

**MINUTES of the MEETING of the  
OVERVIEW & SCRUTINY COMMITTEE,  
Held in the Repton Room, Follaton House, Totnes, on  
WEDNESDAY, 20 JANUARY 2022**

<b>Panel Members in attendance:</b>			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr L Austen	*	Cllr D M O'Callaghan
*	Cllr J P Birch (Chairman)	*	Cllr J T Pennington
∅	Cllr M Chown	*	Cllr J Rose
*	Cllr R Foss (substituting for Cllr Chown)	*	Cllr P C Smerdon (Vice Chairman)
*	Cllr S Jackson	*	Cllr B Spencer
∅	Cllr L Jones	∅	Cllr J Sweett
*	Cllr M Long (substituting for Cllr Sweett)	*	Cllr D Thomas
*	Cllr J McKay		

<b>Other Members also in attendance:</b>
Cllrs T Holway and J Pearce – in person Cllrs K Baldry; J Brazil; N Hopwood; G Pannell; K Pringle; and H Reeve – remote attendance via Teams Meeting.

<b>Item No</b>	<b>Minute Ref No below refers</b>	<b>Officers in attendance and participating</b>
All		Deputy Chief Executive, Director of Place & Enterprise; Monitoring Officer, Democratic Services Manager; Head of Strategy & Projects; IT Officer; and Democratic Services Officers
Item 9	O&S.52/21	Customer Service Improvement Manager
Items 10 and 11	O&S.53/21 and O&S.54/21	Director of Governance & Assurance; Senior Specialist – Climate Change
Item 12	O&S.55/21	Senior Specialist – Housing

**O&S.48/21 MINUTES**

The minutes of the meeting of the Overview and Scrutiny Committee (O&S) held on 4 November 2021 were confirmed as a correct record.

**O&S.49/21 CONSIDERATION OF INFORMAL MEETING NOTES**

The notes of the informal meeting of the Overview & Scrutiny Committee on 16 December 2021 were confirmed as a correct record.

The Chair then stated that as the joint meeting of the O&S and Development Management Committees held on 13 January 2022 was an informal meeting, the Committee needed to ratify the three proposals that were put forward at that meeting. These were:

- i) To ratify the decisions taken at the informal Joint O&S and Development Management (DM) Committee Budget meeting on 13 January
- ii) To agree the inclusion of Mid Devon District Council's request on today's agenda (Minute O&S.56/21 b) below refers), and
- iii) To set up a task and finish group as requested by the Leader.

Following the **PROPOSAL** and **SECONDING** of the proposals related to the draft Revenue and Capital Budget, these proposals were then voted on and declared **CARRIED**.

The Committee then reviewed the recommendations as so moved at the informal Joint O&S and DM Committees Budget meeting held on 13 January 2022.

It was then

### **RECOMMENDED**

That, as part of the draft Revenue and Capital Budget Setting process for 2022/23, the Overview and Scrutiny Committee **RECOMMEND** that the Executive **RECOMMEND** to Council that:-

1. recognising that the Council has declared both a Climate Change and Biodiversity Emergency and Housing Emergency, the Executive be urged to give priority to the development and execution of projects in respect of both in 2022/23;
2. the sum of £3.5 million allocated out of the Business Retention Reserve to employment in 2018/19 remains unspent. It is proposed that out of this sum £1.0 million be reallocated to the proposed Affordable Housing Reserve Fund and £250,000 be reallocated to the Climate Change & Biodiversity Reserve; and
3. the following ten proposals be noted:
  - i) The proposed increase in Council Tax for 2022/23 of £5 (Band D of £180.42 for 2022/23 – an increase of 10 pence per week or £5 per year – equates to a 2.85% increase);
  - ii) The financial pressures shown in Appendix A of the informal agenda paper amounting to £1,044,600;
  - iii) The net contributions to/(from) Earmarked Reserves of £561,600 as shown in Appendix D of the informal agenda paper, including the proposed use of £500,000 of New Homes Bonus funding to fund the 2022/23 Revenue Budget as set out in 3.30 of the report and £100,000 from the Business Rates Retention Earmarked Reserve as set out in 3.21 of the informal agenda paper;
  - iv) That £407,557 of the New Homes Bonus grant allocation for 2022/23 is allocated to an Affordable Housing Earmarked Reserve as a one-off contribution for 2022/23 as set out in 3.30 to 3.31 of the informal agenda paper;
  - v) The savings of £404,000 as shown in Appendix A of the informal agenda paper;

