

**MINUTES OF THE MEETING OF SCRUTINY
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 22 APRIL 2010**

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:

Cllr J T Pennington

Officers in attendance:

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

For Item 7: (Minute SC.61/09 below refers) Head of Landscape and Leisure, Leisure and Recreation Manager and Theresa England, Operations Director, Tone Leisure;

For Item 9: (Minute SC.63/09 below refers) Head of Landscape and Leisure and Property Lawyer; and

For Item 11: (Minute SC.63/09 below refers) Mr John Halliday, Chief Assistant Engineer (South) (Highways) Devon County Council

SC.59/09 **MINUTES**

The minutes of the meeting of Scrutiny held on 11 February 2010 were confirmed as a correct record and signed by the Chairman.

SC.60/09 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:

Cllrs P H Cook and R D Gilbert both declared a personal interest in item 7: 'Monitoring Report – Leisure Centres, Sport and Healthy Lifestyle Contract' (minute SC.61/09 below refers). Cllr Cook declared her interest by virtue of her being a member of Quayside Leisure Centre and remained in the meeting and took part in the discussion and vote thereon. Cllr Gilbert declared his interest by virtue of his wife's employment with Tone Leisure and also remained in the meeting and took part in the discussion and vote thereon. However, Cllr Gilbert did advise that this interest was potentially prejudicial and if any matter arose which related directly to his wife's employment, he would leave the meeting.

SC.61/09

MONITORING REPORT – LEISURE CENTRES, SPORT AND HEALTHY LIFESTYLE CONTRACT

A report was considered which highlighted the overall performance and current key issues of the leisure centre management arrangements with Tone Leisure.

In discussion, reference was made to:-

Finance and Performance: The Operations Director (Tone Leisure) informed the Group that at Quarter 3, Tone Leisure was on budget with a forecast for the final quarter to achieve an overall surplus for the full year. She went further to say that Tone had delivered the overall projected savings initiated in the last financial year of £134,000, had reduced operational running costs through improved building and environmental management, and had increased income through increased sales in swimming lessons.

The issues which were still facing the company were slow progress on new memberships, hindered by the exceptional bad winter at the start of the year, and local competition, particularly in the Ivybridge area. Currently, Tone was also reshaping the staffing structure at Tonnes to match its contractual obligations.

Systems and Quality: The Quest assessments at Dartmouth, Kingsbridge and Ivybridge Leisure Centres were to be conducted at the same time to allow better use of time and resources. In addition, Investors in People accreditation had been successfully achieved and would be valid for a further three years.

Customers and People: The free swimming programme had attracted nearly 15,000 swim visits in its first year and most importantly would be within budget of the revenue grant allocated from the Government.

The Devon Active Village programme had secured funding support and outreach work would commence in the summer. South Hams had the largest number of villages involved in the three year programme.

Innovation and Improvement: The Ivybridge swimming pool project was being considered in detail and an initial business plan had been produced to aid the development of a funding package to deliver a new pool and indoor play facility.

Partnership Arrangements: With regard to Dual Use agreements at Dartmouth and Kingsbridge, a summary position had been presented to Devon County Council and further meetings were scheduled to discuss the potential of new agreements being in place for the new school year in September 2010.

Recent progress had been made with joint meetings of Tone and Tadpool (termed the ToTaL Group) to work through issues in order to lead to a new operating agreement. A Member wished to thank Cllr Hicks for all his work in establishing this Group, which it was felt had made a significant contribution in resolving issues, such as the proposed upgrade of the wetside changing rooms.

Dawn Stone's Retirement:

Members wished their thanks and appreciation to be extended to Dawn, (the recently retired Manager of Quayside Leisure Centre), for all her hard work to both organisations and it was hoped that she would enjoy a happy retirement.

Catering at Quayside:

A Member wished to congratulate Tone on maintaining an excellent standard of catering at the leisure centre and noted particularly the range of healthy option food. It was, he said, an example of what could be achieved and wished to thank all concerned.

