

WEST DEVON OVERVIEW AND SCRUTINY COMMITTEE



Minutes of a meeting of the **West Devon Overview and Scrutiny Committee** held on **Tuesday, 5th September, 2017** at **2.00 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman
Vice Chairman Cllr Cheadle

Cllr Baldwin
Cllr Evans
Cllr Leech
Cllr Moyse
Cllr Ridgers
Cllr Sellis

Cllr Cloke
Cllr Kimber
Cllr McInnes
Cllr Pearce
Cllr Roberts

In attendance:

Councillors:

Cllr Edmonds
Cllr Moody

Cllr Lamb

Officers:

Head of Paid Service
Development Management COP Lead
Human Resources COP Lead
Environmental Health COP Lead
Specialist – Performance and Intelligence

26. **Apologies for Absence**

***O&S 26**

Apologies for absence for this meeting were received from Cllrs C R Musgrave, J Sheldon and J Yelland.

27. **Confirmation of Minutes**

***O&S 27**

The minutes of the Meeting of the Overview and Scrutiny Committee held on 11 July 2017 were confirmed and signed by the Chairman as a true and correct record.

28. **Declarations of Interest**

***O&S 28**

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting, but there were none made.

29. **Public Forum**

***O&S 29**

There were no issues raised during the Public Forum session at this meeting.

30. **Hub Committee Forward Plan**

***O&S 30**

The most recent (published 29 August 2017) Hub Committee Forward Plan was presented for consideration.

In discussion, the following points were raised:-

- (a) The Committee noted that the Housing Position Statement was still being developed and would therefore not be ready in time for consideration by the Hub Committee at its next meeting on 12 September 2017;
- (b) Similarly, the Head of Paid Service also confirmed that the Productivity Plan Joint Committee would not be ready for the consideration of the Hub Committee on 12 September 2017.

31. **Planning Enforcement Service Review**

***O&S 31**

The Committee considered a report that provided an update on the current workload position and revisions to the Planning Enforcement Service in order to address the business need.

In discussion, the following points were raised:-

- (a) Members questioned the reasons for the Service workload being far higher in comparison to other local authorities. In reply, officers

felt that there was a number of reasons for this trend that included:

- the large geographical areas of West Devon and South Hams;
- a number of misunderstandings in relation to what could (and could not) be developed without planning permission being required; and
- residents within both the Borough and South Hams District generally being more interested (and aware) of what was going on within their local areas.

In an attempt to mitigate some misunderstandings, it was noted that the COP Lead had attended a number of town and parish councils to deliver planning training and these sessions had each included reference to what constituted a valid breach of planning regulations;

- (b) With regard to the creation of a Local Enforcement Plan, officers hoped that this would be implemented before the end of December 2017;
- (c) It was confirmed that the proposed additional resource would be funded from within existing budgets largely by virtue of a re-allocation of duties within the Environmental Health Community Of Practice;
- (d) Some Members were of the view that there was a public perception that the Council was a soft touch that did not deal appropriately with enforcement complaints;
- (e) The Committee reiterated that there was a need for greater interaction between local Ward Members and those officers working in Planning Enforcement;
- (f) Upon the production of the latest schedule of enforcement cases, a Member requested that a brief progress update be added for each case.

It was then:

RESOLVED

That the Committee support the actions proposed and the ongoing monitoring of the Service by the Community Of Practice Lead and the Case Management Manager.

32. Sickness Absence Monitoring

*** O&S 32**

The Committee considered a report that provided an update on the level of sickness absence amongst Council employees and the measures in place to manage and monitor short and long term absence.

In discussion, reference was made to:-

- (a) the absences related to stress and depression being alarming. In acknowledging that the statistics were a cause for concern, officers informed that the figures related to two members of staff, one of which had now returned to work. In addition, the Council had recognised that people management was a key issue and front line managers were currently undertaking an in-house Training and Development Programme.

Furthermore, in recognising that staff were under a great deal of pressure, the Committee also welcomed the adoption of the Health and Wellbeing Strategy. When questioned, the Head of Paid Service advised that members of the Senior Leadership Team supported one another and, whilst they were all working long hours, this was not considered to be a problem at this present time;

- (b) the shared workforce. In light of the Council sharing its workforce with South Hams District Council, the Committee was of the view that the production of separate performance reports for Human Resources related matters was no longer necessary;
- (c) the use of exit interviews. Officers confirmed that exit interviews were undertaken for staff leavers, with one of the purposes of these being to establish whether there were any trends and/or underlying concerns;
- (d) staff enjoyment of their job. Whilst there were causes for concern within the Staff Survey findings, Members did acknowledge the outcome whereby 84% of staff had stated that they enjoyed their job;
- (e) the counselling service. Officers confirmed that the Council offered a counselling service, with staff having the ability to self-refer themselves. For the purposes of this service, it was also noted that there was no distinction between work and personal reasons for staff being able to self-refer.

