

**MINUTES OF THE MEETING OF SCRUTINY  
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 19 NOVEMBER 2009**

**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 MBE

\* Denotes attendance

**Also in attendance and participating:**

Cllrs H D Bastone, M J Hicks, P W Hitchins, M F Saltern and M Stone

**Officers in attendance:**

For all items: Strategic Director (Resources), Member Support Services Manager and Member Support Officer;

Item 7: (Minute SC.35/09 below refers) Head of Landscape and Leisure and Leisure and Recreation Officer; and

Item 8: (Minute SC.36/09 below refers) Improvement Programme Manager.

**SC.32/09 MINUTES**

The minutes of the meeting of Scrutiny held on 22 October 2009 were confirmed as a correct record and signed by the Chairman.

**SC.33/09 CHAIRMAN'S ANNOUNCEMENT**

The Chairman advised that she and several other Members had recently attended some interesting and thought provoking Member courses on Overview and Scrutiny. From these courses, it had become apparent that the Scrutiny role required dedicated officer support in order to meet the growing demands made of it and to undertake its function more effectively. Whilst the Chairman accepted that budgets were particularly tight at present and advised that an element of support was provided to Scrutiny, she noted that these officers had a number of conflicting work priorities and were therefore currently only able to offer limited assistance.

In highlighting that other authorities in Devon had full-time designated support for their Overview and Scrutiny function, the Chairman stated that it was her intention to submit a Bid for deliberation during the 2010/11 Budget Setting round in order to ensure that due consideration was given to the need for proper dedicated officer support.

SC.34/09      **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.35/09      **MONITORING REPORT – LEISURE CENTRES, SPORT AND HEALTHY LIFESTYLES CONTRACT**

The Operations Director (Tone Leisure) provided Members with the key highlights of overall performance and current key issues of the leisure centre management arrangements.

An important area of work had been on environmental management with new investment taking place, delivery of agreed centre savings and positive partnership work with both the authority and the Carbon Trust, which was hoped would deliver real savings for the future

During discussion, the following points were made:-

**Tone/TADPOOL:**

The ongoing issues with TADPOOL were discussed and the Managing Director (Tone Leisure) informed Members that she was under increasing pressure from her board to ensure these matters were resolved. She emphasised that good progress had been made between Tone and the three other Leisure Centres it managed and strategic targets were being achieved but she stated they were currently not meeting their objectives at the Totnes Pavilion site and that any further delays were not tenable. The Lead Member for Financial Affairs was asked to keep the Chairman of Scrutiny updated regarding this matter and to inform the Executive that Scrutiny would like to see this matter brought to a conclusion.

**Water Leak – Ivybridge Swimming Pool:**

Members were pleased to learn that this matter had been resolved but expressed disappointment at the length of time it had taken. They were informed that the problem had proven to be a simple fault with the dosing unit. It had been thought for some time that a leaking pipe had been responsible for the water loss. The Operations Manager (Tone Leisure) assured that lessons had been learned from the diagnostic process.

**Youth Leisure Nights:**

Concern was raised that funding for the leisure nights might run out by March 2010. In response, the Group was informed that Tone understood that the continuation of the Youth Nights was a priority for the Council and that they continued to look for funding streams. They assured that they still received funding through the Devon Community Youth Service and that they would continue to provide the youth nights. Extra funding was being sought to enable Tone to enhance their provision e.g. hiring coaches and equipment etc. The youths also made a contribution of £2 which assisted with staffing costs and the leisure nights consistently attracted good attendance.

### **Dual Use of Sports Facilities:**

**Dartmouth:** The Lead Member for Community Affairs stated that the situation at the Dartmouth site was intolerable. The local Community College was using the Council's sports fields whilst neglecting their own pitches and this had an impact on the availability of the Norton fields for use by the community. Several Members expressed their frustration that residents were paying for these facilities through their council tax yet not enjoying full access.

**Kingsbridge:** A Member stated that the community of Kingsbridge had been in a state of conflict with the local Community College for a very long time as a result of the current legal agreement and a new legal contract was required. He emphasised that this would require political will and support from Devon County Council.

In response to these issues, the Head of Landscape and Leisure agreed that where this authority was the asset holder, it should set the terms in any agreement, and vice versa the schools when the authority sought community access to facilities, and that agreements needed to be fairer. He went on to say that local schools, particularly Dartmouth Community College, would require a 'Pitches Strategy' as this would be intrinsic for them to obtain funding for any future redevelopment. He further advised that he would be meeting with representatives from Devon County Council (DCC) with regard to the issues in Dartmouth and that he was intent on obtaining an agreement from that meeting and hoped overall the matter would be resolved by Easter 2010.

A Member reflecting upon the Kingsbridge situation, vigorously stated that progress must be made on these agreements and that the Council should regard this as a matter of very high priority and that he hoped the Scrutiny Group would pursue the matter so that operational arrangements were fairer to the wider community.

The Deputy Leader endorsed all the comments that had been expressed in the discussion and stated that in his view, Governors and College Heads were thwarted by health & safety issues and that this could be the stumbling block which would need addressing when looking at community use of school facilities.

