

**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 23 FEBRUARY 2017**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	*	Cllr D W May
*	Cllr J P Birch	*	Cllr J T Pennington
*	Cllr J I G Blackler	*	Cllr K Pringle
*	Cllr D Brown	*	Cllr M F Saltern (Chairman)
*	Cllr J P Green	*	Cllr P C Smerdon
∅	Cllr J D Hawkins	*	Cllr K R H Wingate (Vice Chairman)
*	Cllr N A Hopwood		

Other Members also in attendance:
Cllrs H Bastone, I Bramble, R Foss, R D Gilbert, J A Pearce, R J Tucker, R J Vint and S A E Wright

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Head of Paid Service, Executive Director (Service Delivery and Commercial Development) and Senior Specialist – Democratic Services
8	O&S.70/16	Devon and Cornwall Housing Chief Executive; Community Of Practice Lead Housing, Revenue and Benefits and Specialist – Place and Strategy
9	O&S.71/16	Specialist Manager and Community Of Practice Lead Environmental Health
10	O&S.72/16	Case Management Manager
11	O&S.73/16	Group Manager – Support Services
12	O&S.74/16	Group Manager – Support Services and Specialist – Performance & Intelligence
13(a)	O&S.75/16(a)	Group Manager – Commercial Services
13(b)	O&S.75/16(b)	Group Manager – Commercial Services
13(c)	O&S.75/16(c)	Group Manager – Business Development

O&S.66/16 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 19 January 2017 were confirmed as a correct record and signed by the Chairman.

O&S.67/16 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.68/16 PUBLIC FORUM

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

O&S.69/16 LATEST PUBLISHED EXECUTIVE FORWARD PLAN

The Panel was presented with the most recently published Executive Forward Plan and duly noted its contents without further discussion.

O&S.70/16 DEVON AND CORNWALL HOUSING – ANNUAL UPDATE

The Chairman welcomed Mr Paul Crawford (Devon and Cornwall Housing (DCH) Group Chief Executive) to the Panel meeting.

With particular reference made to the South Hams area, Mr Crawford proceeded to undertake a presentation that covered the following specific themes:-

- An update on the external environment and how DCH was responding;
- Issues to consider in delivering affordable housing in the South Hams; and
- Member Questions.

In concluding his presentation, Mr Crawford emphasised that DCH remained committed to the South Hams area and working together with the Council. As an example of this commitment, the Panel was advised that DCH was currently in negotiations with the Council with a view to becoming an on-site tenant at Follaton House.

In the subsequent discussion, reference was made to:-

- (a) the impact of the 1% rent reduction. It was noted that this Central Government initiative would result in a projected £39 million loss in income to DCH over the next four years. When questioned further, Mr Crawford advised the Panel that the Government's justification for this reduction was that Housing Associations also had to play their part in managing the Welfare Bill;
- (b) the Development Management process being a barrier for the delivery of affordable housing. In setting the context, the Panel acknowledged that, when considering the desperate need in the South Hams, there was an ongoing under delivery of affordable housing provision in the South Hams. In respect of viability, it was felt that 30% affordable housing per development was a far more realistic and attainable target to deliver;
- (c) the Housing White Paper. Since the guidance was so recent, Mr Crawford advised that DCH had not made any assumptions yet

regarding Starter Homes being delivered at 10% of affordable housing provision for any schemes greater than ten units;

- (d) the renovations and renewals programme. Mr Crawford informed that the programme focus for DCH was on delivery of decent Housing Standards and greater investment (£10 million had been allocated) towards energy efficiency and 'affordable warmth' measures. In response to a request, Mr Crawford also agreed to circulate the DCH ward by ward renovations programme to local Members;
- (e) the new office arrangements. The Panel recognised that the centralisation of the offices to a site in East Devon made good economic and service delivery sense. In emphasising the importance of DCH having a local presence, the proposed touchdown base in Totnes was welcomed;
- (f) Section 106 contributions. In response to a specific query relating to the process of bidding for off-site Section 106 contributions towards affordable housing provision, it was agreed that a written response would be provided outside of the meeting;
- (g) the Sherford development. Mr Crawford informed that DCH had recently secured 114 of the 120 affordable homes for Phase 1 of the Sherford development. Being a new settlement, the organisation recognised that there was an element of risk in this decision. However, on the assumption that Phase 1 was successful, it was confirmed that DCH would be keen to look at the future phases of the project.

