

**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 12 OCTOBER 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, J M Hodgson, N A Hopwood, J A Pearce, R Rowe, R J Tucker, R J Vint, 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 and Senior Specialist – Democratic Services
7	O&S.58/17	Group Manager – Business Development
8	O&S.59/17	Commissioning Manager

O&S.55/17 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 24 August 2017 were confirmed as a correct record and signed by the Chairman.

O&S.56/17 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.57/17 PUBLIC FORUM

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

O&S.58/17 EXECUTIVE FORWARD PLAN

The Panel was presented with the most recently published Executive Forward Plan. In accordance with Procedure Rules, a request had been made for the Panel to formally consider the following agenda item:

(i) Set Up of a Local Authority Lottery

Having now viewed the published report on the Executive agenda, a Member advised that he still needed to receive assurances over a number of questions before he could support such a proposal.

As a consequence, the lead Executive Member agreed to propose that this item be deferred at the Executive meeting on 19 October 2017 to enable the Panel to then consider this item in greater depth at its next meeting on 9 November 2017.

O&S.59/17 ONE COUNCIL CONSULTATION PROCESS

Consideration was given to a report that provided a detailed overview of the One Council Consultation process, including how the consultation was devised and the range of methods used to engage with the public.

To instigate consideration of this matter, it was **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** that:-

'The Panel proceed to consider the consultation process and responses received.'

By way of an introduction, the Commissioning Manager presented the results of the One Council Consultation exercise that had expired earlier that week. At the conclusion of this presentation, reference was made to:-

- (a) the telephone survey. Some Members felt that there were limitations associated with the telephone survey that included:
- the responder being asked at the offset whether or not they were in favour of the One Council proposal. These Members stated that this constituted a fundamental difference between the telephone and online surveys;
 - the lack of a statement on the survey advising responders to read the background information prior to answering the questions;
 - the perception that the introduction was somewhat leading in favour of a responder supporting the proposal; and
 - the number of responses across the two councils. The fact that 382 responses were received in the South Hams, compared to 381 responses in West Devon, did not reflect the population variances between the two areas;

To counter these concerns, officers advised that all Members had been given prior sight of the telephone survey script. Furthermore, if responders were uncomfortable with answering the questions, they were able to leave the call at any given time;

- (b) completion of the online questionnaire. Some Members highlighted that a number of responders had resented the fact that, despite not supporting the proposal, they were still forced to complete the survey and offer a view on elements including Council Tax equalisation. In reply, officers informed that, in the event of a proposal being submitted to the Secretary of State, this would ensure that all responses were still taken into account;
- (c) additional information. During the debate, Members requested receipt of the following additional information outside of this meeting:
- A summary of the town and parish council responses to the Consultation process;
 - Access to those letter and email responses received during the Consultation process;
 - The number of telephone survey dropouts; and
 - If possible, the number of respondents who left the online survey part way through;
- (d) the levels of response rates during the process. Some Members highlighted that a 4% response rate was well above the average for such surveys (deemed to be in the region of 1%). In contrast, other Members felt that, when considering just how proactive the consultation process had been, a 4% response rate was disappointing;
- (e) the face to face public consultation events. The view was expressed that these events had been successful and a number of Members wished to pay tribute to the Leader, Deputy Leader and their Executive Member colleagues for the amount of work and effort that they had put in during the process. Furthermore, particular praise was also paid to the Commissioning Manager for working tirelessly throughout the process to get to this point;
- (f) the ICT glitch. In noting that the glitch was outside of the control of the Council and had occurred on the last day of the consultation period, officers advised that mitigating measures (including extending the consultation period by one day) were put into place to minimise the impact of this unfortunate disruption;
- (g) a motion being **PROPOSED** and **SECONDED** as follows:-

'That the results of the consultation indicate that South Hams residents and the parish and town councils that represent them are opposed to the merger. This Panel therefore recommends to Full Council not to proceed with the merger.'

In introducing the motion, the proposer and seconder advised that, since the overwhelming majority of responders in the South Hams were against the proposal, he now considered it timely for the Panel to reflect the public view and recommend that the Council did not proceed.

