

**MINUTES OF THE MEETING OF THE  
OVERVIEW & SCRUTINY PANEL  
HELD AT FOLLATON HOUSE, TOTNES ON  
THURSDAY, 23 JANUARY 2020**

<b>Panel Members in attendance:</b>			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr L Austen	*	Cllr H Reeve
*	Cllr J P Birch (Chairman)	*	Cllr J Rose
*	Cllr M Chown	*	Cllr P C Smerdon (Vice Chairman)
*	Cllr S Jackson	*	Cllr B Spencer
*	Cllr J McKay	*	Cllr J Sweett
*	Cllr D M O'Callaghan	*	Cllr D Thomas
*	Cllr J T Pennington		

<b>Other Members also in attendance:</b>
Cllrs K J Baldry, H D Bastone, J Brazil, J D Hawkins, J M Hodgson, N A Hopwood, M Long, J A Pearce and B Taylor

<b>Item No</b>	<b>Minute Ref No below refers</b>	<b>Officers in attendance and participating</b>
All		Deputy Chief Executive; and Senior Specialist – Democratic Services
8	O&S.62/19	Head of Practice – Development Management
9	O&S.63/19	Specialist – Community Safety, Safeguarding and Partnerships
10	O&S.64/19	Head of Strategy and Projects
12	O&S.66/19	Head of Practice – Environmental Health
13(a)	O&S.67/19(a)	Assets Specialist

**O&S.58/19 MINUTES**

The minutes of the meeting of the Overview and Scrutiny Panel held on 21 November 2019 were confirmed as a correct record and signed by the Chairman.

**O&S.59/19 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.60/19 PUBLIC FORUM**

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration during this agenda item.

**O&S.61/19 EXECUTIVE FORWARD PLAN**

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

By way of an update, officers advised that the following agenda items had since been added to the Forward Plan:

- Electric Charging Points; and
- Hemerdon Mine.

**O&S.62/19 PRE-APPLICATION PROCESS**

Consideration was given to a report that presented the draft pre-application process. The report highlighted that the draft had been subject to a consultation exercise and 20 representations had been made. As a consequence of these representations, there were two main areas of the process that were being recommended to be changed. These were:

1. The interaction with Members and local town and parish councils; and
2. The publication of both pre-application submissions and the Councils response.

In the ensuing debate, reference was made to:-

(a) suggested further revisions to the process. The Panel requested that the following revisions also be made:

1. replacement of the word 'we' with the term 'the Council';
2. move the definitions from the end to the beginning of the Policy; and
3. expand upon reference to 'disclosures' in the Policy;

(b) the importance of applicants engaging with their local neighbours from the offset. Whilst acknowledging that early engagement was very important, the Panel did also recognise that the Council could not force applicants to hold public meetings and/or engage with their local neighbours;

(c) the involvement of local Ward Members. Officers committed to take every possible step to ensure that local Ward Members were able to attend pre-application meetings. In addition, the Panel also made the point that Members needed to be on the front foot and contact officers if they were particularly interested in a matter as soon as the weekly pre-application list was produced.

It was then:

### **RECOMMENDED**

That the Panel **RECOMMEND** that the Executive **RECOMMEND** to Council that the draft Pre-Application process (as outlined in Appendix 1 of the presented agenda report) be approved, subject to inclusion of the following revisions:

1. replacement of the word 'we' with the term 'the Council';
2. move the definitions from the end to the beginning of the Policy; and
3. expand upon reference to 'disclosures' in the Policy.

### O&S.63/19 **SAFEGUARDING POLICY**

The Panel considered a report that sought to provide Members with the opportunity to annually scrutinise and review Safeguarding practices and procedures.

In discussion, the Panel reinforced its wish to receive the outcome of the DBS viability study at a future meeting.

It was then:

### **RESOLVED**

1. That the Panel continue to formally review safeguarding on an annual basis;
2. That the Executive be **RECOMMENDED** to adopt the revised Safeguarding Policy (as outlined at Appendix A of the presented agenda report); and
3. That the Executive be **RECOMMENDED** to instruct officers to undertake a viability study regarding the merits of DBS checks for all Members, with the outcome of this study being reported back to a future Overview and Scrutiny Panel meeting.

### O&S.64/19 **PEER CHALLENGE PROGRESS UPDATE**

The Panel considered a report that provided an overview of the progress that had been made to date against the approved Peer Challenge Action Plan.

