Council.</p> <p>Subject to one minor amendment relating to the Sherford Development, the Panel recommended its approval. The Council proceeded to approve this recommendation at its meeting on 27 July 2017 (Minute 29/17(b) refers).</p>
Commercial Property Acquisition Strategy	<p>The Chairman called an Extraordinary meeting to enable the Panel the opportunity to consider (and make recommendations on) the draft Strategy prior to its presentation to the Executive.</p> <p>In its deliberations, the Strategy proved to be particularly contentious. A motion was put to the vote recommending that the Strategy be rejected. This motion was lost and the following recommendation was approved:</p> <p>That the Executive RECOMMEND to Council that:</p> <ol style="list-style-type: none"> <li>1. the proposed Commercial Property Acquisition Strategy (as detailed in Appendix A) be approved and implemented;</li> <li>2. officers conclude an appropriate procurement process to commission property experts to work on behalf of the Council in relation to the proposed Commercial Property Acquisition Strategy;</li> <li>3. individual commercial property portfolio acquisition decisions be delegated to the Head of Paid Service, in consultation with the Council's Section 151 Officer, the Leader of Council, the lead Executive Member for Business Development; and the appointed Chairman of the Invest to Earn Working Group;</li> <li>4. funds be borrowed on fixed rate terms from the appropriate source in order to pursue this strategy. (NB. to fulfil the first tranche of the proposed Strategy, this would require borrowing of up to £26.75 million (£25 million plus acquisition costs of 7%)).</li> </ol> <p>That the Panel RESOLVE that:</p> <ol style="list-style-type: none"> <li>5. in the event of the Strategy being approved, and, as part of its annual work programme, the Panel receive quarterly update reports on progress and performance.</li> </ol> <p>The divisions amongst the Panel were reflected at the point when the matter was presented to the Council for a decision. When introducing the item to the Council, the lead Executive Member advised that he had given the issue plenty of consideration since it had been debated by the Panel and the Audit Committee. As a consequence, it was his wish for the proposal to be deferred until the Council could better mitigate the risk concerns that had been identified, with the Strategy then being brought back to the Council if and when it was deemed appropriate.</p>

Item	Issue
One Council Proposal	<p>During the first half of 2017/18, the Panel kept a close watching brief on the One Council proposal and received the notes arising from meetings of the SH/WD Joint Steering Group.</p> <p>This close watching brief culminated in the Panel convening a special meeting on 12 October 2017 to specifically review the outputs of the consultation process and provide feedback to the Council.</p> <p>Whilst it was by no means unanimous amongst Members, the Panel resolved that:</p> <p>The Council note the following views of the Panel:</p> <ol style="list-style-type: none"> <li>1. That the Panel are satisfied that the Single Council Consultation Process has been conducted in an open and transparent manner, with full independent overview to ensure best practice has been applied. In reaching this recommendation, the Panel ask Council to note the strength of the Independent Advisor report;</li> <li>2. That the Panel are of the view that the process contained a full range of participative options to enable residents, businesses, Town and Parish Councils and stakeholders to express their views;</li> <li>3. That the Panel note the distinct difference between the Online survey outcome and that of the Independent telephone survey; and</li> <li>4. That the Panel is however disappointed at the level of response, with 96% of electors in the South Hams choosing not to participate.</li> </ol>
Performance Measures Review	<p>A joint Task and Finish Group with West Devon Borough Council was established during this year. The Panel kept a close eye on the progress of the Review and each Member was assigned an area of the Council's business and was tasked with:</p> <ol style="list-style-type: none"> <li>1. Establishing whether the current performance measures were still relevant;</li> <li>2. If still relevant, considering whether the measure was set at the current level and who was responsible for setting that target; and</li> <li>3. Determining who (and why) would be responsible for adjusting these measures and/or target levels.</li> </ol> <p>Upon the direction of Members, the joint Review was suspended following the One Council decisions.</p> <p>As the suspension continued, it was deemed appropriate by the Panel to hold the review in abeyance pending the outcome of the Corporate Strategy review.</p>