It was then:

RESOLVED

That the Committee acknowledges that the Council continues to proactively manage and monitor short and long-term absence and that the HR Lead Specialist continues to report to the Senior Leadership Team on a monthly basis.

33. Quarter 1 Performance Measures

*** O&S 33**

The Committee considered a report that presented the Quarter 1 performance measures for 2017/18.

In the ensuing debate, reference was made to:-

- (a) debtor write-offs. A Member expressed his disappointment that write-offs were no longer a part of the reported quarterly performance measures. In response, officers advised that write-offs were now reported quarterly to the Hub Committee. That being said, it was agreed that the merits of re-instating this particular performance measure would be investigated as part of the current Task and Finish Group review;
- (b) the T18 Programme timescales. Officers confirmed that this performance measure was now obsolete and it would not therefore be included in future quarterly performance reports.

It was then:

RESOLVED

That the performance levels against target communicated in the Balanced Scorecard and the performance figures supplied in the background and the exception report be noted.

34. **Annual Review of Health & Safety Policy**

O&S 34

A report was considered by the Committee that presented the annual review of the Council's Health and Safety Policy.

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

- (a) The Committee was advised that a Lone Worker Policy for elected Members was currently being drafted and the consequent training need was recognised;
- (b) When questioned, officers confirmed that near misses were reported and accidents (and remedial measures) were reported to the Senior Leadership Team on a monthly basis;
- (c) A Member expressed his specific concerns that the draft Policy did not state that '*on receipt of a threat against the Councils including those by letter or suspect package suspicious letter or parcel*' staff should, in all instances, leave the premises first. In response, officers stated that it would be appropriate in some instances to leave the premises first and it was agreed that a discussion specifically on this point would be held between the officer and Member outside of this meeting.

It was then:

RECOMMENDED

That the Hub Committee **RECOMMEND** to Council that the revised policy (as attached at Appendix A of the presented agenda report) be adopted and signed by the Head of Paid Service and the Leader of Council.

35. **Regulations of Investigatory Powers Act 2000 (RIPA) Policy and Update**

O&S 35

The Committee considered a report that sought to:-

- Review the Council's RIPA Policy and approve guidance on Social Networking Sites in investigations;
- Update Members on the use of RIPA;
- Report on the role of the Office of Surveillance Commissioners; and
- Report on training for officers.

In discussion, Members particularly welcomed the Policy being reviewed to reflect the emerging trends in relation to social media.

It was then:

RECOMMENDED

- 1 That the Hub Committee be **RECOMMENDED** that the guidance on Social Networking Sites in investigations (as outlined at Appendix A of the presented agenda report) be approved and included in the Council's RIPA Policy; and
2. That the Committee note that there has been no RIPA Authorisations in the last three years.

36. **Task and Finish Group Updates (if any):**

*** O&S 36**

(a) Discretionary Grant Funding Review

The Committee noted that the Group was to meet in due course.

(b) Performance Measure

By way of an update, it was noted that the first Group meeting had been held with the lead Specialist. The main outcome of this meeting was that each Group Member had been assigned an individual service area of the Council to focus upon.

The Committee was advised that the primary focus of the Group Members (within each of their service areas of responsibility) was three fold namely:

1. To establish whether the performance measure was still relevant;

2. If so, to consider why the measure was set at the current level and who was responsible for setting that target; and
3. To determine who (and why) would be responsible for adjusting these measures and/or target levels.

37. **Annual Work Programme 2017/18**

***O&S 37**

The Chairman introduced the latest version of the Work Programme for the next 12 months and the following updates were highlighted:

- It was noted that an additional Committee meeting had been scheduled to take place on 17 October 2017. The main purpose for this meeting being convened was to consider the consultation process (and outcome) associated with the One Council proposal;
- With regard to Rural Broadband provision in the Borough, it was agreed that the Chairman would produce a Scrutiny Proposal Form for consideration. In the event of agreement ultimately being given to the establishment of a Task and Finish Group to review Rural Broadband provision, the Committee appointed Cllrs Cheadle, Cloke, Kimber, Pearce, Roberts and Sheldon for this purpose.

38. **Member Learning and Development Opportunities Arising from this Meeting**

***O&S 38**

The Chairman reminded the Committee that Overview and Scrutiny related training would be arranged for all Members during the autumn.

In addition, the Committee noted that there was an identified need for a Member training session to be convened on the Lone Worker Policy and general health and safety awareness issues.

The Meeting concluded at 3.35 pm

Signed by:

Chairman
