

Overview and Scrutiny **Annual Report**



West Devon
Borough
Council

2016 - 2017

Foreword from the Committee Chairmen



Cllr Debo Sellis

Chairman of
West Devon
Borough Council
Overview and
Scrutiny (External)
Committee



Cllr Robin Musgrave

Chairman of
West Devon
Borough Council
Overview and
Scrutiny (Internal)
Committee

Introduction

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during the 2016-17 Municipal Year and which provides general information on the overview and scrutiny function at West Devon Borough Council.

Overview and Scrutiny is a key part of the democratic decision-making process in local councils, where Committee Members can contribute to shaping Council policy, community wellbeing and accountability which is done 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.

Overview and Scrutiny Committee Members consider these principles when selecting topics to investigate whether it is holding the Hub Committee 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. In 2016/17, the Council had two Overview and Scrutiny Committees, with their roles and responsibilities being divided into an internal (the 'Overview and Scrutiny (Internal) Committee') and an external (the 'Overview and Scrutiny (External) Committee') focus.

The Overview and Scrutiny (External) Committee was primarily responsible for considering and focusing on the impact that the Council and its partners were making on its customers and communities.

In contrast, the Overview and Scrutiny (Internal) Committee was primarily responsible for considering and scrutinising how the Council was performing as an organisation (e.g. performance, culture and internal policies).

The Council's governance arrangements specified that all 31 Members of the Council were considered to be either a Hub Committee Member (of which there are 9); or a Member of either of the two Overview and Scrutiny Committees (of which there are 11 on each).

As part of the ongoing review to maximise its effectiveness, the Council met on 11 April 2017 and concluded that, with effect from the Annual Council meeting on 23 May 2017, the function should be undertaken by one Overview and Scrutiny Committee (comprising of 15 Members) that would meet more frequently, with its meetings being co-ordinated with Hub Committee meetings.

The lead officers supporting the Overview and Scrutiny function are the Council's Head of Paid Service and the Senior Specialist – Democratic Services.

Committee Membership

(External)

(Internal)

CLlr Debo Sellis –
Chairman



CLlr Robin Musgrave –
Chairman

CLlr David Cloke –
Vice-Chairman



CLlr Julie Yelland –
Vice-Chairman

CLlr Kevin Ball



CLlr William Cann OBE

CLlr Ric Cheadle



CLlr Mike Davies

CLlr Neil Jory
(from 10 May 2016 to 28 February 2017)



CLlr Jess Evans

CLlr Tony Leech



CLlr John Hockridge

CLlr Terry Pearce



CLlr Patrick Kimber

CLlr Annabel Roberts



CLlr James McInnes

CLlr John Sheldon



CLlr Caroline Mott

CLlr Ben Stephens



CLlr Diana Moyse

CLlr Louise Watts



CLlr Paul Ridgers

The role of the Overview and Scrutiny Committees

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 Borough 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 Borough 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 West Devon 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 Committees can be found at:

- **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://old.westdevon.gov.uk/article/3667/Our-Constitution>



