

**MINUTES OF THE MEETING OF THE
COMMUNITY LIFE AND HOUSING SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
Thursday, 5 February 2015**

Panel Members in attendance			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr J Brazil	*	Cllr J M Hodgson
*	Cllr B E Carson	*	Cllr T R Holway (Chairman)
∅	Cllr S E Cooper	∅	Cllr L P Jones
*	Cllr P K Cuthbert (Vice-Chair)	*	Cllr D W May
∅	Cllr A S Gorman	∅	Cllr J A Pearce
*	Cllr M Hannaford	*	Cllr R C Steer

Members also in attendance and participating
Cllrs K J Baldry, A D Barber, H D Bastone, M J Hicks, P W Hitchins, J T Pennington, M F Saltern, L A H Ward and S A E Wright

Members also in attendance and not participating
Cllrs I Bramble, P C Smerdon and R J Tucker

Item No	Minute Ref No below refers	Officers and Visitors in attendance and participating
7	CLH.31/14	Devon Carers Manager
8	CLH.32/14	Environmental Health Officer
9	CLH 33/14	Community Manager
10(a)	CLH.34/14(a)	Forward Planning Manager
10(b)	CLH.34/14(b)	Affordable Housing Manager

CLH.27/14 MINUTES

The minutes of the meeting held on 6 November 2014 were agreed as a correct record and signed by the Chairman.

The Chairman proceeded to exercise his discretion and permitted a Member to provide an update following the Devon and Cornwall Housing – Annual Update which was considered at the previous meeting (minute CLH.22/14 refers).

In so doing, the Member proceeded to expand upon his comments in relation to the apparent inconsistencies in service charge levels and was of the view that the Panel had been misinformed during this meeting.

Following a brief discussion, it was then:-

RESOLVED

That authority be delegated to the Democratic Services Manager, in consultation with the Chairman of the Panel, to write a letter to Devon and Cornwall Housing expressing the Panel's concerns regarding the accuracy of some of the information relating to Service Charges which was presented to the Panel at its last meeting.

(Post Meeting Note: Since the meeting took place, and before the letter was compiled, a reply to the initial query was received (as attached at Appendix A).

CLH.28/14 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 and these were recorded as follows:-

Cllr B E Carson declared a Disclosable Pecuniary Interest in Item 1: 'Minutes' (Minute CLH.27/14 above refers) by virtue of having been nominated by the Council to serve on the Devon and Cornwall Housing Community Interest Company (CIC) Board and left the meeting during consideration of this item.

CLH.29/14 PUBLIC FORUM

There were no issues raised during this agenda item.

CLH.30/14 EXECUTIVE FORWARD PLAN

No items were raised in accordance with the most recently published Forward Plan.

CLH.31/14 DEVON CARERS GROUP

Having been invited by the Panel to attend a meeting, the Devon Carers Manager conducted a presentation which had the primary purpose of raising awareness of the workings of the Devon Carers Group.

At the conclusion of this presentation, the following points were raised:-

- (a) In welcoming the work undertaken by the Carers Group, some Members commented that there was a need to raise general awareness of its existence amongst communities and town and parish councils. In addition, the view was expressed that a contacts list of local carers groups would be very useful for local Members and town and parish councils;

- (b) With regard to the budget cuts which were being experienced by local government, a Member questioned the likely impact of these on the Carers Group. In response, the Panel was informed that the Group was not immune to the austerity measures and recognised the need to continually review its working practices to ensure it was working as effectively as possible and thereby making best use of its monies. However, the Manager did inform that the County Council was very supportive of the organisation and did recognise the added value which it delivered;
- (c) When questioned, the Manager confirmed that the impact of the New Care Act was likely to be two-fold. Firstly, it would drive more carers towards local authorities and thereby help to engage with more carers who were currently unidentified. Secondly, since the Government was to promote the new rights entitled to carers, it was anticipated that there would be a much more structured approach in this regard;
- (d) In respect of managing expectations, the Manager acknowledged that this was a real issue which could not be avoided since there would be less available monies in the next year. In his experience, the only way to deal with this issue was to always be totally honest with carers and to date, the Manager had been pleasantly surprised at their level of understanding and acceptance. However, the Panel also recognised that this issue was a major worry for carers and there was a consequent need for an honest and ongoing public debate;
- (e) A Member queried the relationship between Devon Carers and local GPs. In reply, the Manager confirmed that there was definite scope to improve this relationship and the overriding aim was to work with as many local GPs as possible and offer a monthly drop-in session. Furthermore, there was also considered to be great potential in developing better relationships with local schools, especially when considering the recent estimate whereby there were at least two children in each primary school classroom who had some carer responsibility. In support of this point, a Member made reference to joint training days which were held in schools and it was felt that this could be explored as a means of promoting Devon Carers;
- (f) The Manager confirmed that, whilst a challenge, Devon Carers was proactive in establishing local carers groups in areas where there were perceived gaps.