In conclusion, the Chairman wished to thank Mr Crawford for his informative presentation and responses to Member questions.

O&S.71/16 **EMPTY HOMES STRATEGY UPDATE**

The Panel considered a report that provided an update on the work that had been carried out under the Empty Homes Strategy.

In discussion, the following points were raised:-

- (a) With regard to the performance management targets outlined in the presented agenda report, officers informed that work had been limited to reactive complaints and these had not been met. It was noted that a further reason for these targets not being met was that great emphasis had been given to Disabled Facilities Grants as opposed to Empty Homes.

Since the Council's performance in respect of Disabled Facilities Grants was now in a positive position, Members and officers alike considered that it was now timely to give renewed focus to bringing empty homes back into use;

- (b) The Panel recognised that, on some occasions, property landlords would prefer to sell their properties rather than carry out improvements to bring them back into use;
- (c) As part of the review into the Council's approach to empty homes, a Member asked that the statement in relation to the Empty Dwelling Management Order (EDMO) be updated. This update was necessary to reflect the fact that legislation had since changed whereby an EDMO could only now be served when a property had been empty for over two years;
- (d) The Panel was advised that the Direct Lets Scheme was a potential means of providing grant funding for empty homes and this aspect would be subject to a full review as part of the Council's newly adopted Homelessness Strategy;
- (e) With regard to officer costs to administer the Strategy, officers promised to provide a detailed breakdown to an interested Member outside of this meeting.

It was then:

RESOLVED

That officers be tasked with reviewing the Empty Homes Strategy as soon as is practically possible and the approach to dealing with empty homes as a means of meeting the wider housing need be endorsed.

O&S.72/16 STREET NAMING AND NUMBERING BRIEFING PAPER

The Panel considered a briefing paper on the Street Naming and Numbering function.

In discussion, reference was made to:-

- (a) the lack of reference to Members. A number of Members were of the view that the current approach to Street Naming and Numbering was lacking reference to the role of elected Members during the consultation process. Furthermore, some Members cited their examples of specific instances when this policy was not being adhered to. In light of these concerns, Members requested that the policy be reviewed and updated before being presented back to the Panel at its June 2017 meeting;
- (b) the frequency of town and parish council meetings. In light of the frequency of these meetings, a Member was of the view that providing town and parish councils with only 21 days to consider a street name was unreasonable. Since most town and parish councils met on a monthly basis, the Member felt that a 38 day time window would be more reasonable;

- (c) the use of apostrophes in street names. Having questioned why apostrophes were not permitted in street names, officers committed to providing a response to this query outside of the meeting.

It was then:

RESOLVED

That the current Street Naming and Numbering Policy be reviewed and updated before being presented back to the Panel meeting in June 2017.

O&S.73/16 TRANSITIONAL RESOURCES – QUARTERLY MONITORING REPORT

The Panel considered a report that provided Members with an update on the impact on service areas of the temporary, fixed-term transitional resources that were approved by the Council in June 2016 to improve customer satisfaction and the public perception of the Council.

