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West Devon
Borough
Council

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Date:

Dear Councillor

WEST DEVON OVERVIEW AND SCRUTINY COMMITTEE - TUESDAY, 4TH AUGUST, 2020

I refer to the agenda for the above meeting and attach papers in connection with the following item(s).

Agenda No Item

10. **Overview and Scrutiny Annual Report 2019/20 (Pages 1 - 18)**

Yours sincerely

Darryl White
Senior Specialist – Democratic Services

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Report to: **Overview and Scrutiny Committee**

Date: **4 August 2020**

Title: **Overview and Scrutiny Annual Report**

Portfolio Area: **Council**

Wards Affected: **All Wards**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:
(e.g. referral on of recommendation or implementation of substantive decision) **The next Council meeting on 22 September 2020**

Author: **Darryl White** Role: **Senior Specialist – Democratic Services**

Contact: darryl.white@swdevon.gov.uk

RECOMMENDATION

That the Committee RECOMMEND to the Council that the Annual Report for 2019/20 (as outlined at Appendix A) be approved.

1. Executive summary

- 1.1 It is a constitutional requirement for the Overview and Scrutiny function to report annually to full Council on its workings and make evidence based recommendations for future work programmes and amended working methods (if appropriate);
- 1.2 As a consequence, the draft Annual Report arising from the 2019/20 Municipal Year is presented at Appendix A.

2. Background

- 2.1 The last financial year has been one of significant change for the Council and the Overview and Scrutiny Committee has played a key role during this year in taking stock of the key issues, successes and challenges that have been met by the Council and how these have been addressed.

3. Options available and consideration of risk

- 3.1 Not only is it a constitutional requirement for the Overview and Scrutiny function to produce an Annual Report, but it is also recognised as being good practice to do so.
- 3.2 Whilst an alternative to the report could be a verbal report from the Chairman of the Committee, it is considered more appropriate to

have a formal written document accessible to the public and published on the Council website.

4. Proposed Way Forward

4.1 It is proposed that the contents of the Report be approved.

4.2 Members' views on the presentation and content of the report would be helpful to inform and shape future Annual Reports.

5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The production of an Annual Overview and Scrutiny Report is a requirement of the Council Constitution.
Financial implications to include reference to Value for Money	N	There are no financial implications directly arising from this report.
Risk	N	There are no risk implications directly arising from this report.
Supporting Corporate Strategy	Y	The Annual Report has been set out in accordance with each of the themes that underpin the Council's Corporate Strategy
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	There are no equality and diversity implications directly arising from this report.
Safeguarding	N	There are no safeguarding implications directly arising from this report.
Community Safety, Crime and Disorder	N	There are no community safety or crime and disorder implications directly arising from this report.
Health, Safety and Wellbeing	N	There are no health, safety or wellbeing implications directly arising from this report.
Other implications	Y	The publication of this Annual Report may help understanding and raise the profile of the Council's Overview and Scrutiny function.

Supporting Information

Appendices:

A: The Draft Overview and Scrutiny Annual Report

Background Papers:

- The Council Constitution; and
- Overview and Scrutiny Committee agendas and minutes arising from the 2019/20 Municipal Year.



West Devon
Borough Council

Overview and Scrutiny **Annual Report**

2019 - 2020



Foreword from the Committee Chairman



Cllr Mandy Ewings

Chairman of
West Devon
Borough Council
Overview and
Scrutiny Committee
2019-20

Introduction

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during the 2019-20 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 and has established an Overview and Scrutiny Committee that consists of 15 Members. Since almost half of the total membership of the Council serves on the Committee, it is recognised as a powerful and influential Member Body.

The Council's governance arrangements continued to specify that all 31 Members of the Council were considered to be either a Hub Committee Member (of which there are 9); a Member of the Audit Committee (of which there are 7); or a Member of the Overview and Scrutiny Committee (of which there are 15).

The lead officers who were supporting the Overview and Scrutiny function during the 2019/20 Municipal Year were the Council's Deputy Chief Executive and the Democratic Services Manager.



Panel Membership

In May 2019, the residents of West Devon elected 15 new Members to serve on West Devon Borough Council. This resulted in 10 newly elected Members being appointed to serve on the Council's Overview and Scrutiny Committee.

The Overview and Scrutiny function was a prominent feature of the Council's Member Induction Programme and the Committee membership for 2019/20 was.