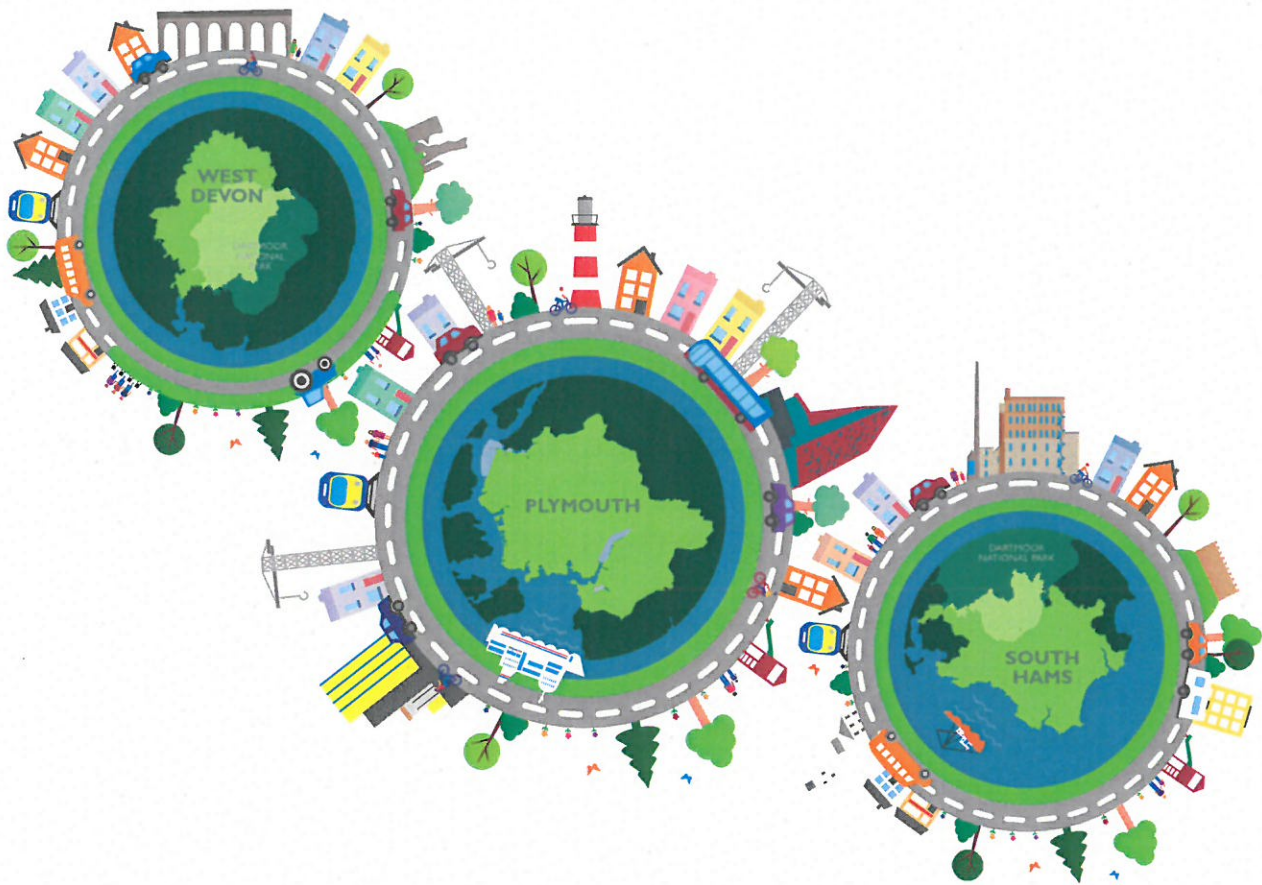
Agenda Items – Corporate Priorities

Both the Overview and Scrutiny (External) and (Internal) Committees met formally on five separate occasions during the 2016/17 Municipal Year. In addition, a joint Committee meeting was held on 17 January 2017 with the primary purpose of considering the draft Budget proposals for 2017/18.

In considering its work programme, the Committees gave 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:

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HOMES – Enabling homes that meet the needs of all



Item	Issue
Five Year Land Supply (Internal)	The Committee received a verbal exempt report from the Lead Hub Committee Member on the position of the Council in relation to having a five year land supply. The Lead Member and Community Of Practice Lead Development Management responded to a number of questions and concerns from Members.
Joint Local Plan (Internal and External)	Both Overview and Scrutiny Committees received regular updates on the Joint Local Plan and played a key role during the development of the draft Plan that was ultimately approved for consultation by Members at a Special Council meeting held on 28 February 2017.
Devon and Cornwall Housing Annual Update (External)	<p>The Committee received a presentation from the Chief Executive of Devon and Cornwall Housing (DCH) that focused on the external environment currently being faced by DCH and the issues being faced by the organisation in delivering affordable housing in West Devon.</p> <p>Following the work of a Task and Finish Group into the calculation of rental figures, the Chief Executive gave assurances that figures were based upon the immediate locality and he requested a conversation with relevant Members to look into this issue further.</p>