In discussion, reference was made to:-

- (a) errors on the published report. Officers drew attention to the following two areas that were incorrect:
- whilst the cost proportion figures for the Council were accurate, the equivalent West Devon Borough Council figures were incorrect; and
 - the current status (paragraph 3.1 of the presented agenda report refers) should read 'as of end of December 2016' and not 'as of end of January 2017';
- (b) the use of visual charts and graphs. Members welcomed the greater use of visual illustrations in this quarterly monitoring report;
- (c) the reduced call volumes. In welcoming this reduction, officers advised that this had also provided the opportunity for contact centre staff to receive additional training. With regard to the quality and accuracy of responses given by contact centre staff, it was noted that these were monitored and staff were assessed against their responses.

It was then:

RESOLVED

That the Panel acknowledge the action that has been taken and welcome the service improvements that have been made to date.

O&S.74/16 QUARTERLY PERFORMANCE MEASURES

The Panel considered a report that presented the Quarter 3 performance indicators for 2016/17.

In discussion, the following points were raised:-

- (a) Some Members reiterated their previously raised concerns in relation to the planning enforcement service. In comparison to other local authorities, these Members stated that there was a perception that the Council provided only a light touch service and was far too lenient on developers and other serial offenders. Furthermore, a Member was also of the view that, for some of the historical backlog of cases, the Council had been too soft in its approach.

In reply, officers acknowledged these concerns but advised that, in a number of instances, it was simply not expedient to pursue legal action against an applicant. Nonetheless, if any Members had specific instances of where they felt the Council had been too lenient, then they were encouraged to provide these examples to officers outside of the meeting for further consideration. Finally, the Panel was advised that there was still an upward trend of enforcement cases being received by the Council and this had been the main reason for additional resource being approved during the recent Budget setting process;

- (b) With regard to the figures and comments in the performance reports, the Panel expressed its frustration that the information contained was (in some instances) both out of date and not cross referenced between the figures and supporting comments. At this point, Members were reminded of the ability to self-serve, as they all had access to the online dashboards which provided near real time performance data. In addition, since the published report was for the Quarter 3 period, this information was retrospective and could always be considered as being out of date;
- (c) It was confirmed that, since the complaints recording procedures had been amended, the figures were illustrated differently which made it difficult at this time to draw comparisons with last year;
- (d) Some surprise was expressed that the top call type during this quarter had been 'Call in the wrong queue'. In reply, officers advised that this had been due to a problem with the call routing system that had since been rectified;
- (e) The fact that the Corporate Balanced Scorecard illustrated that there were no indicators with a below target performance during this quarter was welcomed by the Panel;
- (f) At the request of the Chairman, the Human Resources Community Of Practice Lead provided an explanation for the marked increase in both short and long-term sickness absence. Following this update, the Panel requested that it receive a more detailed update on sickness absence at its meeting in June 2017.

It was then:

RESOLVED

1. That the performance levels against target communicated in the Balanced Scorecard and the performance figures in the background and the exception report be noted;
2. That officers be reminded of the importance of presenting the most up to date information in future reports; and
3. That the Human Resources Community Of Practice Lead present a Sickness Absence Update to the Panel at its June 2017 meeting.

O&S.75/16 **TASK AND FINISH GROUP UPDATES**

(a) Dartmouth Lower Ferry

Prior to any debate taking place, it was **PROPOSED** and **SECONDED** that:

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 paragraphs 1 and 3 of Schedule 12A to the Act is involved.

In discussion, the Panel expressed its support for the service solution as outlined at Appendix B of the presented agenda report.

It was then:

RECOMMENDED

That the Executive be **RECOMMENDED** that the service solution at Appendix B of the presented agenda report be supported, subject to the outcome of the current formal union consultation.

It was then:

RESOLVED

That the press and public be re-admitted to the meeting.