Other Members felt that, since the purpose of this meeting was to focus solely on the consultation process, consideration of this motion was somewhat premature at this time and pre-emptive of the discussions to be held at the SH/WD Joint Steering Group meeting on 19 October 2017 and the Special Council meeting on 31 October 2017.

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

(NOTE: in accordance with Council Procedure Rule 15.6 (Right to require individual vote to be recorded), Cllrs K J Baldry and J P Birch requested that their votes in favour of this motion be formally recorded.)

- (h) the role of the Audit Committee. A Member expressed his disappointment that, to date, requests for an extraordinary Audit Committee meeting to specifically consider this proposal had been refused.

It was then:

RESOLVED

That the Council note the following views of the Panel:

1. That the Panel are satisfied that the Single Council Consultation Process has been conducted in an open and transparent manner, with full independent overview to ensure best practice has been applied. In reaching this recommendation, the Panel ask Council to note the strength of the Independent Advisor report;
2. That the Panel are of the view that the process contained a full range of participative options to enable residents, businesses, Town and Parish Councils and stakeholders to express their views;
3. That the Panel note the distinct difference between the Online survey outcome and that of the Independent telephone survey;
4. That the Panel is however disappointed at the level of response, with 96% of electors in the South Hams choosing not to participate.

O&S.60/17 MEDIUM TERM FINANCIAL STRATEGY FOR 2018/19 ONWARDS

The Panel considered a report that presented the Council's Medium Term Financial Strategy for 2018/19 onwards.

In his introduction, the Chairman advised that it was his intention for the Panel to focus on the Member survey responses to each of the Budget Option questions and the following motion was therefore **PROPOSED** and **SECONDED**:-

'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.'

Before the vote on this motion was taken, some Members did express their disappointment that 12 Members had not taken the time to complete what was such a user friendly survey on such an important subject matter.

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

The Panel proceeded to consider the results of each of the Budget Option questions and drew the following conclusions:

- Question 1: progress this item to the next stage of the draft budget setting process;
- Question 2: progress this item to the next stage of the draft budget setting process;
- Question 3: progress this item to the next stage of the draft budget setting process;
- Question 4: since aligned to Question 3, progress this item to the next stage of the draft budget setting process;
- Question 5: progress this item to the next stage of the draft budget setting process;
- Question 6: progress this item to the next stage of the draft budget setting process;
- Question 7: remove from the draft budget setting process at the moment. In so doing, the Panel recognised that, depending upon the outcome of meetings in the upcoming weeks, it may then be appropriate to reinstate to the process;
- Question 8: progress this item to the next stage of the draft budget setting process;
- Question 9: progress this item to the next stage of the draft budget setting process;
- Question 10: progress this item to the next stage of the draft budget setting process, whilst acknowledging that a great deal more work was required;
- Question 11: progress this item to the next stage of the draft budget setting process;
- Question 12: progress this item to the next stage of the draft budget setting process and re-name the title to state '*review of*' rather than '*cease offering*';