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



Item	Issue
Economy Working Group Recommendations (Internal)	<p>The Committee considered the findings of the Working Group that sought to raise the profile of the Economy agenda and coincided with the Council making the following decisions at its meeting on 6 December 2016:-</p> <ol style="list-style-type: none"> 1. That the proposed Our Plan Annual Delivery Plan (as outlined at Appendix 1 to the presented agenda report) be adopted for the period to March 2018; 2. That funding be increased to Business Information Point for business support services from £8,340 in 2015/16 to £15,100 in 2016/17; 3. That funding be reduced to South West Museum Development from £2,000 in 2015/16 to £1,000 in 2016/17; 4. That the practice of the Council offering economy grants be ceased with immediate effect; 5. That the Youth Markets initiative be supported from 2016/17 with funding of £1,000; 6. That the Head of Paid Service be tasked with utilising the staffing establishment to deliver the activities detailed in paragraph 3.6 of the agenda report presented to the Hub Committee, identifying a lead officer of a suitable grade; 7. That a West Devon Economy Working Group (comprising of 4 Members) be established that submits periodic reports to the Hub Committee.
Car Park Fees and Charges (Internal) and (External)	As part of the budget setting process, Overview and Scrutiny Committee Members asked that the Car Parking Strategy Group undertake a detailed review of car parking charges in time for the 2018/19 budget consultation exercise.
Capital Programme (Internal) and (External)	The budget setting meeting considered at length the draft Capital Programme and recommendation its approval to the Hub Committee

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



Item	Issue
Officer Responses (Internal)	Throughout the year, the Committee reiterated its concerns at the number of instances of officers who were not replying to calls or emails received from town and parish councils and members of the public.
Telephone System Update (Internal)	The Committee considered an update that culminated in it being advised that a new telephony system would be fully operational by the second week in November 2016.
Garden Waste (Internal) and (External)	The joint budget consultation meeting had a lengthy debate (in exempt session) over the principle of charging for garden waste. In the debate, it was apparent that the majority of Members were now supportive of the principle of charging for a garden waste collection service and the Committee recommendations were ultimately approved by the Council during the Budget Setting process.

COMMUNITIES – Empowering residents to create strong communities



Item	Issue
<p>Planning Peer Challenge Review 2016/17 (Internal)</p>	<p>The Committee received reports that presented the outcome of the Planning Peer Challenge and supporting Action Plan.</p> <p>In noting their contents, the Committee recognised the need for ongoing monitoring and therefore asked to receive related performance information on a quarterly basis.</p>
<p>Partnerships Review (External)</p>	<p>The Committee established a joint Task and Finish Group with colleagues at South Hams District Council to undertake an extensive review of each of the Council's Partnership arrangements.</p> <p>The Committee considered at great length the recommendations of the Task and Finish Group and made a series of recommendations (as below) that were subsequently approved by the Council on 6 December 2016:</p> <ol style="list-style-type: none"> 1. That the Partnership Policy (as outlined at Appendix 1 of the presented agenda report) and Guidance (as outlined at Appendix 2 of the presented agenda report) be adopted; 2. That the Partnership Register (as outlined at Appendix 3 of the presented agenda report) be adopted; 3. That the review and recommendations of the Task and Finish Group (as outlined at Appendix 4 of the presented agenda report) be agreed; 4. That partnerships be retained at current financial levels for 2017/18, subject to any financial modifications as set out in Appendix 4 of the presented agenda report and a final decision being made on the CAB and CVS; 5. That new (or updated) partnership agreements be established for 2017/18 onwards establishing clear outcomes relating to Our Plan themes and, where appropriate, the Locality work to ensure co-ordinated delivery for communities; and 6. That alongside this, a further financial and governance review be undertaken to identify the most appropriate delivery options aligned to financial and procurement procedures once a decision on the Local Authority Controlled Company is confirmed. <p>Having wished for more detailed consideration to be given to the partnership arrangements with the CAB and the CVS, the Committee made the following recommendations that were subsequently approved by the Council on 6 December 2016:</p> <p>'That the funding allocated by the Council to the CAB and CVS for 2017/18 be retained at the same level as it was for 2016/17 (£32,900 and £8,500 respectively).'</p>
<p>Ombudsman Annual Review Letter 2016 (Internal)</p>	<p>The Committee reviewed the Ombudsman Annual Letter for 2016 and welcomed the improve performance in respect of dealing with customer complaints.</p>