(b) Waste and Recycling

It was noted that the most recent meeting had been held on 22 February 2017 and the Panel noted the following progress updates:

- The In-cab project for domestic and trade waste was in operation and was working well. Moreover, it was intended that a demonstration would be arranged for all Members in due course;
- In respect of the round review, the Panel was reminded that Phase 1 had been closed down and, as part of Phase 2, the Group was specifically looking at the previous work that had been undertaken and how the Council collected its food and garden waste. The Group had already identified that this was a particularly complicated issue and there would be an informal Member Briefing scheduled in due course on this matter;
- It was felt that there was further scope to improve the number of outlets (currently 26) that were able to issue recycling sacks;
- The lead Member confirmed that the Bottle Bank notices were now ready;
- The Group was particularly conscious of the need to address the rising amount of both residual and garden waste. In particular, there was a critical need to address the fact that currently 23% of the contents contained in the grey bin was food waste;
- With regard to instances of fly-tipping, a Member questioned whether the recycling sacks could be barcoded to act as a deterrent. In reply, a commitment was given that this (and the potential for messages to be included on the sacks) would be considered by the Group;
- It was intended that the Group would present a detailed report to an upcoming Panel meeting.

(c) Events Policy

The Panel was asked to consider the concluding report of the Events Policy Task and Finish Group.

In discussion, reference was made to:-

- (i) an amendment was **PROPOSED** and **SECONDED** as follows:-

‘That there will be no fee rendered in respect of those events that are organised by charities or are for charitable purposes.’

In support of the amendment, the proposer informed that this addition would appease a number of dissatisfied residents. In stating that the current approach worked successfully, the proposer felt it to be inappropriate that the discretion be transferred to one officer without the need for any further consultation. Furthermore, another Member highlighted the increased income and economic benefits that charitable events brought to the Council and the district.

In contrast, other Members advised of the Group objective to adopt an equitable policy across the district. A Member also stated his total opposition to the principle of the Council subsidising charities through such means.

When put to the vote, the amendment was declared **LOST**.

- (ii) the consultation process. The Group Chairman informed that the consultation exercise would include all original responders being written to and all Members, town and parish councils and identified event organisers would be included in this process. The Panel questioned the need for the Events Task and Finish Group to be reconvened and concluded that it would be more appropriate for responsibility to be given to the Group Manager – Business Development, in consultation with the Chairman of the Group, to prepare the Policy for a future Executive meeting.

It was then:

RESOLVED

1. That the suggested principles for the revised Events Policy and consultation process (as detailed in section 3 of the presented agenda report) be approved;
2. That the Group Manager – Business Development, in consultation with the Chairman of the Events Task and Finish Group, be tasked with preparing an Events Policy based on these recommendations for approval at the next Executive meeting after the consultation period is completed; and
3. That, once live, the Policy be reviewed annually, with the fees levied being reviewed as part of the regular Fees and Charges setting process.

O&S.76/16 ACTIONS ARISING / DECISIONS LOG

The contents of the latest version of the Log was presented and subsequently noted with no further issues or comments being raised.

O&S.77/16 DRAFT ANNUAL WORK PROGRAMME 2016/17

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

- (a) It was noted that, in advance of the project update being presented to the next Panel meeting (6 April 2017), a Member site tour of the Sherford development had been arranged to take place on Friday, 31 March 2017;
- (b) The Our Plan Annual Report would be presented to the next meeting on 6 April 2017;
- (c) With regard to the Joint Local Plan (JLP), the Head of Paid Service advised that the combined £150,000 that had been set aside across

the three local authorities was a sufficient sum of money to enable for a robust defence of the JLP during the Examination In Public;

- (d) The Work Programme for the May 2017 Panel meeting would be updated to include the following items:
 - T18 Payback Period; and
 - Report from the Waste and Recycling Task and Finish Group;
- (e) The Work Programme for the June 2017 Panel meeting would be updated to include the following items:
 - Future Use of Follaton House – to include heating;
 - An overview of the procedures relating to sickness absence monitoring; and
 - A review of the Street Naming and Numbering Policy; and
- (f) It was requested that the Work Programme for the July 2017 Panel meeting include an agenda item relating to an update on the Council's Emergency Planning arrangements.

(Meeting started at 10.00 am and concluded at 1.00 pm)

Chairman