The Vice Chairman requested that if the Officer meeting with DCC was not successful, then the relevant officers from DCC should be asked to attend a future Scrutiny Group meeting. The Head of Landscape and Leisure informed that the Leisure and Recreation Officer had previously raised this issue with the DCC representative on the South Hams Strategic Partnership, but it was acknowledged that to progress this matter would need the backing of senior County Council Members.

It was then **PROPOSED** and **SECONDED** and when put to the vote, subsequently declared **CARRIED** that a letter be sent to the Leader of Devon County Council on behalf of the Chairman of Scrutiny, urging that the Dartmouth Dual Use Agreement be signed for the Leisure and that school and college facilities be made available for the benefit and use of local communities.

In concluding this item, a number of Members wished to acknowledge that Tone Leisure was very closely scrutinised and had performed well in a difficult climate. As a consequence, Members expressed their thanks and appreciation to the work of Tone Leisure and it was expressed that on the whole, the first three years of the working agreement had undoubtedly been a success.

It was then:-

### **RESOLVED**

1. That the Group note the content of the Monitoring Report and that the work and progress made by Tone Leisure over the first three years of its contract be commended;
2. That a letter be sent to the Leader of Devon County Council urging that the Dual Use Agreement be signed and that school and college facilities be made available for the benefit and use of local communities;
3. That Members continue to express their frustration at the difficulties with the working arrangements between Tone and Tadpool and request that the Lead Member for Financial Affairs report to the Executive that Scrutiny would like this matter brought to a conclusion.

## **SC.36/09 PERFORMANCE INDICATORS - PROGRESS REPORT**

Members considered a report that updated them on achievements against selected performance indicators for July to September 2009.

During the discussion, the following points were raised:

### **BV12 – Working Days Lost to Sickness:**

It was discussed that there had been an increase in long term illness due to some instances of significant serious illness. With regard to short term illness, the Group was informed that incidences of Swine Flu earlier in the year would impact on targets.

**BV109a – Processing of Major Planning Applications:**

It was discussed that one local major application had remained undetermined for over two years. The Chairman of the Development Control Committee explained that applications for major developments involved lengthy consultation periods. Clarity was sought with regard to what the criteria was for an application to be considered 'major'. The Group was informed that there were three main points and these would be distributed to Members and also published in the Members Bulletin. It was suggested that there should be an indicator which outlined when undetermined applications were approaching two years.

**Attendance of Lead Executive Members and Heads of Service:**

It was suggested that a portfolio holder should be available to explain any indicator at the request of the Scrutiny Group. The Improvement Programme Manager further suggested that if Members were not satisfied with any explanatory notes which accompanied an indicator, they should request the appropriate Head of Service to attend the next meeting. It was requested that these observations be incorporated into the recommendations.

It was then:-

**RESOLVED**

That the report be noted and the comments recorded in the minutes above be taken into account prior to the presentation of the next quarterly Performance Indicator report.

**SC.37/09 SCRUTINY SHADOWING ROLES**

The Members informed that they were kept fully briefed by their Executive colleagues, and continued to meet frequently.

- The Shadow Member for the 'Clean Environment' portfolio holder informed that following his invitation to accompany the refuse operators, he had received a further invitation to accompany street sweepers and would report back in due course.
- The Shadow Member for 'Financial Affairs' reported that the Lead Member had been working extremely hard on the Tone/TADPOOL issue and wished him well with these endeavours.
- The Shadow Member for the 'Distinct Environment' portfolio holder stated he had a good working relationship with his Executive counterpart but he did express his frustration that there was one related parochial issue for which he wanted progress yet his requests for information were consistently disregarded.

SC.38/09 **AGENDA ITEMS FOR FUTURE MEETINGS OF SCRUTINY**

**PCT:**

It had now been over a year since the PCT had attended a Scrutiny meeting and officers agreed to pursue the reasons why the PCT Interim Locality Director had not been able to attend this meeting. Officers advised that the Interim Director was now re-scheduled to attend the Scrutiny Group meeting on 11 February 2010.

**Forward Planning:**

Some Members requested that officers from the service attend the Group meeting in February 2010 to respond to Member questions specifically in respect of how the team operated. They also expressed the belief that both comments from the general public and Members were being overlooked and that conclusions were being reached without the prior consultation of local Members. Clarity was sought regarding how the service was making decisions.

Whilst it was envisaged that the item would take the form of a question and answer session, Members did request a very short briefing paper to include information relating to the size of the team and its budget, which it felt would be readily available from the Community Regeneration Service Review report which was presented to the Community PDG at its meeting on 29 September 2009.

**Highways Authority:**

In making specific reference to the authorities need to again carry out drainage works in the village of Harbertonford, Members expressed their concerns at the consequence of the disruption and the cost implications and therefore requested that a representative from the authority attend the February 2010 meeting to explain why this course of action was required.

(Meeting commenced at 10.00 am and concluded at 12 noon).

---

Chairman