Item	Issue
Locality Service Performance (Internal)	<p>Following some initial concerns regarding certain aspects of the Locality Service, a review report was considered by the Committee.</p> <p>In discussion, a number of Members wished to pay tribute to the value and effectiveness of the service that was being provided by the Locality Team and requested a further review report in twelve months' time.</p>
New Council Website and IT Updates (Internal)	<p>During the course of the year, the progress of the new Council website was a regular agenda item which culminated with the Group Manager (Support Services and Customer First) providing a demonstration.</p> <p>Following the presentation, there was widespread support for the new website and Members were given the opportunity to trial and test it before it went live. Since it has now gone live, customer and Member feedback suggests that the new website and the planning portal have been particularly well received.</p> <p>As part of a verbal update on the IT service, Members also requested that cloud hosting document editing solutions be further explored by the Council.</p>
Customer Contact Centre (Internal)	<p>In light of performance concerns related to average call answer time, the Committee kept a watching brief and received regular updates on the Customer Contact Centre. In so doing, Members wished to extend their continued thanks to the Contact Centre Manager and her team, who continued to work exceptionally in difficult circumstances.</p> <p>Committee Members were also recommended to pay a visit to the Contact Centre to witness first hand both the work being undertaken, but also to get a sense of the nature of the issues being raised by callers.</p> <p>In one of the update reports, the Committee also noted and endorsed the Action Plan for the Contact Centre and continued to champion the benefits of channel shift and customers self-serving.</p>
Annual Report (External)	<p>The Committee received the Council's Annual Report that sought to review the progress and achievements made by the Council in the last year. The Committee made a number of comments (including the need to acknowledge the challenges that had occurred throughout the year) and recommended that the Annual Report be adopted.</p>
New Homes Bonus Allocation to Dartmoor National Park Authority (External)	<p>Members considered a report that presented the projects that had been funded by Dartmoor National Park Authority (DNPA) from the New Homes Bonus funds allocated by the Council. Having considered the report, the Committee welcomed the details of the projects being funded by DNPA.</p> <p>The Committee was also of the view that a piece of work should be undertaken by officers with the objective of streamlining the Council's sources of grant funding.</p>

WELLBEING – Supporting positive safe and healthy lifestyles



Item	Issue
Staff Welfare (Internal)	The Committee emphasised its concerns over staff welfare and the huge pressure that the organisation was currently under and highlighted how important they considered staff welfare to be. As a result, the Committee kept a close watching brief on the performance measures related to staff sickness absence throughout the year.
Future Approach to Arts (Internal and External)	<p>When considering the Economy Working Group recommendations, the (Internal) Committee was not supportive of the proposal to reduce the funding from Villages In Action from £8,000 to £4,000. This opposition was primarily due to the invaluable contribution that the organisation made to rural communities in the Borough.</p> <p>Whilst the Council ultimately disagreed with the Committee recommendation, a further proposal was made by the Council to establish a task and finish group review into all aspects of the Council's commitment and future approach to the Arts agenda. This Group has since been established and, at the time of producing this Report, has just commenced its review.</p>
Health and Wellbeing (Leisure) Procurement Update (External)	The Committee kept a watching brief and received regular updates from the lead Hub Committee on the Health and Wellbeing (Leisure) Procurement exercise, which was ultimately awarded to the preferred bidder: Fusion Lifestyle.
NHS England and NEW Devon CCG Representatives (External)	<p>In response to the proposed out-of-hours GP clinic at Tavistock hospital and the closure of the Ockment Centre, Okehampton, the Assistant Contract Manager, NHS England South Region, South West was in attendance to respond to Member questions and concerns.</p> <p>Having been informed that a number of the issues raised in fact related to the NEW Devon Clinical Commissioning Group, a further update was considered at the next Committee meeting with NEW Devon reps in attendance. As part of this update, particular emphasis was given to: the Out of Hours and 111 Services; and the Sustainability Transformation Programme.</p> <p>As part of its wish to receive regular updates from representatives, the Committee requested a further update early in the 2017/18 Municipal Year.</p>
Police and Crime Commissioner (External)	<p>The Police and Crime Commissioner for Devon and Cornwall and Sgt Anning of Devon and Cornwall Police attended a meeting and conducted a presentation and responded to Member questions.</p> <p>Throughout the agenda item, the Commissioner emphasised her wish to build up good working relationships with local authorities and elected Members.</p>
Community Safety Partnership	In line with statutory requirements, the Committee considered its annual update from the CSP and raised a number of issues that were to be taken forward. For example, the Committee was informed that, unfortunately, instances of modern slavery were more prevalent in the Borough than would be naturally assumed.