Cllr Mandy Ewings
Chairman



Cllr Patrick Kimber
Vice-Chairman



Cllr Kevin Ball



Cllr Tim Bolton



Cllr Andy Coulson



Cllr Lynn Daniel



Cllr Nicky
Heyworth



Cllr Clare Kemp



Cllr Diana Moyse



Cllr Robin
Musgrave



Cllr Barry Ratcliffe



Cllr Paul Ridgers



Cllr Terry
Southcott



Cllr James
Spettigue



Cllr Lucy Wood

The role of the Overview and Scrutiny Committee

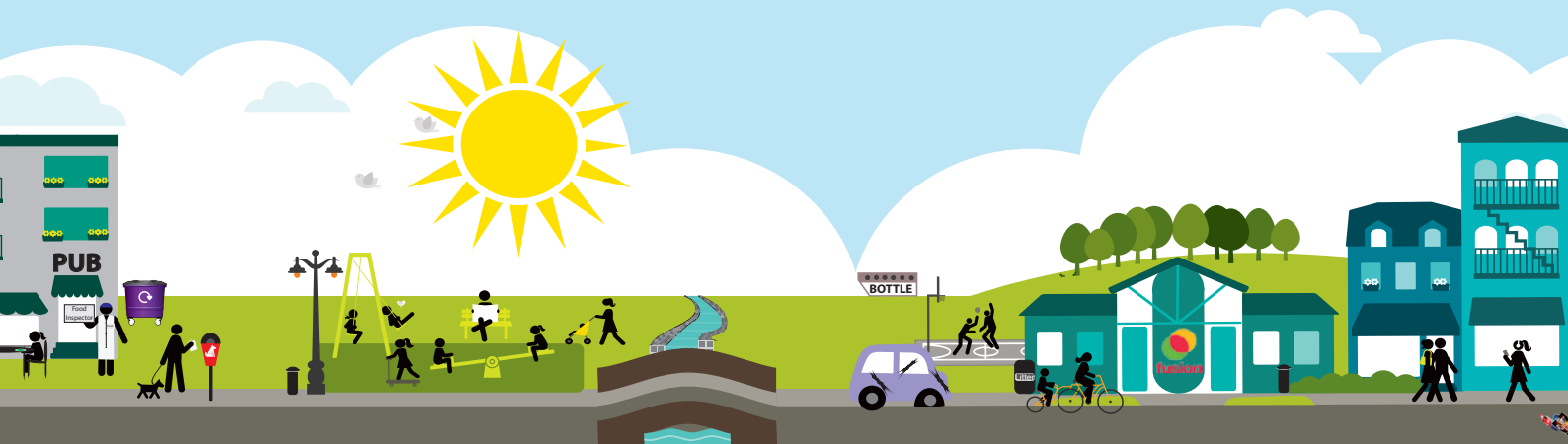
Overview and Scrutiny is a key part of the Council's political structure and it plays a vital role in improving the services that people of the Borough use – whether a resident, employed here or just visiting. Overview and Scrutiny does not just look at the way the Council does things, it can look at 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 approved terms of reference and procedure rules for the Overview and Scrutiny Committee 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:

[www.westdevon.gov.uk/
article/3691/Our-Constitution](http://www.westdevon.gov.uk/article/3691/Our-Constitution)

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Agenda Items – Corporate Strategy

The Overview and Scrutiny Panel met formally on seven separate occasions during the 2019/20 Municipal Year.

In considering its work programme, the Committee gave great emphasis to the Council's Corporate Strategy and the six strategic themes, which are shown in the image below.

The Committee has consequently received a number of reports (and made a number of recommendations) which are linked to these strategic themes. Whilst it is acknowledged that a number of these cut across several themes, for the purpose of this Annual Report, they are aligned to the theme that is considered the most relevant:





HOMES

Enabling homes that meet the needs of all

Action	18/19 Progress
Community Housing – Presentation on Progress	<p>Having received a presentation on progress, the Committee particularly acknowledged that:</p> <ul style="list-style-type: none"> – the focus was on the development of relatively small scale sites; – the top priority being local housing need; and – there was a need to exert greater pressure on to large housing developers to ensure that housing was built to the highest possible sustainability standards.
Joint Local Plan: Quarterly Updates	<p>The Committee received quarterly updates on the progress of the Joint Local Plan and paid particular attention to the progress being made with the Supplementary Planning Documents and the Statement of Community Involvement.</p>