- vi) That South Hams District Council continues to be part of the Devon Business Rates Pool for 2022/23;
- vii) The proposed Capital Programme Proposals for 2022/23 of £1,665,000 and the proposed financing of the Capital Programme as set out in Appendix E of the informal agenda paper;
- viii) That Unearmarked Reserves should continue to have a minimum level of £1.5million (as set in the Medium Term Financial Strategy in September 2021), but an operating level of a minimum of £2million;
- ix) That the Executive recommend to Council to transfer £280,000 from Unearmarked Reserves to a Financial Stability Earmarked Reserve as part of the process of closing the 2021/22 Accounts, to be available for any future financial pressures from future local government funding reforms and any other budget pressures (the predicted year-end balance of Unearmarked Reserves at 31.3.22 is £2.28m as set out in 7.8). (This would leave an operating level of £2m for Unearmarked Reserves); and
- x) That the Executive recommend to Council to transfer a one-off amount of £200,000 into a Community Composting Earmarked Reserve in 2021/22 as part of the process of closing the 2021/22 Accounts. A scheme is to be set up with a one-off budget of £200,000 in 2022/23 for community composting, aligned to savings in the green waste element of the waste contract in 2021/22, as per 3.40 of the informal agenda paper.

#### O&S.50/21 **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 declared.

#### O&S.51/21 **PUBLIC FORUM**

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration.

#### O&S.52/21 **PERFORMANCE MANAGEMENT REPORT**

The lead Executive Member for Service Delivery provided the Committee with a report which gave a high-level overview of performance across the Council.

During the ensuing discussion, the following points were raised:

- The delay to the Planning Portal was deemed necessary to ensure it was working well before being deployed. The aim was for this to be rolled out in June 2022.
- The decision for staff to return to work from the office was under review.
- The report to O&S Committee, on telephone calls and the contact centre, would be delayed due to the relevant officer

being absent through ill-health. This was hoped to be brought to the Committee meeting no later than in May 2022.

- It was confirmed that no waste collected in the South Hams area was ever sent to landfill, nor recycling sent overseas. One Member highlighted the issue of food waste and the need to reduce this significantly.
- The responses to benefit claims were all within Government targets for response.
- Planning and enforcement improvements were noted and applauded.
- A Member proposed adding in a thank you to the staff in recognition of their hard work under difficult circumstances. Once voted on, this was added to the resolution.

It was then:

### **RESOLVED**

That the Overview and Scrutiny Committee **NOTE** the performance figures shown in the attendant Pentana report as outlined in Appendix A, and **ACKNOWLEDGE** the hard work of Council staff through extraordinarily difficult circumstances.

### O&S.53/21 **BETTER LIVES FOR ALL THEMATIC UPDATE: CLIMATE & BIODIVERSITY**

Following the Council's adoption of the Better Lives for All strategy in September 2021, the Committee was provided with an update on the Climate & Biodiversity strand of the Better Lives for All Strategy.

During the debate, the following points were raised:

- An officer was being recruited to run project AM1.1, as outlined in Appendix A of the attendant report. The EV strategy report was being updated and would be ready soon.
- Devon County Council had given notice that there was a likelihood they would be withdrawing from the crowdfunding scheme, due to budgetary restraints in the next fiscal year. This could lead to an increase in cost to SHDC, but officers were working on ways to minimise this.
- Notice was given that the aim of completing nine EV installations in public car parks, by 31 March 2022, could not now be achieved. This was due to delays from the provider, and the legal process to develop the first lease. Now that the first lease was completed, the other eight leases should be quicker. It was requested that the banding of this project should be moved to amber rather than green, in light of this.

It was then:

### **RESOLVED**

That the Overview and Scrutiny Committee **NOTE** the progress in delivering against the Better Lives for All 'Climate' Thematic Delivery Plan.

#### O&S.54/21 **CLIMATE CHANGE & BIODIVERSITY ACTION PLAN UPDATE**

The Executive Lead Member for Climate Change and Biodiversity introduced the latest update on the Climate Change and Biodiversity Action Plan. Following the final report from the Task and Finish Group, set up to consider the report of the Action Plan, the recommendations were put before the Executive at its meeting on 2 December 2021. At this meeting, one proposal was debated and agreed, with the remaining recommendations to be considered at the Executive meeting on 27 January 2022.

The Chairman updated the Committee that he and the Vice Chair had had discussions with officers and the decision had been made to deal with the action plan by breaking it down into various areas to be reviewed in turn. These being: Energy; Sustainability; Biodiversity; Capability and Engagement; and Operational Action Plan.

It was **PROPOSED** that an additional recommendation be added to thank staff. This was **SECONDED** and at the subsequent vote, the additional recommendation was **CARRIED**.

