

**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 17 SEPTEMBER 2015**

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

Other Members also in attendance:
Cllrs H D Bastone, P K Cuthbert, M J Hicks, J M Hodgson, J A Pearce, R C Steer, R J Vint and L A H Ward

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Group Manager – Commercial Services and Senior Specialist – Democratic Services
8	O&S.39/15	Place and Strategy – Lead Specialist; South Hams CVS Manager and Treasurer
9	O&S.40/15	Community Of Practice Lead Specialist – Environmental Health; Senior Community Safety Officer (South Devon and Dartmoor Community Safety Partnership); Superintendent Mayhew and Community Safety Officer.
11	O&S.42/15	Specialist Manager; Senior Planning Officer and Group Manager – Customer First
12	O&S.43/15	Specialist Manager

O&S.34/15 WELCOME

In his introductions, the Chairman welcomed Lesley Crocker (Lead Specialist – Communications and Media) to her first meeting since joining the Council recently.

O&S.35/15 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 27 August 2015 were confirmed as a correct record and signed by the Chairman.

O&S.36/15 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. These were recorded as follows:-

Cllr P C Smerdon declared a personal interest in Item 8: 'South Hams CVS Monitoring' (Minute O&S.39/15 below refers) by virtue of being a Council appointed representative and Trustee of the CVS and remained in the meeting and took part in the debate and vote on this agenda item.

Cllr M F Saltern declared a personal interest in Item 12: 'Disabled Facilities Grants: Future Developments' (Minute O&S.43/15 below refers) by virtue of his serving on the Devon and Cornwall Housing (DCH) Community Interest Company (CIC) Board. This interest arose in light of the officer presentation making a fleeting reference to the Council's intended further approach to all Housing Associations (including DCH) to consider making a higher contribution to Disabled Facilities Grants for their tenants. Since there was no debate on that aspect of the presentation (and no vote taken), Cllr Saltern proceeded to remain in the meeting during the debate on this agenda item.

O&S.37/15 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, no items were raised at this meeting.

O&S.38/15 EXECUTIVE FORWARD PLAN

There were no issues raised on the most recently published Executive Forward Plan.

O&S.39/15 SOUTH HAMS CVS MONITORING

A report was presented that allowed the Panel an opportunity to monitor the Service Level Agreement (SLA) held between the Council and the South Hams Community and Voluntary Services (CVS). The current arrangement was subject to an annual review and came to an end in March 2016.

The lead Executive Member for Customer First, the Lead Specialist – Place and Strategy and the South Hams CVS Manager undertook a combined presentation.

In the discussion following this presentation, particular reference was made to:-

- (a) the published accounts of the South Hams CVS. Some Members expressed concerns relating to the accounts. Notable concerns included: the levels of reserves being held by the organisation and the level of operating costs. In reply, the South Hams CVS Treasurer informed that the levels of reserves were actually dwindling and the staffing costs had also reduced. In conclusion, the Treasurer was of the view that the CVS was a very lean organisation and was not over-funded;
- (b) the comparative small numbers of CVS members. When considering that the South Hams had the second highest number of voluntary organisations in Devon, surprise was expressed at the low numbers of South Hams CVS members. In reply to a question, the CVS Manager confirmed that the annual fee for members was £20;
- (c) financial support from local town and parish councils. The Panel was advised that, on occasion, the CVS did write to town and parish councils asking that they consider making a contribution. Furthermore, Members were informed that in the region of five town and parish councils made financial contributions to the CVS. As a consequence, a Member was of the view that the organisation should make a formal request to every town and parish council each year seeking their financial support;
- (d) the support provided by the CVS to the Council. Whilst acknowledging that the presented agenda report did not reflect the point, officers felt that it should be highlighted that the Council had reduced its support for the voluntary and charitable sector in recent years and an extensive amount of this work had successfully migrated to the CVS. As a result, officers confirmed that they were content to stand by the comments in the presented agenda report whereby it was their view that the *'existing arrangement provided clear and tangible benefits for the Council on a good value basis'*;
- (e) the work undertaken by the CVS with the caring sector. A Member asked for it to be noted that the CVS played a vital role as an umbrella organisation for the caring sector;
- (f) the need to undertake a wider review of the Council's partnership arrangements. During the debate, it became apparent that there was a need to undertake a more detailed review of the current partnership arrangement with the CVS. It was also recognised that the Panel had endorsed a similar review of the existing arrangements with the South Hams Citizens Advice Bureau (CAB) and had established a Member Panel to assist with a structured long term review (Minute O&S.28/15 also refers).

As a consequence, the following motion was **PROPOSED** and **SECONDED**:

'That the remit of the already established CAB Member Review Panel be extended to look at the wider issue of the Council's partnership arrangements, with Cllr Barnes added to the list of Members to serve on this Panel. In addition, Members recognise the potential overlap in partnerships with West Devon Borough Council (WDBC) and therefore recommend (where appropriate) that the Review Panel meet jointly with an equivalent WDBC Member Panel.'