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ENTERPRISE

Creating places for enterprise to thrive and business to grow

Action	18/19 Progress
A386 Transport Corridor / Tavistock Rail Update	<p>The A386 Transport Corridor and Tavistock Rail was a prominent subject matter for the Committee throughout the 2019/20 Municipal Year.</p> <p>Regular updates were received from both Borough and Devon County Council (DCC) officers and the lead DCC Cabinet Member. Over the course of this year, the Committee committed to:</p> <ul style="list-style-type: none"> – continuing to work with partner organisations to lobby for funds to reinstate the railway from Tavistock to Bere Alston; – pursuing with partner organisations, as a priority, an alternative major public transport scheme between Tavistock and Plymouth; – continuing to work with partner organisations and other stakeholders to deliver smaller scale interventions to improve safety and reduce congestion on the A386 and in Tavistock Town; and – continuing to engage with the community with respect to highway and transport matters; – convening Member Workshops to consider the infrastructure requirements across the whole of the Borough with the views of the Council then being forwarded to DCC prior to the next update being considered; <p>The Committee also RESOLVED that:</p> <ol style="list-style-type: none"> 1. local Ward Members and officers should keep lobbying both DCC and the DfT; 2. a sub-group of the Economy Working Group be set up and solely tasked with considering the A386 / rail provision; 3. the Head of Place Making Practice, in consultation with the Chairman and Vice-Chairman of the Committee, send a strongly worded representation to DCC colleagues outlining the concerns of Members; and 4. the lead DCC Cabinet Member for Infrastructure, Development and Waste be invited to attend a future Committee meeting. <p>Members also noted that:</p> <ul style="list-style-type: none"> – escalating costs were making it increasingly difficult to re-establish the Tavistock to Bere Alston rail link; – DCC was to submit a Bid to the 'Beeching Reversal Fund' that had been created by the Department of Transport.



Action	18/19 Progress
Financial Stability Review Group	<p>Such was the emphasis that the Committee continued to give to the future financial stability of the Council that it received standing agenda items at each of its meetings on the work of the Review Group. During these updates, the Committee supported the seven principles of the Group being that:</p> <ul style="list-style-type: none"> ● statutory services should be protected and, if possible, improved; ● current staffing levels should be maintained; ● the views and opinions of staff members at all levels would be sought; ● no line of expenditure was to be considered sacrosanct or protected; ● in order to ensure a sustainable future, it be recognised that the Council would have to accept higher levels of risk than had previously been the case; ● the importance of shared services in saving costs be recognised; and ● leadership from both Members and senior officers would be vital. <p>During the year, the Committee also acknowledged that:</p> <ul style="list-style-type: none"> – the work of the Group had ensured that the annual budget setting process was now a far more smooth exercise; – the Group worked particularly closely with the Council’s Invest to Earn Committee; – there were potentially significant implications to the Council of the Council Tax Referendum limit being reduced from 2.99% to 1.99%; – the Member Workshop had been a very effective session.
Peer Challenge Progress Update	<p>Members received an update on the progress that had been made to date on the delivery of the Peer Challenge Action Plan.</p> <p>Members recognised the importance of the recommendation that sought to ‘Strengthen the Council’s Political Governance Arrangements.’</p> <p>At the conclusion of the debate the Committee RESOLVED that:</p> <ol style="list-style-type: none"> 1. The progress to date on the delivery of the Peer Challenge Action Plan be agreed; and 2. The intention for closer working relations to be reinstated with South Hams District Council Members be welcomed.
Ombudsman’s Annual Review Letter 2019	<p>The Committee reviewed the Ombudsman Annual Letter for 2019 and welcomed the ongoing improved performance in respect of dealing with customer complaints. In discussion, Members recognised that the improvements that had been made to customer satisfaction had been a key factor in the reduction in complaints to the Ombudsman.</p>