- Question 13: remove from the draft budget setting process;
- Question 14: progress this item to the next stage of the draft budget setting process;
- Question 15: remove from the draft budget setting process, whilst acknowledging that there may be alternative methods of delivering the service and the close linkages to Question 18;
- Question 16: progress this item to the next stage of the draft budget setting process, whilst acknowledging that a great deal more work was required;
- Question 17: remove from the draft budget setting process;
- Question 18: progress this item to the next stage of the draft budget setting process, whilst noting the close linkages with Question 15;
- Question 19: remove from the draft budget setting process at the moment. In so doing, the Panel recognised that, depending upon the outcome of meetings in the upcoming weeks, it may then be appropriate to reinstate to the process;
- Question 20: progress this item to the next stage of the draft budget setting process;
- Question 21: progress this item to the next stage of the draft budget setting process, whilst requesting that the wording of the heading be revisited;
- Question 22: progress this item to the next stage of the draft budget setting process;
- Question 23: remove from the draft budget setting process;
- Question 24: remove from the draft budget setting process;
- Question 25: progress this item to the next stage of the draft budget setting process;
- Question 26: progress this item to the next stage of the draft budget setting process;
- Question 27: progress this item to the next stage of the draft budget setting process and re-name the title to state '*reduce*' rather than '*cease offering* and remove reference to a financial sum;'
- Question 28: remove from the draft budget setting process;
- Question 29: remove from the draft budget setting process;
- Question 30: since the Service had already ceased, this question to be removed;
- Question 31: progress this item to the next stage of the draft budget setting process;
- Question 32: progress this item to the next stage of the draft budget setting process;
- Question 33: progress this item to the next stage of the draft budget setting process, whilst acknowledging that a great deal more work was required;
- Question 34: progress this item to the next stage of the draft budget setting process;
- Question 35: progress this item to the next stage of the draft budget setting process. In so doing, the Panel requested that further information was made available to Members before a final decision was made;
- Question 36: remove from the draft budget setting process;
- Question 37: progress this item to the next stage of the draft budget setting process;

- Question 38: remove from the draft budget setting process at the moment. In so doing, the Panel recognised that, depending upon the outcome of meetings in the upcoming weeks, it may then be appropriate to reinstate to the process;
- Question 39: following the response to Question 38, not applicable at this time;
- Question 40: progress this item to the next stage of the draft budget setting process; and
- Question 41: progress this item to the next stage of the draft budget setting process.

It was then:

RESOLVED

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

In discussion on the report and the remaining appendices, particular reference was made to:-

- (a) the savings from re-procurement of contracts. Officers confirmed that the £695,000 savings in 2017/18 related to the Leisure Contract;
- (b) salaries – provision for pay award at 1%. Since indications were that the next pay award would be higher than 1%, a Member was of the view that this budget pressure was unrealistic as currently shown. In response, the Leader advised that this matter was currently subject to national negotiations, but it would continue to be very closely monitored;
- (c) the Sherford project team. A Member queried the ongoing need to retain the £45,000 budget pressure when considering that central government had provided additional funding to support the delivery team. In response, the Section 151 Officer gave a commitment to provide the interested Member with additional information outside of this meeting;
- (d) the Invest to Earn agenda. In the event of having any further ideas to generate additional income or savings, Members were encouraged to provide these to the Group Manager – Business Development as soon as was practically possible. In the event of a number of ideas coming forward, Members recognised that work on these would have to be prioritised accordingly.

It was then:

RESOLVED

That the Panel has considered the Medium Term Financial Strategy 2018/19 Onwards and specifically the contents of the Member Survey on the Budget Options and has made recommendations to the Executive in the detailed minutes (as recorded above).

O&S.61/17 TASK AND FINISH GROUP UPDATES

(a) Discretionary Grant Funding

A Member advised that the final recommendations arising from the Task and Finish Group would be incorporated into the draft budget setting proposals for 2018/19.

As part of the review, the Member advised that the Group had recommended a reduction in the annual Council contribution to the South Hams Community and Voluntary Service.

(b) Performance Measures

By way of an update, it was noted that the Group was still gathering information in advance of its next meeting on 29 November 2017. In addition, the Group remained on target to produce its final recommendations early in the New Year.

O&S.62/17 ACTIONS ARISING / DECISIONS LOG

The contents of the latest version of the Log was presented and officers were specifically asked to follow up the outstanding action relating to an update on the potential impact arising from Universal Credits.

O&S.63/17 ANNUAL WORK PROGRAMME 2017/18

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

- (a) As highlighted above (Minute O&S.58/17 refers), the Set Up of a Local Authority Lottery agenda item would be added to the Programme for consideration at the next Panel meeting on 9 November 2017;
- (b) Following the decision of Council on 28 September 2017, the Panel agreed that the agenda item relating to 'Options for Delivery of Social / Affordable Housing in South Hams' would be added to the Programme for consideration at the Panel meeting on 22 March 2018.

(Meeting started at 10.00 am and concluded at 12.55 pm)

Chairman