

**MINUTES OF THE MEETING OF THE  
OVERVIEW & SCRUTINY PANEL  
HELD AT FOLLATON HOUSE, TOTNES ON  
THURSDAY, 2 AUGUST 2018**

<b>Panel Members in attendance:</b>			
* 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		

<b>Other Members also in attendance:</b>
Cllrs H D Bastone, J Brazil, T R Holway, N A Hopwood, R C Steer, R J Vint, K R H Wingate and S A E Wright

<b>Item No</b>	<b>Minute Ref No below refers</b>	<b>Officers in attendance and participating</b>
All		Group Manager – Commercial Services; and Senior Specialist – Democratic Services
8	O&S.20/18	Community Housing Lead
9	O&S.21/18	Fusion Strategic Development Manager and Assets Specialist
10	O&S.22/18	Specialist – Performance and Intelligence; Contact Centre Manager; and Specialist Manager
11	O&S.23/18	Monitoring Officer
16	O&S.27/18	Head of Building Control Partnership

**O&S.15/18 MINUTES**

The minutes of the meeting of the Overview and Scrutiny Panel held on 28 June 2018 were confirmed as a correct record and signed by the Chairman.

**O&S.16/18 DECLARATIONS OF INTEREST**

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

**O&S.17/18 URGENT BUSINESS**

The Chairman informed that he had no items of urgent business to be raised at this meeting.

**O&S.18/18 PUBLIC FORUM**

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

**O&S.19/18 EXECUTIVE FORWARD PLAN**

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

In addition to the requests that had previously been made, the Panel also formally asked to consider the 'Public Toilet Pay on Entry Contract Award' at its next meeting before its onward presentation to the Executive meeting on 13 September 2018.

**O&S.20/18 COMMUNITY HOUSING STRATEGY – SIX MONTHLY UPDATE**

The Panel considered a report that sought to provide it with an update on progress with the Community Housing Strategy and the programme of action going forward.

To expand upon the details in the report, the Community Housing Lead also conducted a presentation that outlined some of the design ideas that were being developed through one of the early development schemes at South Brent.

In the ensuing discussion, reference was made to:-

- (a) the close linkages to the 'Enabling Homes to Meet the Needs for All' agenda item. A Member highlighted the agenda item that had been considered by the Panel at its meeting on 3 May 2018 (Minute O&S.116/17 refers) that had presented a range of options for the purpose of delivering social/affordable housing. In expressing his surprise at the lack of reference to this item in both the agenda report and presentation, the Member emphasised the importance of the Council adopting a joined up and co-ordinated approach in this respect. As an assurance, the Panel was advised that these close linkages were recognised and lead officers were working in a co-ordinated manner. Furthermore, the potential use of Section 106 monies and the Wholly Owned Company proposals were also relevant to this Strategy and Members were reminded that updates on these matters were also due to be considered by the Panel at future meetings;
- (b) the standardised financial models. A Member highlighted the reference in the report to the financial models that had already been developed and asked to be in receipt of more information outside of this meeting;

- (c) the opportunities presented through this Central Government allocation of £1.88 million to the Council. A Member highlighted the Budget Summary (Appendix B of the presented agenda report refers) and expressed his concerns that one-third of this Fund had already been paid and/or committed without any housing yet being developed;
- (d) the potential for the Council to become a mortgage provider. Whilst there was a great deal of bureaucracy aligned to financial regulations, it was recognised that the Council could opt to become a mortgage provider in its own right;
- (e) the presentation. With regard to the development scheme referred to in the presentation, whilst the need for good design and construction was emphasised, it was also noted that there was a fine balance to be struck to ensure that build costs did not become too high. As a consequence, it was agreed that information relating to costs per unit would be circulated to Members.

It was then:

### **RESOLVED**

That the update on the progress with the Community Housing Strategy and the programme of action going forward be welcomed.

