

**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 16 MAY 2017**

Panel Members in attendance:			
* 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		

Other Members also in attendance:
Cllrs H D Bastone, I Bramble, J Brazil, D Brown, P K Cuthbert, R D Gilbert, T R Holway, N A Hopwood, J A Pearce, R C Steer, K R H Wingate 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.6/17	Senior Specialist – Environmental Health
9	O&S.7/17	Specialist – Performance and Intelligence
11	O&S.9/17	Group Manager: Commercial Services; Lead Specialist – Waste Strategy; and Operations Manager

O&S.1/17 WELCOME

The Chairman welcomed Cllr Huntley to her first meeting of the Overview and Scrutiny Panel.

O&S.2/17 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 6 April 2017 were confirmed as a correct record and signed by the Chairman.

O&S.3/17 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.4/17 PUBLIC FORUM

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

O&S.5/17 EXECUTIVE FORWARD PLAN

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

In response to a query, it was confirmed that the 'Productivity Plan Joint Committee' agenda item had evolved from the Devolution proposals and would ultimately be presented to the Council for determination.

O&S.6/17 UPDATE PRESENTATION ON EMERGENCY PLANNING AND BUSINESS CONTINUITY

The Senior Specialist – Environmental Health conducted a presentation that provided an update with regard to Emergency Planning, Response and Resilience.

In so doing, the Panel noted that the Council was a Category 1 responder (as defined by the Civil Contingencies Act 2004) and duties of the authority were therefore:

- To produce, maintain and test plans on how the Council would respond to emergencies;
- To warn and inform the public in regards to emergencies and provide advice before emergencies;
- To work with other Category 1 responders through the Local Resilience Forum;
- To ensure that the Council could continue to deliver its services during an emergency; and
- To provide advice on Business Continuity to others.

To meet these duties, the Council:

- adopted an Emergency Response Plan in February 2017;
- actively warned the public utilising social media and its website about potential emergencies;
- remained an active member of the Devon, Cornwall and Isles of Scilly Local Resilience Forum; and
- remained a member of both the Devon Emergency Planning Service and the Devonport Off-site Emergency Planning Group.

In the ensuing discussion, reference was made to:-

- (a) related information being circulated to the wider membership outside of this meeting. The Panel requested that Members be in receipt of:
- o a copy of the presentation;

- a link to the Community Risk Register;
 - the adopted Guidance for Elected Members on Responses to Major Emergencies; and
 - additional explanatory information on the Devon Resilience Forum;
- (b) Strategic Rest Centres (SRCs) in the South Hams. Members were informed that the SRC plan for Devon was currently under review. At present, the Panel noted that there were 6 SRCs across the South Hams in various locations (e.g. Leisure Centres and Colleges) which could each accommodate up to 1,000 people. With regard to the management of each SRC, such were the resource implications that local authorities were heavily reliant upon support from the voluntary sector.
- As part of the review, it was confirmed that usage levels would be taken into account. In recent times, it was noted that a SRC had only been used once in the South Hams and it was acknowledged that, in every likelihood, affected residents would tend to go and stay with friends and family instead;
- (c) the role of town and parish councils. The Panel noted that a number of proactive town and parish councils had adopted their own local emergency plan and the view was expressed that all councils should follow suit;
- (d) reacting to emergencies. Officers confirmed that, regardless of the time of day or night, the Council was in a position to react immediately to an emergency in the district, with six officers being on call at all times. Whilst this level of resource was currently deemed appropriate by officers, it was recognised that this would need to be subject to regular review by lead officer(s) and Executive Member(s).

In conclusion, the Chairman wished to thank the Senior Specialist – Environmental Health for his informative presentation and responses to Member questions and it was then:

RESOLVED

That the Panel recognise that the Council has a robust approach to Emergency Planning in place, which is supported by hard working and diligent lead officers.

O&S.7/17 QUARTER 4 2016/17 PERFORMANCE INDICATORS

The Panel considered a report that presented the Quarter 4 performance indicators for 2016/17.

In discussion, the following points were raised:-

- (a) The Panel was broadly supportive of the suggestion to re-establish a Joint Task and Finish Group with West Devon Borough Council Members to undertake an in-depth review of the Performance Indicators and targets. However, before a final decision was taken, it was requested that the Terms Of Reference be presented to the next Panel meeting for ultimate approval;
- (b) The Panel debated at length the performance of the Planning Enforcement service amidst concerns that the backlog of cases was again on the increase. Some Members expressed their frustration that the Executive had not overseen improvements to the service and reiterated the levels of criticism that they were receiving at town and parish council meetings. In addition, the view was expressed that, if the local knowledge of ward Members was being appropriately used, then this could assist in reducing the backlog.