Operational Performance	The Committee considered a report that presented the latest operational performance information and noted the outcome report and endorsed the new live performance dashboard approach of reporting.
Revenue Budget Proposals 2020/21	<p>As part of the draft 2020/21 Budget Setting process, the Committee requested that the following views be taken into account:</p> <ol style="list-style-type: none"> 1. the proposed increase in Council Tax for 2020/21 of £5 (Band D of £236.63 for 2020/21 – an increase of 10 pence per week or £5 per year – equates to a 2.16% increase); 2. the proposed financial pressures of £638,500; 3. the proposed contributions to Earmarked Reserves of £87,500; 4. the proposed savings of £535,000; 5. the proposed use of £200,000 of New Homes Bonus funding to fund the 2020/21 Revenue Budget; 6. the proposal to maintain the deficit recovery period of the Pension Deficit at 17 years; 7. the inclusion of an Economy post (to be shared with South Hams District Council) within the staffing establishment; 8. approval of the proposed Environmental Health Charges; 9. approval of the proposed unchanged fees and charges for Development Management; 10. charges being introduced for the use of the existing Electric Charging points at Kilworthy Park, Tavistock; 11. charges being introduced (with immediate effect following the Council meeting to be held on 18 February 2020) for 'Proof of Life' charges to be introduced; 12. approval of changes to S257 Footpath Diversion Orders charges; 13. approval be given to the proposals to increase charges to Town and Parish Councils for the emptying of dog waste and litter bins; and 14. delegating authority to the Section 151 Officer, in consultation with the lead Hub Committee Member, to set the Local Land Charges as appropriate to ensure cost recovery.
Capital Budget Proposals 2020/21	The Committee was invited to make comment on the draft Capital Budget Proposals for 2020/21 and expressed its support for the Capital Programme Proposals that were contained within the published agenda papers.
Member 2019 Induction Review	<p>Members were presented with the review into the Member Induction Programme for 2019. In debate, the Committee was of the view that the 2019 Induction Programme was a vast improvement on the equivalent Programme in 2015.</p> <p>In conclusion, the Committee RESOLVED to note the initial views of the Member Development Steering Group on the 2019 Member Induction Programme and has made formal representations on the Programme for the Member Development Steering Group to consider at its next meeting.</p>



COMMUNITIES

Council and residents working together to create strong empowered communities

Action	18/19 Progress
Customer Satisfaction Action Plan Progress	<p>In advance of being considered by the Hub Committee, Members considered regular progress reports that detailed the progress that had been made on improving customer satisfaction levels.</p> <p>Members proceeded to note the progress that had been made to date and recommend that the Hub Committee approve a series of next steps to ensure that further progress would continue to be made.</p>
Call-in of the Hub Committee Resolution on Minute *HC 15: 'Northern Outreach'	<p>In accordance with the Committee Procedure Rules, three Members invoked a call-in on the 'Northern Outreach' agenda item.</p> <p>The main concerns for the call-in related to the ability of local communities in the north of the Borough to access the Council and its services and the need to look at the proposal at the same time as the proposed option appraisal on the future of Tavistock Reception.</p> <p>In debate, there was widespread sympathy for the call-in and the Committee subsequently RESOLVED that the matter should be determined at the next Full Council meeting.</p>
Customer Satisfaction Survey	<p>Members were presented with a report that detailed the scores achieved by the Council as part of a recent Institute of Customer Service Customer Satisfaction Benchmark Survey.</p> <p>In welcoming the results of the Survey, the Committee also recommended to the Hub Committee to approve actions that were headed as follows:</p> <ul style="list-style-type: none"> - Customer Satisfaction Improvement Manager; - Complaint Handling Review; - Staff Meetings, Performance Monitoring and Training; - IT Procurement and Improvement; - Continued Surveying; and - Progress Reporting.
Locality Service – Annual Report	<p>The Committee considered an annual report that outlined how the Localities Service had been operating in the previous twelve months and how the Service had evolved from its initial inception in 2015.</p> <p>In the ensuing debate, a number of Members expressed their support for the Service and some questioned whether it was adequately resourced to be able to meet increased demands. In response, officers informed that the Team was still operating at reduced capacity and this was being closely monitored. The meeting subsequently RESOLVED that the Committee endorses continuation of the Locality Model pending ongoing monitoring and a further report being presented to the Committee in November 2020.</p>