During the ensuing discussion, the following points were raised-

- (a) The Panel welcomed the increased onus on Member Workshops and Briefing Sessions, but did also emphasise the importance of Members attending these events;
- (b) A commitment was given by officers that the organisational work programme would be produced before the end of March 2020. Due to its nature, officers also made the point that the programme would continually evolve;
- (c) Having acknowledged that the Terms of Reference for the Accommodation Strategy Working Group included the ability for updates to be presented to the Panel, Members requested that the next update be considered at the Panel meeting on 27 February 2020;
- (d) By way of an update on the Chief Executive Recruitment and Selection process, the Leader advised that there would be an opportunity for all Members to meet the prospective candidates sometime during the two day interview stage that were to take place during 16 and 17 March 2020;
- (e) In respect of improving engagement and communication between the Council and town and parish councils, the Leader reaffirmed her offer that she was willing to attend any town and parish council meeting if there was a wish for her to do so.

It was then:

### **RESOLVED**

That the progress to date on the delivery of the Peer Challenge Action Plan be noted and the proposal to bring forward the LGA interim review to ensure a solid baseline for the new Chief Executive be supported.

## **O&S.65/19 MEMBER 2019 INDUCTION REVIEW**

A report was considered that presented the Panel with the findings of the short survey into the 2019 Member Induction Programme.

In discussion, Members were generally very positive in their feedback on the Programme but some future improvements were suggested that included:

- A reduction in the number of PowerPoint based training sessions;
- Sending out training material in advance of a session to enable Members to consider any questions and/or issues in advance;
- A bespoke session being arranged on the town and parish councils expectations of their local Ward Member(s);
- A greater focus on the Council's accounts and budget responsibilities;

- Reference to how the Council should respond to correspondence that had been circulated to all Members.

It was then:

### **RESOLVED**

1. That the contents of the review into the 2019 Member Induction Programme be noted and the conclusions (as outlined at Section 3.1 of the presented agenda report) be taken into account in the design of future Programmes; and
2. That the Annual Work Programme be updated to include consideration of the draft 2023 Member Induction Programme.

## **O&S.66/19 FOOD SAFETY PLAN PROGRESS UPDATE**

Consideration was given to a report that outlined progress made with the Food Safety Service Plan 2019/20.

In discussion, the importance of the Council developing a good working relationship with the NHS was recognised.

It was then:

### **RESOLVED**

That the Panel welcome the progress made with the Food Safety Service Plan for 2019/20.

## **O&S.67/19 TASK AND FINISH GROUP UPDATES**

### **(a) Leisure Review – Concluding Report**

During his introduction on the concluding report, the Group Chairman highlighted that the Review had delivered on its objectives. In thanking the Members of the Group for their hard work and contributions, the Chairman was also of the view that both the Council and Fusion Lifestyle had learned a great deal from the Review. As a result, the Chairman was confident that the working relationship between the Council and Fusion Lifestyle would now be much improved.

During the consequent debate, reference was made to:-

- confirmation that a copy of the concluding report would be sent to Fusion Lifestyle representatives before they presented to the next Panel meeting on 27 February 2020;

- the cleanliness findings. Some Members felt that cleanliness was a basic requirement and were therefore disappointed at the findings in this respect;
- a request for Fusion representatives to provide an update on their Climate Change policy at the Panel meeting on 27 February 2020;
- there was still an apparent lack of outreach services being delivered in the rural parishes of the South Hams;
- a wish to reinstate the Task and Finish Group in six months' time to monitor progress.

It was then:

### **RESOLVED**

That the Panel note the contents of the Review and the recommendations arising from the Task and Finish Group and request that the Group be reinstated in six months' time in order to monitor progress.

### **(b) Locality Service**

The Group Chairman advised that it was now intended that the concluding report would be presented to the next Panel meeting on 27 February 2020.

## **O&S.68/19 ANNUAL PANEL WORK PROGRAMME**

During consideration of the latest version of the Panel's Annual Work Programme, the following additions, amendments and deletions were made:

- (a) Members acknowledged that they had earlier requested an update from the Accommodation Strategy Member Working Group at the next Panel meeting on 27 February 2020 (Minute O&S.64/19 above refers);
- (b) It was agreed that the Leisure Review Task and Finish Group would be reconvened to monitor progress before it reported back to the Panel meeting on 16 July 2020 (Minute O&S.67/19(a) above refers).

(Meeting started at 1.30 pm and concluded at 3.15 pm)

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Chairman