

**MINUTES OF THE MEETING OF SCRUTINY
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY, 18 OCTOBER 2007**

MEMBERS

* Cllr C M Pannell - Chairman

* Cllr K J Baldry - Vice-Chairman

* Cllr J H Baverstock

* Cllr P H Cook

* Cllr G J Fielden

* Cllr R D Gilbert

* Cllr J W Squire

* Cllr J A Westacott

* Denotes attendance

Also in attendance at the invitation of the Chairman:
Cllrs H D Bastone, J I G Blackler, P W Hitchins, D W May and R J Tucker.

Officers in attendance for all items: Chief Executive and Member Support Services
Manager.

Item 6 (minute SC.25/07 below refers) Monitoring Officer.

SC.23/07 MINUTES

The minutes of the meeting of Scrutiny held on 20 September 2007 were confirmed as a correct record and signed by the Chairman.

SC.24/07 DECLARATIONS OF INTEREST

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

SC.25/07 OMBUDSMAN'S ANNUAL LETTER AND ANNUAL REPORT 2006/07

Members considered a report that informed them of the Ombudsman's reflections on the complaints received by him and the decisions reached against the overall national position in the Ombudsman's Annual Report.

To set the report in context, the Monitoring Officer made reference to statistics that demonstrated that the Ombudsman dealt with an above national average number of complaints, but a below average were pursued further. In addition, the Council was performing favourably in this area, in comparison to neighbouring authorities.

During discussion, reference was made to:-

- a) the Ombudsman's observation that nobody from the Council had attended the annual link officer seminar. Members suggested inviting Teignbridge District Council and West Devon Borough Council to a joint meeting with the Ombudsman to share issues and find examples of best practice;

- b) whether staffing levels contributed to the number of complaints.
Members were informed that the Development Control Service was under considerable pressure with a number of conflicting priorities and budget constrained targets that had to be met. As a result, this often led to the speed of response the Ombudsman's investigations being delayed;
- c) the need to reduce the length of time it took to formulate a response to the Ombudsman. Members commented that a trend was apparent whereby the last few years had seen an increase in the time that it had taken to send a response to the Ombudsman and that this trend required addressing;
- d) the improvements in exercising the use of delegated powers by Members, when determining planning applications was noted;
- e) the belief that statistics relating to cases of maladministration should be incorporated into the Quarterly Performance Information reports.

RESOLVED

That the Scrutiny Group:-

- i) note the Ombudsman's findings and the steps taken by the Council, where appropriate, to amend the complaints procedure and handling of the complaints and to improve processes;
- ii) invite the Ombudsman to attend a joint meeting with Teignbridge District Council and West Devon District Council to address potential areas for improvement and share methods of best practice;
- iii) wish that statistics relating to cases of maladministration be incorporated into future Quarterly Performance Information reports presented to Scrutiny.

SC.26/07

NEEDS OF YOUNGER PEOPLE – PROGRESS UPDATE FROM THE SCRUTINY SUB-GROUP

Members were informed that the investigations into the use of Section 106 Monies for youth projects and the recording of the work surrounding youth activities being included in the South Hams District Council Annual Report had reached their respective conclusions.

Regarding the Youth Council it was noted that, young people from the four local secondary schools were to be invited to a future Council meeting. Members expressed the view that they should be involved and engaged with as much as possible to maintain continued interaction by either being allowed to submit questions to a meeting or attend other Council body meetings, so that they gained a broader view of the work undertaken by the Council.

Members of the Sub-Committee also advised that they would be meeting with Devon County Council officers to discuss the categories of transport provided for younger people amongst other related issues in the near future.

Members commended the Sub-Committee for its work and progress it was making.

SC.27/07 **SCRUTINY SHADOWING ROLES**

Members provided an update on the progress of their respective shadowing roles. Whilst on the whole the arrangement was working well, it was noted that the proposed changes to some of the Executive roles and responsibilities could lead to the need to alter the current shadowing arrangements.

SC.28/07 **AGENDA ITEMS FOR FUTURE MEETINGS OF SCRUTINY**

a) Disbandment of the Patients Forum

A Member wished for a member of the Devon Primary Care Trust to be invited to address the Group regarding the disbanding of the patient's forum. The Member felt that the methods that patients had to express their views regarding the service they received were slowly being eroded. It was agreed that a non-Executive Director of the Devon Primary Care Trust would be contacted to invite them to 19 December 2007 meeting.

b) Tone Leisure – Progress Update

It was proposed that as Tone Leisure had been operating the Leisure Centres Sport and Healthy Lifestyle contract for a year a progress update would be useful. It was suggested that a joint meeting with the Audit Committee, who had responsibility for the quarterly contract monitoring reports could be arranged in the future. Nonetheless, it was concluded that a representative be invited to address the Scrutiny Group at its 20 March 2008 meeting.

c) Devon and Cornwall Constabulary

A Member raised concern at new Police recruits no longer being required to pass a swimming test as part of the entry assessment. Members felt that this could be expanded to discuss the lack of Police coverage in rural areas and expressed the desire to invite a representative from Devon and Cornwall Constabulary and the Council's Health and Safety Advisor to address the Group at its 19 December 2007 meeting.

d) Community Council of Devon

Members raised concerns that the Community Council of Devon often appeared to commence initiatives which raised the public expectation but then due to funding shortages were unable to continue with the resulting work. It was agreed that a representative be invited to attend 24 April 2008 meeting.

e) Quarter 3 PIs

It was agreed that this item be deferred to 20 March 2008 Group meeting.

f) S106 Progress Update

It was requested that this report include reference to a play update on the availability of S106 monies.

(Meeting commenced at 10.00 am and concluded at 11.30 am).

Chairman