WELLBEING

Supporting positive, safe and healthy lifestyles and helping those most in need

Action	18/19 Progress
Food Safety Service Plan	The Committee received and welcomed an update on the Food Safety Service Plan and thanked and paid tribute to the achievement whereby 100% of due food safety inspections had been carried out during 2018/19.
Fusion Leisure Update and Feedback on their Cashless Project	<p>Representatives from Fusion Leisure were invited to a Committee meeting to outline their cashless project proposals. During their presentation, the representatives expressed their apologies to Members for the late notification and the poor communication strategy that had prompted the agenda update.</p> <p>The Committee concluded that a Task and Finish Group should be established to undertake a review of the relationship between Fusion and local West Devon communities, with a concluding report being presented to the Committee a month before the Fusion Annual Report was considered.</p> <p>The Group met on a number of occasions and undertook Centre Site Visits before presenting its concluding report. When considering the concluding report, the Committee paid tribute to the work of the Group and accepted the recommendations that had been generated.</p> <p>When presenting their Annual Report for 2019, the success of the Task and Finish Group review was echoed by Fusion representatives and the improved working relationship between the Council and Fusion was recognised by both parties. The Committee also RESOLVED that: the contents of the 2019 Annual Report and the proposals for 2020 be welcomed.</p>
Community Safety Partnership (CSP)	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. Particular focus in the debate was paid to County Lines operations and the Partnership representatives advised that the CSP was willing to offer detailed County Lines briefings to any interested Members.
Safeguarding – Annual Update	<p>The Committee considered the annual review of Safeguarding and proceeded to “RESOLVE that:</p> <ol style="list-style-type: none"> 1. the Committee continue to review Safeguarding on an annual basis; 2. the Hub Committee RECOMMEND to Council that the revised Safeguarding Policy be adopted; and 3. the Member Development Steering Group be tasked with adding a Safeguarding related Member training session to the Learning and Development Plan and consider the merits of whether or not Members should be subject to DBS Checks.



ENVIRONMENT

Protecting, conserving and enhancing our built and natural environment

Action	18/19 Progress
Coastal Concordat	The Committee received an update on the Coastal Concordat and requested that, once the DEFRA guidance had been published, all Members be in receipt of a Briefing Note and a map that highlighted the affected area within the Borough.
Waste Procurement Closedown Report	<p>A report was considered that presented the closedown report for the recent Waste Procurement project.</p> <p>During the debate, the Committee was of the view that the Waste Procurement project had been an exemplar piece of work.</p>
Planning Enforcement Plan Review	<p>Member considered a report that presented the draft updated Enforcement Plan; a Harm Assessment Matrix; and a draft Enforcement Plan.</p> <p>Following a lengthy debate, the Committee RECOMMENDED that the Hub Committee:</p> <ol style="list-style-type: none"> 1. approve the updated Enforcement Plan; the Harm Assessment Matrix; and the proposed Enforcement Action Plan; and 2. RECOMMEND to Council that the additional two permanent staff for Planning Enforcement be approved to be funded from the Planning Earmarked Reserve in 2019/20 and to be built into the Budget Setting process as a cost pressure for 2020/21 onwards.
Verbal Update on the Work of the Climate Change & Biodiversity Working Group	<p>The Committee received a verbal update and RESOLVED that:</p> <ol style="list-style-type: none"> 1. The update on the work of the Climate Change and Biodiversity Working Group be welcomed; and 2. The Devon Building Control Partnership Committee be asked to give formal consideration to potential methods and incentives to make new development as energy efficient and clean as possible.

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.

The Public Forum was utilised twice during 2019/20 and the issues that were raised during the Session in 2019/20 were as follows:

- 14 ◆ it being unwise to believe that all of the Section 106 monies would be forthcoming for the Callington Road, Tavistock site; and
- ◆ there being a need for an Automated Guided Vehicle Strategy to be adopted. In expanding upon the point, the member of the public was of the view that this could enable for innovation funding to be attracted and new funding sources to be accessed.

The following statement was also read to the Committee:

"I have some rail knowledge having been a member of the Devon & Cornwall Rail Partnership for 20 years and I have also assisted members of Devon County Council Rail Planning Team. It is fortunate that the County Council have expended vast sums on land purchases, environmental assessments and engineering surveys for the Tavistock line. Consequently it has been ready since 2016 to go forward for a Development Consent Order.

It is most encouraging that a National window appears to be opening with the Treasury £4.2 billion being allocated for the local public transport fund; a small part of which should support the reopening of the Tavistock and Okehampton Rail Lines.