#### **O&S.21/18 SHWD SPORTS AND COMMUNITY DEVELOPMENT ANNUAL REPORT 2017 PRESENTATION (TO INCLUDE YOUTH LEISURE NIGHTS UPDATE)**

The Chairman introduced the Fusion Leisure Strategic Development Manager and the Assets Specialist who were in attendance to provide a presentation that focused on:

- the Fusion Strategic Community Development Team; and
- the Strategic Community Development Plan that included:
  - o means to increase regular participation;
  - o targeting older people, young people, disabled people and disadvantaged and deprived communities;
  - o sporting and community events;
  - o healthy living; and
  - o partnership working.

Upon the conclusion of the presentation, it was agreed that a copy would be circulated to all Members for their information and reference.

In the ensuing debate, the following points were raised:-

- (a) With regard to the latest situation regarding the Youth Leisure Nights, it was noted that:
- The scheme at Quayside Leisure Centre was working well;
  - Dartmouth Leisure Centre had established a scheme that had commenced on 11 May 2018;
  - The team was working with a number of local agencies in Totnes with a view to re-launching a scheme in September 2018; and
  - There was currently no provision in Ivybridge but this would be reviewed again in September 2018.
- (b) In terms of alternative funding streams, a Member highlighted that both County and District Council Members had their own Locality Funds which could be used to support some of the local initiatives referred to in the presentation. To progress this point further, the Community Development Team was encouraged to make contact with local Ward Members;
- (c) Members requested receipt of additional information in relation to participation numbers in the South Hams outside of this meeting. The representative also reiterated that Fusion would expect for its participation numbers to increase further upon the completion of its current centre development works. In reply to a specific query, the Panel was informed that Fusion was considering a complete renovation of the gym facilities at Totnes Pavilion as part of its Phase 2 renovation works;
- (d) When questioned, the representative informed that, to date, the outreach and engagement work in the smaller South Hams parishes had been limited. Whilst accepting the point and noting that resources were limited, Members still requested that progress be made that could be demonstrated when Fusion presented its next annual report.

## O&S.22/18 **QUARTER 1 2018/19 PERFORMANCE REPORT**

Members considered a report that presented the performance information for Quarter 1 2018/19.

In discussion, reference was made to:-

- (a) accessing the latest information on the performance dashboards. Some concerns were raised over difficulties that Members were experiencing in accessing the latest dashboard information and it was requested that officers follow up on this point outside of this Panel meeting;
- (b) the average number of missed bins. Whilst an improving picture, officers informed that the service was still aware of the need for further improvements to be made to this performance indicator;

- (c) the seemingly high number of abandoned telephone calls. Officers informed that they were currently looking at methods of capturing how many of those abandoned telephone calls were due to an increase in channel shift. However, officers did confirm that the overall trend was an increase in customer channel shift, which was directly resulting in a reduction in the total number of calls into the Contact Centre. This trend was subsequently welcomed by the Panel;
- (d) staff turnover in the Contact Centre. In reply to a question, officers advised that staff turnover was still felt to be too high in the Centre and remained an ongoing issue;
- (e) the Development Management (DM) performance information. A number of Members considered the presentation and format of the DM performance information within the published agenda to be unacceptable. It was therefore agreed that the information would be re-formatted and circulated to all Members following this meeting;
- (f) universal credit update. In light of some concerns over the additional workload arising from the universal credit initiative, it was agreed that lead officers would prepare a briefing note that would be sent to all Members.

It was then:

### **RESOLVED**

That the performance levels against target communicated in the Balanced Scorecard and the performance figures supplied in the Background and the Exception report be noted.

## **O&S.23/18 CODE OF CONDUCT HEARING PANEL RECOMMENDATIONS ON THE COMPLAINTS PROCESS**

Members considered a paper that presented the views and recommendations of the Code of Conduct Hearing Panel in response to concerns that had been raised over the Council's current complaints process.

In discussion, there was widespread support expressed for the recommendations and it was confirmed that the Council would be willing to host the suggested training session.