In conclusion, the Chairman thanked the representative for his informative presentation and his honest responses to Member questions. Members were full of admiration for the work undertaken by Devon Carers and gave assurances that the Council was committed to the Health and Wellbeing agenda.

CLH.32/14 HEALTH & WELL-BEING BOARD UPDATE

A paper was discussed which presented an update on the changes in public health legislation and the impacts that these had on the Council. The paper also sought to clarify the role of the Council in the new regime and provided an overview of the Public Health Plan.

In discussion, reference was made to:-

- (a) beach bathing water standards. There was an acknowledged issue with regard to water run-off from fields on to beaches, which was not always of the highest quality. To inform beach users of the potential hygiene quality of such water, a bid had been submitted for appropriate signage to be erected on affected beaches. A Member expressed his view that there were already a number of public bodies involved in this issue and he therefore felt that public health should not be involved and he warned that excessive signage could have a negative impact on the tourism industry;

- (b) air quality issues. Some Members considered that, in submitting their consultation responses during the planning process, Highways Officers were giving insufficient emphasis to the detrimental impact on air quality arising from applications for large scale developments. In expanding upon this point, a Member made reference to the 'Our Plan' document and the comments included whereby health impact assessments should be borne in mind on larger developments. In reply, officers confirmed that they would ask colleagues to review these comments in the context of the adopted Air Quality Management Strategy. However, the role of the Highways Authority in this regard could not be underestimated and if its officers were not making any recommendations in relation to air quality during the planning consultation process, then the Development Management Committee was currently in no reasonable position to refuse an application on such grounds. Some Members were also of the opinion that public health officers should be in attendance at Committee meetings when large scale developments were being determined. Following further raised concerns, the Panel concluded that it should convey a strong message to DCC outlining its concerns at the lack of emphasis which was being given to air quality implications which arise from large developments in the planning process;

- (c) the £20,000 funding received by the Council. In highlighting the overall public health budget for Devon County Council (DCC) amounting to £26 million, some Members commented that £20,000 was an insignificant amount of money to be able to make a real difference. Furthermore, Members requested feedback on the success and outcomes of those initiatives for which monies had been allocated and emphasised their belief that the £20,000 should not be spread too widely, with it being focused towards some tangible and specific outcomes. In reply, the Panel was advised that joint initiatives across the county were currently being considered to maximise the benefits generated by combining monies. In addition, officers informed that it would be helpful if DCC could provide some clarity around how these monies should be spent. At this point, a Member (who was also a DCC Member) asked the officer and lead Executive Member to provide him with their comments which he would then report to the DCC Health and Wellbeing Scrutiny Board;
- (d) mental health awareness training. In light of their direct contact with residents, the Panel recognised the importance of Members also being in receipt of mental health awareness training;
- (e) dementia diagnosis rates. A Member expressed her surprise that rates in the South Hams were amongst the lowest in Devon and felt there was therefore likely to be an issue with under diagnosis in the district;
- (f) the importance of a joined up approach being taken to health and well-being across a number of relevant partner agencies.

It was then:

RESOLVED

1. That the contents of the information sheet be noted; and
2. That a letter be sent to DCC outlining the Panel's concerns at the lack of emphasis being given during the planning process to air quality implications which arise from large developments.

CLH.33/14 NEW HOMES BONUS ALLOCATION TO DARTMOOR NATIONAL PARK AUTHORITY

Members discussed a report that provided information on the projects being funded by Dartmoor National Park Authority (DNPA) from the New Homes Bonus allocated by the Council. In addition, the report provided an opportunity for Members to comment and make suggestions on future allocation and its use.

