

**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 27 FEBRUARY 2020**

Panel Members in attendance:			
* 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		

Other Members also in attendance:
Cllrs V Abbott, K J Baldry, H D Bastone, D Brown, J D Hawkins, T R Holway, N A Hopwood, J A Pearce, R Rowe and B Taylor

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Director of Governance and Assurance; and Senior Specialist – Democratic Services
8	O&S.73/19	Fusion Representatives and Assets (Leisure) Specialist
9	O&S.74/19	Head of Development Management Practice
10	O&S.75/19	Head of Strategy and Projects
11	O&S.76/19	Monitoring Officer
15	O&S.80/19	Senior Specialist Assets

O&S.69/19 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 23 January 2020 were confirmed as a correct record and signed by the Chairman.

O&S.70/19 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.71/19 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.72/19 EXECUTIVE FORWARD PLAN

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

In introducing the Plan, the Chairman confirmed that, in accordance with the adopted Procedure Rules, there had been no prior requests for updates to be received on any of the items listed.

O&S.73/19 LEISURE CONTRACT – FUSION ANNUAL REPORT 2019

Consideration was given to a report that presented the 2019 Annual Report from Fusion Lifestyle on the management of all six leisure centres across South Hams and West Devon.

Following a joint presentation conducted by the Council's Assets (Leisure) Specialist and the Fusion Lifestyle representatives, a debate ensued, during which particular reference was made to:

- (a) the effectiveness of the recent Task and Finish Group Review. The Fusion representatives and a number of Members wished to put on record that the recent Task and Finish Group Review had been very successful and had led to closer working relations between the Council and Fusion Lifestyle;
- (b) the aging nature of the Leisure Centres buildings. Whilst there had been significant investment inside the Centres from Fusion Lifestyle, there was a general recognition that the Centres were aging buildings that would soon require some investment works to be carried out. A local Ward Member referred to the significant recent improvements that had been made to the Ivybridge Leisure Centre and urged all Members to visit the site;
- (c) the conclusions of the Task and Finish Group in respect of sustainability/environmental improvements. Whilst in the infancy of a long journey, the Fusion representatives advised that the Climate Change agenda was being given great corporate emphasis by the organisation. The representatives proceeded to outline some of the progress and challenges that they were facing to fulfil their sustainability and environmental obligations.

Such was the significance of the issue, that an additional recommendation was then **PROPOSED** and **SECONDED** and when put to the vote was declared **CARRIED**:

'That the Panel request that Fusion Lifestyle representatives provide a further report in six months' time specifically on the progress being made on their sustainability/environmental obligations.'

- (d) Community Development and Outreach. Whilst representatives confirmed that they did approach local target community groups, Members were also reminded that other groups could contact Fusion's Community Development officers themselves. It was noted that all Members had a role to play in this respect and it was also acknowledged that Fusion's Community Development resources were not plentiful.

The representatives also informed that they were currently drafting the Fusion Annual Sport and Community Development Plan and all Members were encouraged to have an input into this process before the Plan was signed off in April.

Some Members reiterated their frustrations that a number of parishes received no provision from the Community Outreach service. Following a lengthy discussion, it was agreed that a future meeting would be set up between Fusion representatives and those Members who had expressed concerns;

- (e) customer satisfaction levels. The representatives stated that, whilst the customer satisfaction scores were disappointing, they were not unsurprising given both the low sample size and the extent of the disruption that had been caused by the internal renovation works during 2019. As a consequence, the organisation was very confident that the equivalent figures in 2020 would see a considerable improvement;
- (f) a review of Centre pricing structures. In light of the number of inconsistencies and legacy pricing structures, Fusion was currently undertaking a detailed review. In reply and, prior to any proposed changes being implemented, the Panel made a formal request for all Members to be given advanced notice of the rationale behind any proposed changes in leisure prices. Whilst not wishing to influence the operational management of the Centres, Members felt it to be important to be aware of any changes before they were rolled-out. When put to the vote, this proposal was declared **CARRIED**;
- (g) Totnes Phase 2. When questioned, the representatives informed that Fusion had earmarked £1.5 million towards facility improvements at Totnes Leisure Centre;
- (h) the 'Dementia Friendly' initiative. The Panel was assured that Fusion Lifestyle remained committed to the 'Dementia Friendly' initiative and the organisation was targeting all of its Leisure Centres in the South Hams to be 'Dementia Friendly' before the end of this year.

It was then:

RESOLVED

That the Panel:

1. thank Fusion for its 2019 Annual Report and ask that Fusion representatives take action on the Member issues that are specifically raised in the detailed minutes above;
2. request that Fusion Lifestyle representatives provide a further report in six months' time specifically on the progress being made on their sustainability/environmental obligations; and
3. request that all Members be given advanced notice from Fusion of the rationale behind any proposed changes in leisure prices.

O&S.74/19 **DEVELOPMENT MANAGEMENT – PERFORMANCE UPDATE**

The Panel considered a report that presented a performance update on the Development Management service.