Item	Issue
Draft Budget Proposals 2018/19	<p>Prior to the draft Budget Proposals being rolled out by the Executive for consultation, the Panel took the opportunity to consider the 'Medium Term Financial Strategy 2018/19 Onwards' and specifically the contents of the Member Survey on the Budget Options and made a series of recommendations for the Executive to take into initial account.</p> <p>During the joint meeting between the Panel and the Development Management Committee, Members focused on making recommendations to the Executive on how the Council should close the projected Budget gap of £345,688.</p> <p>Recommendations to meet this objective included:</p> <ul style="list-style-type: none"> <li>● Reducing the Community Re-Investment Fund by £75,000;</li> <li>● Using £100,000 from the Business Rates Pilot; and</li> <li>● Using £93,784 of the remaining unallocated New Homes Bonus funding.</li> </ul> <p>Whilst once again regrettable, there was unanimous support amongst Panel Members to recommend that Council Tax be increased by £5 for 2018/19. Such was the extent of the ongoing budget reductions from central government that Members reluctantly felt it to be absolutely essential for the Council Tax Base to be built up as much as possible.</p> <p>Such was the unfairness of funding, that the joint meeting also recommended that 'the unfairness of Central Government Funding for Shire District Councils be brought to the attention of our local MPs, with them both being encouraged to ask a parliamentary question on this point during the weekly Prime Ministers Question Time.'</p> <p>Finally, the joint meeting was asked to consider the Capital Programme Budget Proposals and, in doing so, recommended its approval in accordance with the agenda report that was presented to the meeting.</p>
IT Issues	<p>The Panel received an urgent update following some recent IT issues that had been experienced by the Council.</p> <p>As a result of the view being expressed that such IT issues appeared to be occurring more frequently, Members requested a more detailed update at a future Panel meeting in 2018/19.</p>

# Agenda Items – Transformation Programme

As the Council's Transformation Programme continued to be embedded, the Panel regularly monitored its progress and performance during 2017/18. In particular, the Panel considered (and made recommendations) on:

## Quarterly Performance Reporting

During the course of the year, there was a general recognition amongst Members that the Transformation Programme was now suitably ingrained and the Panel was of the view that those performance measures related to the Programme were now obsolete and should therefore not be included in future quarterly performance reports.

## Transitional Resources Monitoring Report

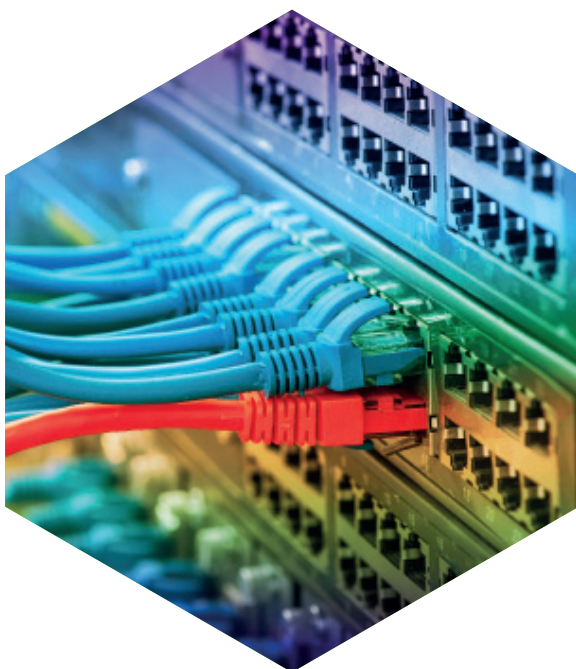
Following the decision of the Council in 2016/17 to provide additional temporary, fixed-term transitional resources to support certain service areas as the Programme continued to evolve, the Panel considered a report that provided it with an update on the impact of this decision.

In its conclusions, the Panel endorsed the contents of the Monitoring Report and insisted that a Programme Closedown Report be presented to a future meeting that included the most up to date available figures.

## Programme Closedown Report

Extending on the point that the Programme was now so ingrained, the Panel received a report that sought endorsement of the contents of the T18 Transformation Programme Closedown report and the benefits realised from this project.

