

**MINUTES OF THE MEETING OF SCRUTINY  
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY, 24 APRIL 2008**

**MEMBERS**

∅ Cllr C M Pannell - Chairman

\* Cllr K J Baldry - Vice-Chairman

\* Cllr J H Baverstock

\* Cllr R D Gilbert

\* Cllr P H Cook

\* Cllr J W Squire

\* Cllr G J Fielden

\* Cllr J A Westacott

\* Denotes attendance

∅ Denotes apologies for absence

Also in attendance at the invitation of the Chairman:  
Cllrs J D Hawkins, T J Hewitt, R M Lawrence and M F Saltern

Also in attendance but not participating:  
Cllrs H D Bastone, J I G Blackler and B E Carson

Officers in attendance for all items: Chief Executive and  
Senior Member Support Officer

Items 6 and 7 (minutes SC.57/07 and SC.58/07 below refer): Deputy  
Monitoring Officer

Items 6, 7 and 8 (minutes SC.57/07, SC.58/07 and SC.59/07 below refer): Head of  
Planning and Building Control

Item 7 and 8 (minutes SC.58/07 and SC.59/07 below refer): Head of Landscape and  
Leisure and Landscape and Recreation Manager

Item 8 (minute SC.59/07 below refer): Planning Agreements Manager

**SC.55/07 MINUTES**

The minutes of the meeting of Scrutiny, held on 20 March 2008, were confirmed as a correct record and signed by the Chairman.

**SC.56/07 DECLARATIONS OF INTEREST**

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

Cllr P H Cook declared a personal interest in item 7: 'Governance Arrangements for Tone Leisure (South Hams) Ltd' (minute SC.58/07 below refers), 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 R D Gilbert declared a personal interest in item 7: 'Governance Arrangements for Tone Leisure (South Hams) Ltd' (minute SC.58/07 below refers) and remained in the meeting and took part in the discussion and vote thereon.

**SC.57/07 GREG DAVIS OF THE COMMUNITY COUNCIL FOR DEVON TO ATTEND**

The Chairman welcomed Greg Davis, representative of the Community Council for Devon (CCD), to the meeting. Mr Davis proceeded to provide Members with a brief outline of the work that the CCD undertook. Members were informed that the CCD was established in 1961 and had been engaged in an array of activities that supported rural communities.

In 2001, CCD was funded to lead and promote community planning. This funding resulted in the completion of 107 parish plans across Devon, with a further 48 still to be developed. Parishes which built relationships with their local authorities and other agencies early in the formulation of a plan benefited from joined up activities, greater community cohesion and engagement. The Group was informed that as a plan started to be implemented, a community found within itself the skills and capacity to achieve their desired goals. The CCD was aware of the other agencies that were involved in community planning and met regularly with stakeholders to share best practice and encourage joined up working.

The Group was informed that the major priority for the forthcoming year was to encourage more parishes to undertake parish plans. However Mr Davis felt that this could be more difficult than in previous years as those parishes that were keen to undertake parish plans had already completed one. The CCD was also looking at developing a methodology for reviewing existing plans.

During discussion, particular reference was made to:-

- a) whether there was a need for parish plans when village appraisals had already been completed. The Group was reminded that parish plans went one step further than village appraisals by requiring the production of a strategic action plan;
- b) parish plans potentially raising the expectations of local communities. The Group was informed that the CCD could not dictate what was included in parish plans;
- c) whether the Market and Coastal Town Initiative (MCTI) was considered a success and money well spent. In response, Mr Davis informed the Group that MCTIs had worked well in instances where the CCD was less active, but he personally felt that MCTIs had missed an opportunity to work with rural towns;
- d) paperwork generated. A Group Member felt that parish plans merely created paperwork for activities that would have happened regardless of having a parish plan. In contrast to this view a non-group Member praised the help of the CCD in the preparation of their Parish Plan;

- e) whether the CCD had any plans to help communities that could be affected by Post Office closures. The Group was informed that the CCD had lobbied Post Office Ltd, in partnership with the Rural Shops Alliance, and had also represented small Post Offices. The CCD's Enterprise Officer had worked with some communities to establish post offices in village halls and mobile services in other areas.