In making this proposal, Members felt that the initial focus should be on reviewing the existing partnership arrangements with the CAB, CVS and the Community Safety Partnership. Furthermore, the view was expressed that the onus on these reviews should be on what the Council required from its partnerships (and our expectations) rather than what the partner(s) proposed to deliver. As part of these reviews, the Panel recognised that the Council representatives on these partners would have an invaluable role to play. Finally, it was acknowledged that there was a need to take a longer term view (e.g. for the Budget 2017/18, as well as immediate impacts to next years' Budget).

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

In conclusion, and on behalf of the Panel, the Chairman thanked the lead Executive Member, officers and CVS representatives for their attendance and responses to a number of challenging questions which had been raised. Whilst the meeting had been challenging, the Chairman wished to stress that the CVS was held in high regard by the Council and it was asked that Members' gratitude be passed on to those volunteers who put in so much time and effort to the CVS.

It was then:

RESOLVED

1. That the content of the presented agenda report and the performance of South Hams CVS, in relation to the agreed Service Level Agreement, be noted;
2. That the Executive **RECOMMEND** to Council that the existing Service Level Agreement be renewed for a further twelve months on the existing terms (in accordance with clause 15.2 of the Service Level Agreement); and

3. That the remit of the already established CAB Member Review Panel be extended to look at the wider issue of the Council's partnership arrangements, with Cllr Barnes added to the list of Members to serve on this Panel. In addition, Members recognise the potential overlap in common partnerships with West Devon Borough Council (WDBC) and therefore recommend (where appropriate) that the Review Panel meet jointly with an equivalent WDBC Member Panel.

O&S.40/15 **COMMUNITY SAFETY PARTNERSHIP**

The Panel considered a report that provided Members with the opportunity to scrutinise the work of the Community Safety Partnership (CSP), as defined by Sections 19 and 20 of the Police and Justice Act 2006 and the Crime and Disorder (Overview & Scrutiny) Regulations 2009.

In her presentation, the Senior Community Safety Officer (South Devon and Dartmoor Community Safety Partnership) emphasised that the future funding for the CSP was uncertain, particularly in light of the Police and Crime Commissioners Elections, which were due to take place in May 2016.

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

- (a) In reply to a question, officers confirmed that the 'Prevent' programme was an issue for the Partnership and there had been instances of referrals made from across the South Hams, Teignbridge and West Devon area;
- (b) The Panel recognised the comments in the presented agenda report whereby monthly Licensing meetings took place in Teignbridge to bring together both Council and Police Licensing staff, Police Officers and representatives from Environmental Health, Anti-Social Behaviour and the CSP. The merits of these meetings were acknowledged and the Chairman of the Licensing Committee confirmed that he would contact officers in an attempt to establish a similar working practice for South Hams;
- (c) Some Members commented that there was a lack of Member, town and parish council and public awareness in relation to the Community Trigger. In reply, officers informed that the CSP had done little to promote the Community Trigger, as it was merely formalising an existing process. Nonetheless, reference to the Community Trigger was now on the website and the CSP would give consideration to how it could further promote its awareness;
- (d) There was a general view amongst the Members that the presented agenda report highlighted a number of longstanding projects and issues (e.g. honest truth and the Domestic Violence work). In the future, the Panel felt that it would be helpful to be made aware of any new initiatives which were being implemented by the CSP;

- (e) A Member made a plea for the CSP to recognise how unsuitable it was for the western end of the district to be policed out of Ivybridge. In reply, the Panel was advised that the Police responded to incidents by geography, with the nearest resource being tasked to deal with an incident;
- (f) For 2015/16, officers confirmed that the income to the CSP again included a £20,000 grant of Safer Communities funding from the Police and Crime Commissioner. The Chairman of the Panel informed that he was the Council representative on the Police and Crime Commissioner Scrutiny Panel and he would be very happy to feed any issues back to future meetings on behalf of the CSP. In addition, the Chairman also stated that he would be happy to attend a future meeting of the CSP if it was deemed appropriate;
- (g) As a consequence of the decision made on the previous agenda item (Minute O&S.39/15 above refers), it was highlighted that the CSP would be one of the first partnerships to be considered by the Member Review Panel.

It was then:

RESOLVED

That the report be noted and it be recognised that the Community Safety Partnership will be included in the work of the Member Review Panel into the Council's existing partnership arrangements.

O&S.41/15 TRANSFORMATION PROGRAMME MONITORING

Since the most recent monitoring report had been considered by the Panel only three weeks ago (Minute O&S.29/15 refers), it was agreed that this item could be deferred to the next Panel meeting on 19 November 2015.