It was then:

## **RESOLVED**

That the Panel:

1. request that a full review of the Council's Code of Conduct be undertaken by the Monitoring Officer, in consultation with the Members of the Code of Conduct Hearing Panel, with the findings being presented back to a future meeting of the Overview and Scrutiny Panel;
2. ask officers to write to Town and Parish Council Clerks outlining the total number of town and parish councillor complaints that had been received by the District Council and the consequent costs that were associated with their administration;
3. **RECOMMEND** to Council that representations be sent to the Secretary of State and local MPs outlining the Council's concerns over the current regulations (e.g. the lack of any meaningful penalties and the unfairness of District Councils having to absorb the costs of administering the scheme for its local Town and Parish Councils);
4. promote to Town and Parish Council Clerks the benefits of informally resolving complaints before a formal process is instigated;
5. ask officers to convene a 'Code of Conduct and Councillor Behaviour' training session for town and parish clerks and councillors;
6. convene a meeting between the Hearing Panel Members; the Monitoring Officer; and the Devon Association of Local Councils County Solicitor to express the concerns of the District Council over the number of complaints that are being received against local town and parish councillors; and
7. encourage the Monitoring Officer to revisit the Council's pool of Investigating Officers in an attempt to build capacity to ensure that complaints are dealt with in a more timely manner.

**O&S.24/18 TASK AND FINISH GROUP UPDATES****(a) Drug and Alcohol Abuse**

By way of an update, it was confirmed that the Group would present its initial recommendations to the next Panel meeting on 6 September 2018 before then presenting its final concluding report to the Panel meeting on 4 October 2018.

**(b) Community Funding**

The Chairman advised that the Group had met on three separate occasions and it was intended that its concluding report would be considered by the Panel at its next meeting on 6 September 2018.

In light of the potential overlap, it was agreed that the Chairmen of this Group and the Drug and Alcohol Abuse Task and Finish Group would discuss the recommendations arising from these Reviews prior to their consideration by the Panel.

**O&S.25/18 ACTIONS ARISING / DECISIONS LOG**

The contents of the latest version of the Log was presented for consideration. In discussion, reference was made to:-

- the meetings to be held between relevant officers and Members on a ward by ward possible to investigate and ascertain possible opportunities to the Wholly Owned Company. A Member expressed his disappointment that these meetings had yet to be held and questioned how these would be arranged since the matter was to be re-considered by the Panel on 6 September 2018. In reply, it was noted that the lead officer would be tasked with progressing this matter upon his return to the office;
- the point again being made that the promised consultation with local Ward Members on the Public Conveniences charging proposals was still to take place;
- confirmation that rolling contracts that were managed by the Council were currently being reviewed.

**O&S.26/18 DRAFT ANNUAL WORK PROGRAMME**

In consideration of its Annual Work Programme, the following comments, additions and amendments were made by the Panel to the most recently published version:-

- (a) The Chairman invited a Member to introduce his formal Scrutiny Proposal Form that was entitled: '*The Future of Our Town Centres in South Hams*'. In so doing, the proposer highlighted the uncertain future being faced by town centres due to changes in retail activity and asked that a Task and Finish Group be set up with the initial task of presenting a draft set of terms of reference to the Panel meeting on 4 October 2018 for its approval.

Following a lengthy debate into the merits of this proposal, it was agreed that, as a way forward, the Community Of Practice Lead for Place Making would be tasked with producing a paper for consideration by the Panel at its meeting on 1 November 2018. It was intended that this paper would present the officer views as to how the Place Making Community Of Practice could have an impact on the Town Centre Regeneration agenda. In addition and, before this paper was considered, the Panel also agreed that the officer should convene four separate meetings with the local Ward Members for each of the four market towns;

- (b) In light of the request made at the Special Council meeting held on 26 July 2018, the Panel supported the suggestion for it to consider the proposed strategy for Commercial Property Acquisition and asset development within the South Hams at its next meeting on 6 September 2018.

#### O&S.27/18 **EXCLUSION OF PUBLIC AND PRESS**

It was then:

##### **RESOLVED**

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

#### O&S.28/18 **DEVON BUILDING CONTROL PARTNERSHIP UPDATE**

The Panel considered an exempt report that provided an overview of the performance of the Devon Building Control Partnership.

In discussion, assurances were given to the Panel that more information (including the agenda and published minutes) related to meetings of the Building Control Partnership Committee would now be distributed to the wider membership.



It was then:

**RESOLVED**

That the update report be endorsed.

(Meeting started at 10.00 am and concluded at 12.50 pm)

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Chairman