Ivybridge Swimming Pool:

It was asked if the adverse publicity about the pool might have been a contributory factor to the usage of the leisure centre. In response, the Group was informed that this was not considered to be a factor but more the unique set of circumstances at that site. Currently, the first point of contact at the leisure centre was not particularly customer friendly and work was needed to freshen up the café and seating area. Also, competition for leisure facilities was strong in the Ivybridge area.

It was noted that potentially, a substantial investment could be made with regard to a new pool. It was therefore queried whether the additional benefit of increasing usage of the leisure centre facilities would offset this potential investment. In response, the Operations Director (Tone Leisure) stated that she was aware of the options for a proposed new pool and Tone was keen to work with the authority to ensure the right location was selected for long term viability.

Fitness Suites:

It was noted that the fitness suite at Ivybridge was poorly used over the weekend and it was asked whether it was being marketed fully. In response, the Group was informed that usage of all suites was good, but the peak times were Monday to Thursday evenings. Marketing activity was planned with regard to encouraging memberships.

The Chairman commented on the recent press coverage of a woman who had lost weight to donate a kidney to her husband. She wished, on behalf of the Group, to extend her appreciation and thanks to the staff for all the help and support that the individual had been given and stated that it had been a very positive good news story.

ICT:

The Group sought assurances that the Company now had a firm ICT strategy for the foreseeable future. In response, the Group was informed that a draft strategy was with the Company's Board which looked at the overall picture of asset performance as well as the customer facing aspect. However, there were gaps identified in the configurations which could require 'bolted on' solutions.

Business Plan 2010/11:

The Group was informed that a detailed business plan for the forthcoming year had been drafted and had been effective from April 2010. However, it typically took five to six weeks from the end of each quarter to collate the data into a reporting format to present to Members.

It was then:-

RESOLVED

That the content of the Monitoring Report be noted and congratulations be extended at the positive budget forecast for the final quarter which should see the achievement of an overall surplus for the full year.

SC.62/09 **EXCLUSION OF PUBLIC AND PRESS**

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 items 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.

SC.63/09 **LEISURE CENTRE DUAL USE AGREEMENTS NEGOTIATION UPDATE**

The Group received an exempt update on the negotiations on the Leisure Centre Dual Use Agreements.

In discussion, it was **PROPOSED, SECONDED** and subsequently declared **CARRIED** that the Group be presented with a further update at its meeting on 24 June 2010.

It was then:-

RESOLVED

That the current position be noted and a further update be presented to the meeting scheduled for 24 June 2010.

SC.64/09 **READMITTANCE OF PUBLIC AND PRESS**

RESOLVED

That the public and press be re-admitted to the meeting.

SC.65/09 **MR JOHN HALLIDAY, DEVON COUNTY COUNCIL CHIEF ASSISTANT ENGINEER (SOUTH) (HIGHWAYS AUTHORITY)**

Mr Halliday attended the meeting to respond to Members questions. The following questions were raised:

A38 - Exit from Shell Garage, South Brent: It was asked if there were any plans to eliminate the dangerous access from the Shell Garage as currently traffic exiting from the garage had to cross a very busy slip road. The Group was informed that although there had been a number of crashes in the vicinity, the most usual cause was drivers losing control when making a late decision to come off the main highway to South Brent at that junction. The Highways Authority was aware of the problem but there was little action that could be taken as it could neither purchase the garage nor close the slip road access to South Brent.

Development Planning Documents (DPDs): Mr Halliday assured the Group that the Forward Planning Team had fully communicated with the Highways Authority before the sites contained within the DPDs were published for public consultation. A number of general comments had been expressed and concerns were relayed to the Team about any potential impact on the highways network. However, specific and detailed comments had not been submitted by the Highways Authority on each site.