However, this has to be supported by a business case, using the strength of Rail against car transport; the Tavistock draft timetables show journey times of under 30 minutes and this will bring in travellers to the new Dockyard Marine development and University (with about 22,500 students and staff,) it will still require bus connections at each end for other destinations. It will also have a huge influence on tourism in Tavistock in a similar way to the reopening of the Border Railway.

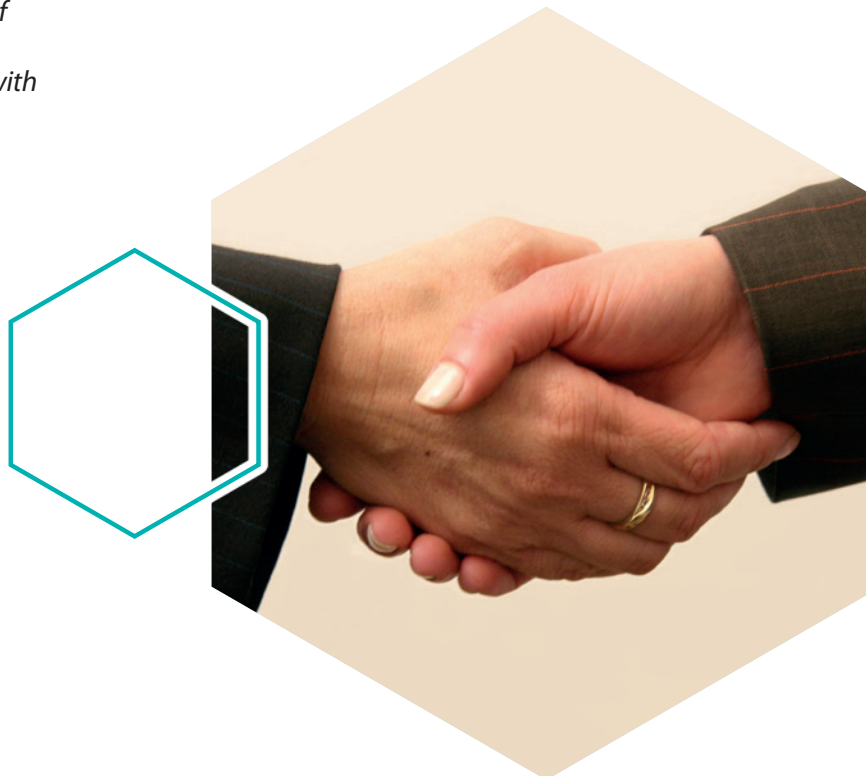
The cost has increased but it still compares with other rail schemes in the UK. For example, it will cost £30 million to repair two miles of embankment at Piddington, east of Bicester. Whether we need a track at the highest standard has been questioned, as has the expensive GRIP process of Network Rail, which can escalate costs.

I find it difficult to understand the track proposal, of a layer of tarmac, will take cycles and electric buses. It would have to be rebuilt to road standards, which are more expensive than rail and you will still have to rebuild two bridges, Tavistock platforms and modify Bere Alston Station with the new farm road that has been planned.

Changing vehicles at Bere Alston immediately loses all rail advantage. However, Light Rail or even use of the new 'D' trains (at half the normal cost should be investigated). Remember the franchise document of GWR requires them to supply trains for both of our lines. It also means the use of local rail workshops with local replacements for vehicles out of action.

Madam Chair I am asking that you and your committee lead the Council, and the County Council, together with the Chamber of Commerce and aided by our M.P. who is already supporting both schemes, in a massive lobby to the DFT for allocation of the capital monies to the South West for our schemes. Otherwise traffic congestion, health along the A386 corridor and pollution of our towns will require far more drastic steps in the future.

In conclusion, 'we want our money and TAP27 is our slogan.'



The 2020-21 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 2020/21 Work Programme:

- Coronavirus (COVID-19) Response and Draft Renewal and Recovery Plan;
- Revised Draft Budget 2020/21;
- Joint Local Plan Update;
- Update from the Financial Stability Review Group;
- Community Safety Partnership – Annual Report;
- Locality Service – Annual Report;
- Safeguarding – Annual Update;
- Draft Budget Proposals 2021/22;
- Fusion Leisure – Annual Report and Presentation;
- Rural Broadband Provision;
- A386 – Transport Infrastructure Update;
- Member Locality Fund Update;
- Peer Review Action Plan: Progress Update;
- Planning Enforcement: Verbal Update; and
- IT Platform Project Update.