The Panel endorsed the contents of the report and the benefits realised and also endorsed the fact that the T18 Programme had been a financial success. However, the Panel did also ask that, as part of its deliberations at its meeting on 14 June 2018, the Executive give particular consideration to the impact during the transition period and the project lessons to be learned.



# Agenda Items – Public Forum

In line with its openness and transparency agenda, the Council has adopted provision for the Overview and Scrutiny Panel to set aside 15 minutes at the start of each meeting to enable members of the public to raise issues and/or questions in line with its Procedure Rules.

During 2017/18, the Panel was presented with 7 questions/issues for consideration. These 7 focused on the following issues:

- ◆ clarification being sought over the Section 106 Agreement process and a site specific matter in Ivybridge;
- ◆ concerns being expressed over the proposed development at Kingsbridge Quayside. Having given consideration to a report that provided a summary of the work that had been undertaken as part of the Kingsbridge Masterplan project, the Panel concluded that:
  1. the consultation exercise to date should be endorsed and the results have been duly acknowledged; and
  2. its full support be given to the proposed additional consultation exercise.
- ◆ the role of the Council's Section 106 Agreements Case Manager; and
- ◆ Follaton House, Totnes car parking.

# Standards Update and Governance Matters

In accordance with the Council Constitution, the Overview and Scrutiny Panel is responsible for monitoring complaints (including Ombudsman complaints and those against Members alleging a breach of the Code of Conduct) and for the standards responsibilities under the Localism Act.

As part of these responsibilities, the Panel has considered:

## Hearing Decision Notices Arising from Meetings of the Code of Conduct Sub Panel

The Panel noted the contents of the Decision Notices relating to alleged breaches of the Code of Conduct by Cllr Trevorrow of Kingswear Parish Council and Cllr Hawkins of Kingswear Parish Council and South Hams District Council.

## Ombudsman Annual Review Letter 2017

The Panel congratulated the Monitoring Officer for the positivity of the Ombudsman Annual Review Letter. Members also welcomed the decrease in the number of Ombudsman complaints and felt that this was an example of the benefits of an increased corporate emphasis being given to complaint handling and the drive towards early resolution.

The Panel proceeded to resolve that the Ombudsman Annual Letter for 2017 had been reviewed with consideration being given to what corporate lessons may be learned and whether further service improvements may be required.

## Regulation of Investigatory Powers Act (RIPA) 2000 Policy and Update

As part of its responsibilities, the Panel was presented with a report that sought to:-

- Review the Council's RIPA Policy and approve guidance on Social Networking Sites in investigations;
- Update Members on the use of RIPA;
- Report on the role of the Office of Surveillance Commissioners; and
- Report on training for officers.

The Panel was assured that these Powers could only be used in very limited circumstances and recommended that the guidance on Social Networking Sites in investigations and included in the Council's RIPA Policy and noted that there had been no RIPA Authorisations in the past three years.

The Executive approved this recommendation at its meeting on 14 September 2017



# The 2018-19 Work Programme

The Overview and Scrutiny Panel has the ability to set its own annual work programme and it is acknowledged that sufficient flexibility is built in to enable for items to be included at short notice.

However, at the time of preparing this Annual Report, the following substantive agenda items have already been added to the 2018/19 Work Programme:

- Homelessness Strategy Year 2;
- IT / Civica – Lessons Learned;
- IT Resilience and Continuity;
- Neighbourhood Planning – Support to Groups;
- Food Safety Audit Update;
- Review and Effectiveness of Car Parking Equipment;
- Outcome Review reports:
  - Drug and Alcohol Abuse; and
  - Review of Approach to Partnership Support;
- Attendance of external representatives from the following organisations:
  - Devon Building Control Partnership
  - South Devon and Dartmoor Community Safety Partnership; and
  - South Devon College.
- Community Housing Strategy – Six Month Update;
- SHWD Sports & Community Development Annual Report 2017 (to include Youth Leisure Nights Update);
- Draft Budget 2019/20;
- Section 106 Agreements Schedule;
- Wholly Owned Company Business Case;
- Ombudsman Annual Letter; and
- Safeguarding Update.



South Hams  
District Council