Congestion around Totnes town had been considered strategically by the Highways Authority but potential future congestion depended on what sites were developed. Impact could be very localised or more widespread, nonetheless assurances were given that Devon County Council had been consulted with and had given advice. Concern was therefore raised that this inferred a breakdown in communication between the Forward Planning Team and Totnes Town Council or alternatively with Members of South Hams District Council.

Drainage Works – Harbetonford: The Group was informed that when the works were inspected for quality assurance, it was found that some unfortunate errors had been made by the contractor during the initial maintenance works which necessitated the work being rectified. Members were informed that the costs incurred for these further works were met by the contractor.

Sorley Cross Junction : A Member highlighted how often motorists were unaware of this junction, which constituted a particularly dangerous accident black spot and proceeded to cite a recent and potentially very serious incident that he had witnessed at that spot. The Member felt that a roundabout at this location could be an appropriate solution. In response, the Group was informed that Highways had undertaken a number of measures to alert drivers to reduce their speed but that with the introduction of Satellite Navigation Systems, the visual clues might have to be altered, as currently these systems did not alert drivers to slow down at this junction. He further advised that unless someone reported an accident, the Highways Authority would be unaware that it had happened, especially if the Police had not been involved. In light of further local concerns, it was also noted that this subject was on the agenda for the Kingsbridge and Salcombe Area Parish Cluster Meeting on Monday, 24 May 2010.

Village Speed Limits: The Group was informed that a speed limit review was planned but that villages would be low on the list of priorities. However, if parish councils or individuals did raise concerns then investigations would be undertaken (e.g. with camera guns to see if the problem was real or perceived). If a problem was confirmed then signage may be considered and the Police could enforce a speed limit.

Pot Holes: The Group was informed that over 50,000 pot holes had been repaired so far this year in Devon. However, although the very bad winter weather had exacerbated the number of pot holes, in reality the major cause was the poor condition of the roads which were deteriorating. He emphasised that public pressure was needed to encourage the Government to prioritise investment in the road network on which everyone depended.

S.106 funding for Community Transport: A Member raised concern that throughout the district, a number of community run buses now faced closure due to poor interest rate returns on accounts which they relied on to fund their services. Mr Halliday stated that when any development was being considered, sustainability and viability were key criteria. Grants could be given to assist with traffic infrastructure rather than burden the development. Previous developers should provide mitigation for any impact on the highway network e.g. subsidising buses. When requesting contributions at the outset, both a capital sum for the acquisition of a bus, and a revenue sum for operating costs could be requested.

Mr Halliday was then thanked for his attendance at the meeting and his informative answers.

SC.65/09 **SCRUTINY SHADOWING ROLES**

Some Shadow Members stated that they had not recently had any meetings with their respective portfolio holders. In contrast, another Member advised that he continued to be kept fully briefed by his Executive counterpart, and continued to meet frequently.

SC.66/09 **AGENDA ITEMS FOR FUTURE MEETINGS OF SCRUTINY**

Overview and Scrutiny Peer Review:

A short meeting had been held with the Chairmen and Vice Chairmen of Scrutiny, the Policy Development Groups (PDGs) and the Audit Committee to consider one aspect highlighted in the review regarding the attendance of Executive Members at Scrutiny and PDG meetings. It was concluded that Lead Executive Members, rather than officers, should be held to account and therefore should be formally invited to attend meetings, but this arrangement would not commence until the new municipal year.

The view was also taken that the Review report should first be considered in totality by the Political Structures Working Group. It would then be considered individually by Scrutiny and each Policy Development Group before re-consideration by the Political Structures Working Group, prior to a final report being presented to full Council. It was intended that the report would be considered by Scrutiny at its next formal meeting on 27 May 2010.

Forward Planning:

Some Members felt that there was merit in re-inviting officers from the Team to attend a future Group meeting to discuss the role of Members and town and parish councils in the DPD process. However, the majority of Members made reference to the issue being fully debated at the meeting on 11 February 2010 (Minute SC.54/09 refers) and did not feel that this was necessary at present.

(Meeting commenced at 10.00 am and concluded at 12.10 pm.)

Chairman