It was then:

#### **RESOLVED**

That the consideration of this item be deferred pending the outcome of the Executive's consideration of the Task and Finish Group's recommendation, arising out of the O&S meeting held on 4 November 2021 (item O&S.37/21).

Thereafter consideration of the Climate Change and Biodiversity Action Plan by O&S would be broken down into manageable sections, each dealt with at a separate meeting of the Committee, and that a programme be agreed at a meeting between the Chair, Vice Chair and Officers.

The Committee **NOTE** the action taken by the officers and thanked them for the work they had carried out.

#### O&S.55/21 **DEVON HOME CHOICE REVIEW**

The Leader introduced the report on Devon Home Choice (DHC) which outlined waiting lists and allocation trends across the area, and reviewed how these met the housing needs of the District. It was noted that the average waiting times ranged from 373 to 430 days, with the variable length often being dependent upon the property size. The overall housing need was currently at 1,153 properties. Officers noted that DHC was an effective

administration tool which provided a good user experience for those in housing need and through which the Council was able to discharge its statutory duty.

In answering Members' questions, the following was clarified:

- DHC was choice based lettings scheme, which was the most commonly used by the majority of Councils. Some councils had old style points based systems, but these schemes were few in number and removed the element of choosing the property you applied for.
- As five and six bedroom houses had the lowest need, there was a resultant scarcity of properties of this size, with none in social housing in the District.
- Those applicants who were unable to access or navigate the site without support could approach staff to help them to register and bid on properties, including assisted and auto bidding. Regular checks of non-bidders in high housing need were undertaken to ensure wherever possible people did not slip through the safety net.
- The most popular areas were urban, due to work and school opportunities. Mutual Exchanges were undertaken through the national homeswapper site, although people in no housing need (Band E) were still able to apply and bid for properties.

It was then:

### **RESOLVED**

That the Overview and Scrutiny Committee **RECOMMEND** to the Executive that the Council continue to be a member of Devon Home Choice.

## **O&S.56/21 TASK AND FINISH GROUP UPDATES**

### **a) Housing**

Once the establishment of the Task and Finish Group was formally ratified by the Committee, the Chairman of the Housing Task and Finish Group (T&F) updated the Committee following the first meeting of the Housing T&F group.

It had been agreed by the T&F group that they should conclude and report back its conclusions to the Committee at its next meeting on 17 March 2022. One Member requested the T&F Group's name should be changed to 'homes'. The T&F Group consisted of eight Members, Cllrs Smerdon (Chairman), Birch, Foss, McKay, O'Callaghan, Reeve, Sweett, and Taylor. Members of the T&F Group had joined a meeting of Cornwall Council Community Land Trust which had been very useful. The concept of co-housing was outlined: where very large houses, accommodating perhaps only two people, were bought and then altered

to be a House of Multiple Occupancy (HMO). One example outlined had turned a home for two people into 17 homes. Each Member of the T&F Group had been tasked to look into different aspects of affordable housing initiatives throughout the country.

An officer of the Council, who was a specialist in both community land trusts and affordable housing, would be invited to attend the next meeting, which was due to take place on the 27<sup>th</sup> January.

**b) Bioenergy Industry – Mid Devon District Council proposal**

The Chairman updated the Committee regarding an enquiry he had received from Mid Devon District Council, who were asking for expressions of interest to join a Devon wide inquiry into the bioenergy industry and planning controls and regulatory requirements relating to the same.

During the debate, several Members commented that this crop was much more common in the Mid Devon area and that there were no issues with the anaerobic digester in Langage which dealt with all the food waste from South Hams area. It was also noted that the digesters increased farm traffic with taking fuel to the digester and the fertilising materials back to the farms. It was felt by some that this issue was more a planning issue than a scrutiny one. It was also acknowledged that the Committee's work programme was already very full.

Following a proposal to decline the invitation, this was unanimously agreed.

**O&S.57/21 COMMITTEE WORK PROGRAMME**

It was confirmed that the thematic topic for 17 March 2022 would be 'communities', with 'homes' the topic for the Committee meeting on 22 April 2022.

Further to a request from a non-Committee Member, it was agreed to invite South West Ambulance Service to a future meeting, to discuss emergency response times. It was noted that these response times were currently the worst in the Country. The Member was also having difficulties in getting replacement first responders in his area.

Due to staff illness, the item on Council Delivery Against Key Performance Indicators would be moved to the June Committee meeting.

(Meeting started at 10:00 am and concluded at 12:32pm)

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O+S 20.01.22

Chairman