In discussion, reference was made to:-

- (a) the involvement of local ward Members and local parish councils in the process being welcomed;

- (b) the scoring matrix applied to projects. A Member expressed his concern at the added bureaucracy of applying a scoring matrix for this process. As a consequence, an amendment to the recommendation was **PROPOSED** and **SECONDED** as follows:-

'That, in the future, the process to allocate the funds be simplified, with the Fund being wholly allocated to those local Ward Members who represented areas located in the DNPA area to spend as they so wished.'

In support of the proposed amendment, some Members felt that a scoring matrix was not justified when considering the relatively small amount of funding involved in this process. In contrast, other Members felt that the current process worked well and was sufficiently transparent and straightforward.

When put to the vote, the amendment was declared **LOST**.

It was then:

RESOLVED

1. That the projects being funded by Dartmoor National Park Authority from the New Homes Bonus funds allocated to them by the Council be noted; and
2. That the Executive be **RECOMMENDED** that the status quo be retained in relation to the process adopted for the future allocation of funds.

CLH.34/14 **TASK AND FINISH GROUP UPDATES**

(a) Sites for Gypsies and Travellers

In discussion on the update report, the following points were raised:-

- (a) In relation to enforcement action, whilst sites were considered on their own merits, officers confirmed that there was an accepted tolerance procedure in place;
- (b) It was noted that there had been a change in definition from central government in respect of what constituted a site for Gypsies and Travellers which could have an impact on the level of need in the South Hams;
- (c) The Panel was provided with an update in respect of the proposed site at Broadley Park, Roborough. In response, some Members wished to reiterate the depth of feeling amongst local businesses in that area over the perceived detrimental impact of this site.

It was then:

RESOLVED

That the concluding report be noted and the work and progress made by the Task and Finish Group be acknowledged.

(b) Affordable Housing Delivery Models

In discussion on the update report, reference was made to the Rent Plus model. The Affordable Housing Manager reminded the Panel that the Group had been principally established to consider the merits of the Rent Plus Model. The Panel noted that this would be the subject of a future report to the new Overview and Scrutiny Panel (post May 2015) and Members requested that this report should include an analysis of the positives and negatives of each possible Model. In particular, Members requested that this should include an assessment of the advantages and disadvantages of establishing a Housing Revenue Account.

It was then:

RESOLVED

1. That the concluding report be noted and the progress made by the Task and Finish Group be acknowledged; and
2. That the Overview and Scrutiny Work Programme for 2015/16 be updated to include a report on Affordable Housing Delivery Models.

(c) Disabled Facilities Grants

The Chairman confirmed that the Task and Finish Group had met once and it was his hope that, following the May 2015 local elections, the new Overview and Scrutiny Panel would recognise the importance of this work and, as a consequence, agree to re-establish this Group.

(The meeting started at 10.00 am and concluded at 12.40 pm)

Chairman

Appendix A

'With regard to the discussion at the recent Community Life and Housing Scrutiny Panel meeting I attended, in answer to Cllr Hannaford's question about service charges, I explained that there is no standard service charge. This is because the charge made is dependent upon the actual services received for a scheme which is then divided equally amongst all the properties in the scheme; this results in the monthly service charge payable for each property. The weekly, and therefore monthly, charges range significantly across our properties as a result; typically flats will attract higher service charges than houses due to the range of communal services provided for residents.

I apologise if I misunderstood Cllr Hannaford's question at this meeting regarding the constituent's service charge – I was referring to typical charges of £2 – 3 per week, not per month, which would also be more typical of a house not a flat; it is difficult to comment generally when the answer is related to the specific details of a particular scheme. My response at the Scrutiny Panel was qualified by my earlier statement regarding the fact that there is no standard service charge; charges are entirely reliant on the actual costs of services provided to each specific scheme.

With regard to the specific case Cllr Hannaford has brought to my attention, my first comment is that the service charges would have been explained to the customer at the point at which he bought his home (through shared ownership), and thus would not have been a surprise. However, having investigated the specific case, I have established that the service charge for the property has been £33.80 since the customer bought the property in December 2012 and has not been increased since this time. I can confirm that the charge has been set in accordance with my explanation above (i.e. related to the actual services received at the property) and therefore no refund is due.

I trust this satisfactorily answers your query regarding this case.

Sue Coulson
Group Director of Housing & Communities'