Having been informed that officers were undertaking a review of the service to ensure that the backlog trend was reversed, Panel Members gave a strong steer to the Executive and officers regarding the importance of this piece of work and requested that it be in receipt of a detailed report at its meeting on 27 July 2017.

- (c) Members highlighted and welcomed some positive performance improvements in the following areas:
 - Number of days lost due to long-term sickness;
 - Number of days lost due to short-term sickness; and
 - The percentage of customer contact through online interaction (demonstrating Channel Shift);
- (d) Some confusion was expressed over the presentation of the performance information relating to complaints resolved. In response, officers took the Panel through the indicator and advised that the total number of complaints received was 100, with 45 being logged as 'corporate' complaints. Specifically regarding the complaints that had taken an average of 39 days, this was largely attributed to particularly complex matters that required responses to the Local Government Ombudsman for which time extensions had been sought and agreed;
- (e) With regard to the Contact Centre, a number of previously raised concerns were reiterated in relation to the time taken to answer calls. Whilst a number of 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. The lead Executive Member reminded those present of the opportunity for Members to visit the Contact Centre and shadow an officer and confirmed that she had requested that officers set up additional such sessions in the upcoming months.

In response to a request, it was agreed that the Member Hotline Number should be re-circulated and the benefits of using the Skype facility to contact officers was also emphasised.

Finally, the Panel also expressed its wish, in principle, to carry out a detailed review of the Contact Centre and asked that the draft Terms Of Reference for this piece of work be presented to the next Panel meeting prior to a final decision being made. Upon drafting the terms of reference, the need to work closely with the Performance Measures Task and Finish Group was recognised.

RESOLVED

1. That the principle of establishing a joint SH/WD Task and Finish Group to review the Performance Indicators and targets be supported, subject to the draft Terms Of Reference being presented to the next Panel meeting on 6 July 2017 for approval;
2. That the Panel receive a detailed report entitled: 'Planning Enforcement Service Review' at its meeting on Thursday, 27 July 2017;
3. That the principle of establishing a Contact Centre Review Task and Finish Group be supported, subject to the draft Terms Of Reference being presented to the next Panel meeting on 6 July 2017 for approval;

O&S.8/17 OVERVIEW AND SCRUTINY ANNUAL REPORT

The Panel considered a report that presented its draft Annual Report. It was noted that it was a constitutional requirement for the Panel to report annually to full Council on its workings and to make recommendations for future work programmes and amended working methods (if deemed appropriate).

During discussion, reference was made to:-

- (a) the work carried out by the Panel. As a general point, Members highlighted the extensive amount of work that had been undertaken by the Panel during 2016/17 and wished to thank the lead officers for their commitment and support to the Overview and Scrutiny function;
- (b) the Sherford Development. The Panel requested that, before being ultimately approved, the paragraph relating to the Sherford Development (page 44 of the presented agenda refers) be amended;
- (c) beach and water safety. Whilst the item had been exempt from the public and press at the time of its consideration by the Panel, officers confirmed that this matter was now in the public arena;

- (d) publication of the Annual Report. The Panel was advised that the Report would be distributed widely once it had been approved by the Council.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to approve the Annual Report for 2016/17, subject to the Sherford Development paragraph (page 44 of the presented agenda report refers) being amended.

O&S.9/17 **TASK AND FINISH GROUP UPDATES**

(a) Dartmouth Lower Ferry

The Chairman of the Task and Finish Group read the following statement to the meeting:-

‘Since the last Panel meeting, officers have continued negotiations with the Lower Ferry workforce. These were in conjunction with the UNITE union regional representative. Negotiations would be concluded by the middle of June with a start date for the new terms and conditions due to commence from 1 July. Officers were hopeful that agreement could now be reached, but should this not be the case, they would report back to the Task and Finish Group.

Work to improve efficiency within operational service delivery and review of future tariffs was already underway, with the service now being overseen by the Salcombe Harbour Master.’