ENVIRONMENT – Protecting, conserving and enhancing our built environment



Item	Issue
Dog Warden Scheme (Internal)	The Committee debated the current disparity in respect of some town and parish councils paying into the Dog Warden Scheme whilst others did not. Following these concerns, the Head of Paid Service gave a commitment to the Committee that he would look into this matter outside of the meeting.
Update on Tamar Trails Legacy (External)	<p>The Committee considered a report that sought to familiarise Members with the background of the Tamar Trails.</p> <p>In so doing, the Committee was concerned about the financial implications arising from the Legacy. As a result, the Committee asked that an options appraisal be produced for the Tamar Trails Legacy with the primary aim of reducing the budget deficit for the consideration of the Hub Committee at a future meeting.</p>

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



Item	Issue
South West Museum Development (Internal)	Whilst the Council ultimately agreed to reduce its funding to South West Museum Development from £2,000 to £1,000 in 2016/17, a number of Committee Members were of the view that the heritage, cultural and tourism benefits arising from Museums that it would be a retrograde step to reduce their funding.
Tavistock Townscape Heritage Initiative – Briefing Note (External)	<p>The Committee received a briefing note that provided an update on the Scheme and noted its purpose.</p> <p>In the ensuing debate, Members were comforted that there were clawback mechanisms in place to prevent private owners from making a quick profit through the initiative.</p>

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



Item	Issue
Draft Budget Proposals 2017/18 (Internal and External)	<p>Whilst regrettable, there was unanimous support amongst Committee Members to recommend that Council Tax be increased by £5 for 2017/18. 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>Members were also unanimous in their frustrations at the late announcements from central government each year which were particularly unhelpful when the Council was trying to sets in Budget.</p> <p>The joint meeting also requested that, future reports, be presented differently and provide a wider suite of options for Members to choose from.</p>
Member Development (Internal)	<p>The Committee considered a report that presented a series of recommendations from the Member Development Steering Group.</p> <p>The Committee subsequently noted the progress made by the Steering Group and requested that, to illustrate the importance of Member Learning and Development, a standing agenda item be included for future Committee meetings that acted as a prompt for future Learning and Development opportunities.</p> <p>In line with additional recommendations made by the Committee, the Council (at its meeting on 6 December 2016) made the following decisions:-</p> <ol style="list-style-type: none"> 1. That the future Member Induction Programme be approved, subject to delegated authority being granted to the Senior Specialist – Democratic Services, in consultation with the Member Development Steering Group and Group Leaders, to make any necessary minor amendments; 2. That the principle of a Member Learning and Development Plan be approved, with responsibility for its content and monitoring being delegated to the Senior Specialist – Democratic Services, in consultation with the Member Development Steering Group; and 3. That the pursuing of the South West Charter Status for Member Development accreditation be supported.
Income Generation Opportunities (Internal)	<p>The (Internal) Committee requested that the potential to generate income streams through the Locality service be explored as part of the Council's growth agenda.</p> <p>At the joint Budget meeting, some Member frustration was expressed at the apparent lack of progress being made by the Council in relation to it becoming more commercially minded and income generative. Following a detailed debate, there was a general acceptance that both Members and officers had a big role to play in progressing the income generation agenda to counter the significant budgetary pressures facing the Council.</p>

Agenda Items – Transformation Programme

As the Council's Transformation Programme continued to be embedded, the Committees regularly monitored its progress and performance during 2016/17.

In particular, Members considered (and made recommendations) on:

The Case Management Function:

In light of some Member misunderstanding, the Overview and Scrutiny (Internal) Committee received a presentation that outlined the Case Management function, its current staffing structure and how it fitted into the Future Operating Model.