The Chairman thanked Mr Davis for attending the meeting and responding to Members questions.

SC.58/07 **GOVERNANCE ARRANGEMENTS FOR TONE LEISURE (SOUTH HAMS) LTD**

Members considered a report detailing the governance arrangements for Tone Leisure (South Hams) Ltd as requested by the Committee following a discussion at the Scrutiny meeting of 20 March 2008 (minute SC.50/07 refers).

During discussion particular reference was made to:-

- a) the management of Totnes Pavilions. A Group Member wished to clarify that Totnes Pavilions was managed jointly between Tone Leisure and Tadpool. In response, officers explained that the report focused on the governance arrangements of Tone Leisure and not how the contract operated;
- b) the parent company receiving some revenue. Members were informed that revenue was taken from both Tone Leisure (South West) Ltd and Tone Leisure (South Hams) Ltd for the purpose of monitoring activities from a company law perspective.

**RESOLVED**

That the report be noted.

SC.59/07 **SECTION 106 PROGRESS UPDATE**

Members considered a progress report on Section 106 Agreements (S106) enabling Members to monitor proposed community and other benefits from new development.

During discussion, particular reference was made to:-

- a) how S106 monies were utilised for affordable housing schemes;
- b) a non-group Member cited the development of Tesco in Ivybridge as a good example of utilising S106 monies. The Group was informed that under the Market and Coastal Town Initiative, a group had been formed with the purpose of generating ideas to utilise the monies gained from the S106 agreement. As part of this group the Local Ward Members for Ivybridge were able to listen and input ideas which if appropriate were then referred to the Council;

- c) the difficulties of accessing S106 monies. In response to a Member advising of his experiences, officers explained that if a project was supported by planning policies, then the project could be considered favourably and that Members should bear in mind that S106 monies should mitigate any effects of the development;
- d) the Planning Agreements Manager post. In light of there being instances where S106 monies had been lost, a group Member welcomed the newly designated post. The Member also requested that an extra column be added to the presented appendix, which detailed when money was due to be received and whether it had been received;
- e) S106 monies being awarded to Plymouth City Council. A Group Member referred to the development at Staddiscombe and an element of the S106 monies being awarded to Plymouth City Council, expressing the belief that S106 monies generated by a development in the South Hams should only be spent in the district;
- f) the interest generated from S106 monies. Members wished for all the interest generated to be ringfenced for S106 projects and not to be included in the South Hams District Council general fund. Members were informed that the S106 account was index linked and that if the S106 monies had to be returned, the interest generated would also return to the developer. The following recommendation was then **PROPOSED** and **SECONDED** and upon being put to the vote declared **CARRIED**:

#### **RECOMMENDATION**

That the Scrutiny Group **RECOMMEND** to the Executive:-

- i) it has considered the report and is satisfied that Section 106 Agreements are being monitored;
- ii) interest generated on the Section 106 monies received, be ringfenced and retained for Section 106 projects.

#### SC.60/07 **SCRUTINY SHADOWING ROLES**

Members confirmed that they were kept fully briefed by their Executive counterparts, and continued to meet frequently.

A Member praised the Housing Portfolio holder for his knowledge of his portfolio and advised that she was pleased with their working relationship.

SC.61/07 **AGENDA ITEMS FOR FUTURE MEETINGS OF SCRUTINY**

**Postwatch**

A Member suggested that in relation to this item, a paper be submitted before the meeting.

**Age Concern and Childrens' Trust**

The Group requested representatives for Age Concern and the Childrens' Trust be invited to a future meeting of Scrutiny.

(Meeting commenced at 10.00 am and concluded at 11.50 am).

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Chairman