In the ensuing debate, reference was made to:-

- (a) the lack of information contained within the statement. A Member expressed his frustration at the lack of information provided by the statement and sought more clarity regarding the review. In reply, other Members countered that, until the negotiations had been concluded, it would not be appropriate to disclose any further information. However, assurances were given that the negotiations were being carried out in accordance with the direction of travel that had already been set by Members;
- (b) the wish to re-convene the Task and Finish Group. Members recognised the need to re-convene the Group and those in attendance were reminded of the ability for all Members to be able to attend and partake at these meetings.

(b) Waste and Recycling

The Panel considered a report that highlighted areas that had been explored to try and identify savings within Waste Operations whilst meeting the Council's obligations under the Devon Resource & Waste Management Strategy that looked to align recycling and waste practices regionally and in line with best environmental practice.

In his introduction, the lead Executive Member for Commercial Services advised that the Group recommendations had been amended in light of the views expressed and feedback gleaned from the Member Workshop on 27 April 2017.

In discussion, reference was made to:-

- (i) the garden waste charging proposals. The majority of Members welcomed the recommendation to delay further consideration of the proposals to charge for garden waste;
- (ii) recycling cartons. The ability for the Council to now recycle cartons was also welcomed by the Panel;
- (iii) the potential income generating measures (as outlined in paragraphs 3.12 to 3.14 of the presented agenda report). Some Members advised that they were unable to support those potential income generating measures as currently stated in paragraphs 3.12 to 3.14 of the presented agenda report. For the projected sums of money anticipated, these Members felt that it was simply not worth pursuing these measures at this current time. However, the majority of Panel Members were supportive of the suggestion that a £35 charge could 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;
- (iv) round optimisation. For certain remote areas on the outskirts of the South Hams boundaries, a Member made the point that it would be more cost effective for neighbouring local authorities to collect their waste and recycling. In reply, officers informed that this issue had been raised at the Devon Authorities Waste Reduction and Recycling Committee, who had opted against pursuing this suggestion any further;
- (v) the work of the Task and Finish Group. Since this was the last meeting of the Group before it was re-constituted as a Working Group, some Members expressed their disappointment at the apparent lack of progress that had been made. In accepting that there was an element of risk in any recommendations made, these Members reminded the Panel that the waste and recycling service was responsible for a number of the budgetary pressures and customer complaints faced by the Council;

(vi) the service relationship with Devon County Council (DCC). Whilst a number of concerns were raised over the potential rise in disposal costs, the lead Executive Member did give an assurance that dialogue continued between the Council and DCC and it was still hoped that a satisfactory way forward could be established for both authorities;

(vii) the notes arising from meetings of the SH/WD Joint Steering Group (JSG). To ensure that the Panel was able to maintain a watching brief on the work of the JSG, it was **PROPOSED** and **SECONDED** that:-

'the notes arising from meetings of the SH/WD Joint Steering Group be presented to future Panel meetings for consideration.'

When put to the vote, this proposal was declared **CARRIED**.

It was then:

RECOMMENDED

That the Executive be **RECOMMENDED** that

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;
2. with immediate effect, the Council furthers discussions with Devon County Council related to disposal costs linked to service design and transfer station use;
3. efficiencies linked to current service delivery (as outlined in the Working Group scope) and at paragraphs 3.4 – 3.11 inclusive are delivered during 2017/18 where proven to be operationally feasible;
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
5. the notes arising from meetings of the SH/WD Joint Steering Group be presented to future Panel meetings for consideration.

O&S.10/17 ACTIONS ARISING / DECISIONS LOG

The contents of the latest version of the Log was presented.

In response to a question, officers gave an assurance that they would ask for a progress update to be circulated to all Members on the pre-application service review.

O&S.11/17 DRAFT ANNUAL WORK PROGRAMME 2017/18

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

- (a) It was agreed that a Planning Enforcement Service review would be scheduled on to the Work Programme for the Panel meeting on 27 July 2017;
- (b) Members were informed that, instead of being presented to a future Panel meeting, a Briefing on the 'New Single Council' proposal had been arranged for all Members to take place on the afternoon of Thursday, 29 June 2017;
- (c) Bearing in mind the likely length of the next Panel meeting agenda on 6 July, Members agreed that the following items should be deferred to a later meeting:
 - An overview of the Sickness Absence Monitoring Report; and
 - Health and Safety Policy Progress Report;
- (d) That an update on Village Housing Initiatives be scheduled on to the Work Programme for the Panel meeting on 24 August 2017.

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

Chairman