In discussion, Members raised a number of capacity related concerns and were assured that a Transitional Resources report was to be presented to the Council that asked for some additional temporary resource within the Case Management function in order to help address the backlog of workload.

Transformation Programme Budget Monitoring Report to End of March 2016:

The Overview and Scrutiny (Internal) Committee considered a report that set out the revenue position of the Programme to the end of March 2016.

In noting its contents, the Committee also received a detailed explanation of the cost allocations and apportionments of the Programme between the Council and South Hams District Council. When considering the extent of the changes, Members were also of the view that the Council's Senior Leadership Team should be congratulated for delivering the Programme within the agreed budget.

Transformation Programme – Interim Review: Task and Finish Group

In response to a Council decision, the Overview and Scrutiny (Internal) Committee agreed to undertake an interim review of the Programme. The review approved the following terms of reference:-

"The Overview and Scrutiny (Internal) Committee is requested to undertake an interim review of the T18 programme. In undertaking the review, the Task and Finish Group is asked to focus on the:

- ◆ *timescales of the programme and the reasons for these;*
- ◆ *capacity during transition;*
- ◆ *leadership and continuity from 2104 until present;*
- ◆ *approach to project management; and*
- ◆ *impact on service delivery.*

The review should be conducted in a way that highlights what went well and what could have been done better, does not allocate blame but provides a report that is based on lessons learnt."

The Group has regularly provided updates to the Committee and is currently in the process of working with representatives of the Hub Committee to develop its findings into detailed recommendations for the consideration (and adoption) of the Council.

Transitional Resources Monitoring Report:

Following the decision of the Council to provide additional temporary, fixed-term transitional resources to support certain service areas during the Programme, the Overview and Scrutiny (Internal) Committee requested receipt of regular monitoring reports that provided an update on the impact.

A number of Members acknowledged the extreme work pressures that were being placed on Development Management Specialists and the Committee wished to put on record its gratitude for those officers who were working in very difficult circumstances.

In recognising the risk that the upward trend in performance could be affected once the transitional resources had left, the Committee questioned the likelihood of this eventuality. In reply, officers confirmed that they were confident that, at the end of this period, the upward trend would be maintained and continued. The only exception where officers could not be so confident was the Development Management service, which was the one area that continued to give cause for concern.

There was a general recognition amongst Members that overall performance had now stabilised and was improving in certain areas. In sharing their own experiences, a number of Members subsequently welcomed and commended this performance trend.

The reports have provided the opportunity for Members at that time to raise some concerns over the public perception that the performance of the Council was not at an acceptable standard. Whilst a number of these concerns have been countered during the year, there was widespread recognition that further permanent resources were required in the Development Management service. As a result, at the draft budget setting meeting, the Joint Committee meeting made a recommendation whereby a cost pressure of £50,000 be added to reflect a permanent increase to the staffing establishment for an additional planning specialist and an additional Case Manager for Planning Enforcement. In addition, a further recommendation was made for a temporary increase to the staffing establishment of five Case Managers for a twelve month period, with the majority of these staff (in the short term) working within the Development Management service.



Agenda Items – Public Forum

In line with its openness and transparency agenda, the Council has adopted provision for the Overview and Scrutiny Committee 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 2016/17, the Overview and Scrutiny (External) Committee received questions relating to the out-of-hours GP clinic at Tavistock hospital ceasing from 1 October 2016 and noted that a petition had been developed that urged its retention. The Assistant Contract Manager, NHS England South Region, South West was in attendance to respond to these questions

The 2017-18 Work Programme

The Overview and Scrutiny Committee 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 2017/18 Work Programme:

- A twelve month review of the Locality Service;
- Attendance of external representatives from the following organisations:
 - NEW Devon Clinical Commissioning Group; Devon Doctors and NHS England;
 - West Devon Citizens Advice Bureau;
 - West Devon Council for Voluntary Services;
 - Devon and Cornwall Housing Chief Executive – Annual Update; and
 - South Devon and Dartmoor Community Safety Partnership.
- An update on Rural Broadband;
- The Council's Future Approach to Arts;
- The Planning Enforcement Service Review;
- Quarterly Performance Indicators; and
- Draft Budget.