In discussion, the following points were raised:

- (a) A number of Members highlighted the latest recruitment position as outlined at paragraph 4.2 of the presented agenda report. The Panel recognised the significance of this paragraph and, whilst heartened by the positive update given by the lead officer, felt that it was important to monitor the position. As a result, it was **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** that:

'the Panel note the staff position that is set out at paragraph 4.2 of the presented agenda report and request a verbal update on this matter at its next meeting.'

- (b) The Panel welcomed the fact that the Council was investing in upskilling its existing staff into the Development Management specialism. Furthermore, Members were very supportive of the initiative whereby a shared planning apprentice had been recruited between the Council, Teignbridge District Council and Dartmoor National Park Authority and it was hoped that there could be scope to build upon this concept;
- (c) With regard to the proportion of agency staff currently working within the Development Management service, the officer advised that the team currently comprised of 18 officers, with one being an agency contractor and one other being on a short-term contract.

It was then:

RESOLVED

That the Panel note the staff position that is set out at paragraph 4.2 of the presented agenda report and request a verbal update on this matter at its next meeting.

O&S.75/19 OPERATIONAL PERFORMANCE: APRIL – SEPTEMBER 2019

The Panel considered a report that presented operational performance between April and September 2019. Furthermore, the report also set out a proposed approach to future monitoring of operational performance.

In debate, the following points were raised:-

- (a) With regard to the PowerBI dashboards, the lead officer informed that these would be available for Members to be able to access real time performance data during the summer. Members recognised that there would be a training need once these had been launched and it was agreed that a tailored session would be included within the Member Learning and Development Plan;
- (b) There was widespread support expressed for the proposed revised approach to be adopted whereby the Panel would be in receipt of Corporate Strategy Theme based performance reports. In terms of timing, the Panel requested that the 'Council Efficiency' theme be presented to the Panel meeting on 4 June 2020.

It was then:

RESOLVED

1. That the operational performance of the Council during the six-month period from April to September 2019 be noted; and
2. That the Panel support the approach to receiving theme based reports and request that the 'Council Efficiency' theme be presented to the Panel meeting on 4 June 2020; and
3. That the Member Learning and Development Plan be updated to include a session on PowerBI.

O&S.76/19 GENERAL DISPENSATION TO MEMBERS

A report was considered sought the approval of the Panel to grant a General Dispensation to all Members of the Council.

In discussion, a Member repeated his previously raised concerns whereby a conflict of interest could arise in the event of a Member of the Executive also being a Devon County Council Cabinet Member. The Member felt that the report did not adequately address this point and requested that a protocol be produced. As a way forward, an alternative recommendation (as below) was **PROPOSED** and **SECONDED** and when put to the vote was declared **CARRIED**:

'Multi or dual-hatted Council Members also have a General Dispensation to speak and vote on matters where they are a Member of another local authority and in receipt of a Members' Allowance from that other local authority, except where a conflict exists between South Hams District Council and Devon County Council Cabinet Members.'

It was then:

RESOLVED

That, from the Annual Council meeting in 2020 to the Annual Council meeting in 2023, the Panel grant General Dispersations to allow all Members of Council to speak and vote where they would otherwise have a Disclosable Pecuniary Interest in the following matters:

- Housing: where a Member (or spouse / partner) holds a tenancy or lease with the Council as long as the matter does not relate to the Member's particular tenancy or lease;
- Statutory Sick Pay: if a Member receives this or is entitled to receive it;
- An Allowance, travelling expense, payment or indemnity for Members;
- Any ceremonial honour given to Members; and
- Setting the Council Tax or a Precept; and

Multi or dual-hatted Council Members also have a General Dispensation to speak and vote on matters where they are a Member of another local authority and in receipt of a Members' Allowance from that other local authority, except where a conflict exists between South Hams District Council and Devon County Council Cabinet Members.

O&S.77/19 TASK AND FINISH GROUP UPDATES

(a) Locality Service

The Chairman of the Task and Finish Group advised that the recent Extended Leadership Team restructure had significantly impacted upon the Review. In citing the example of a new lead officer now supporting the Review, the Panel agreed to defer consideration of the outcome report until its meeting on 23 April 2020.

O&S.78/19 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 to the Programme:

- The Panel was reminded that the 'Development Management: Verbal Update on Recruitment (minute O&S.74/19 above refers) was to be presented to its meeting on 23 April 2020;
- It was agreed that the Draft 2020/21 Annual Work Programme for the Panel should be considered at the meeting to be held on 23 April 2020; and
- Officers confirmed that the 'Council Efficiency' theme performance report would be presented to the Panel meeting to be held on 4 June 2020 (Minute O&S.75/19 above refers).

O&S.79/19 EXCLUSION OF PUBLIC AND PRESS

It was then:

RESOLVED

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 in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

O&S.80/19 ACCOMMODATION STRATEGY MEMBER WORKING GROUP – PROGRESS UPDATE

The Panel Chairman (who was able a Member of the Accommodation Strategy Working Group) provided an update on the progress that had been made to date.

In particular, the Chairman advised that a public report (with some exempt appendices) that set out an interim set of Working Group recommendations was to be presented to the Executive meeting to be held on 19 March 2020.

(Meeting started at 10.00 am and concluded at 12.35 pm)

Chairman