O&S.42/15 DEVELOPMENT MANAGEMENT SERVICE UPDATE

The Specialist Manager conducted an update on the Development Management (DM) Service which advised of the following next steps:-

- The new operating model would be implemented towards the end of October 2015;
- DM specialist officers would be transferring their knowledge to Case Managers;
- There was a need to measure and actively reduce the backlog;
- Proactive regular updates would be given on the service backlog and new cases;
- The service would be ensuring that major applications remained on target;
- The resource allocation would be reviewed; and

- New Performance Indicators for the service were to be agreed.

During the debate, reference was made to:-

- (a) the lack of a supporting agenda report. Whilst accepting the reasons why a supporting report was not included with the published agenda, the Panel commented that it was difficult to digest the amount of information that was included in the officer presentation. As a result, the Panel requested that a further update be given to its meeting on 25 February 2016, with a detailed agenda report underpinning this agenda item;
- (b) planning enforcement. When questioned, officers confirmed that responsibility for planning enforcement rested with the Case Managers in Customer First. However, the Locality Officers were in the process of being trained to be able to deal with some enforcement cases. In response to further queries, the Group Manager – Customer First agreed to circulate a structure chart which clarified the Development Management related roles and a proactive plan for planning enforcement;
- (c) a delay in planning application related information being published on the Council website. In citing some examples, a Member felt it to be unreasonable for there to be a delay (of up to a week in some instances) in publishing information on the website;
- (d) the impact of the Locality Officers. Officers advised that the Locality workers were helping the service substantially and some real benefits were already being seen;
- (e) the outsourcing of planning applications. It was noted that no applications were now being outsourced to neighbouring local authorities and there was no future intention to follow this course of action;
- (f) the current position of the service. The Panel acknowledged the position that the service was in, however it was stated that Member confidence was starting to grow and there was evidence that the service issues were now being resolved.

RESOLVED

That the update be noted and a further report on the Development Management Service be presented to the Panel meeting on 25 February 2016.

O&S.43/15 DISABLED FACILITIES GRANTS: FUTURE DEVELOPMENTS

The Specialist Manager conducted a presentation to the Panel which set out the context and outlined the future actions which had been agreed by the Disabled Facilities Grant (DFG) Task and Finish Group.

In the subsequent discussion, the following points were raised:-

- (a) The Panel endorsed the suggestion whereby the DFG Task and Finish Group should be reconvened for one final meeting, with Cllrs Cuthbert, Holway and Pearce being retained as its Members;
- (b) In addition to keeping Dr Sarah Wollaston MP informed in this regard, Members also asked that Gary Streeter MP also be kept abreast of the issues;
- (c) Officers confirmed that there was a procedure in place for the recovery of equipment purchased (and/or the equivalent monetary value) through the Grant scheme as and when circumstances changed;
- (d) Members recognised that the Council had been very successful in the delivery of its DFG programme and officers should be congratulated as a consequence;
- (e) The Panel was of the strong view that, since the Council's funding contributions were increasing, the Central Government grant needed to proportionately reflect this trend;
- (f) For clarity, the Panel was informed that, whilst it may be considered that Housing Associations had a moral responsibility, local authorities had a statutory responsibility to fund and administer Disabled Facility Grants.

O&S.44/15 TASK AND FINISH GROUP UPDATES:

(a) Performance Measures

The Panel was advised that a final outcome report of the Task and Finish Group was intended to be presented to the Panel on 19 November 2015.

(b) Dartmouth Lower Ferry

It was noted that the next meeting of the Task and Finish Group had been arranged to take place at 2.00pm on Thursday, 5 November 2015. In addition, a Member visit for the Group to the Lower Ferry had been set up to be held on Monday, 19 October 2015, with Members meeting at the Ferry Office at 11.30am.

O&S.45/15 **DRAFT ANNUAL WORK PROGRAMME 2015/16**

The Panel considered its draft 2015/16 Work Programme and made particular reference to:-

- (a) the Devon and Cornwall Housing (DCH) annual update. Officers were tasked with contacting DCH colleagues to check on the progress with the governance review being undertaken by the organisation. It was recognised that this review would dictate when the annual update should be scheduled;
- (b) the next Development Management Service update being considered by the Panel at its meeting on 25 February 2016;
- (c) the New Homes Bonus Allocation to Dartmoor National Park Authority. It was confirmed that this agenda item would be scheduled on to the Panel meeting agenda for its next meeting on 19 November 2015;
- (d) a review of the Locality Model. The Panel requested that it be in receipt of a report that reviewed the Model at its meeting on 17 March 2016, with specific aspects covered including: how success was being measured; tangible outcomes; and costs.

(Meeting started at 10.00 am and concluded at 12.40 pm).

Chairman