

**MINUTES OF THE JOINT MEETING OF THE
OVERVIEW & SCRUTINY PANEL AND THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 24 JANUARY 2019**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	*	Cllr P W Hitchins
∅	Cllr J P Birch	*	Cllr J M Hodgson
∅	Cllr J I G Blackler	*	Cllr T R Holway
*	Cllr I Bramble	*	Cllr D W May
*	Cllr J Brazil	*	Cllr J A Pearce
*	Cllr D Brown	*	Cllr J T Pennington
*	Cllr B F Cane	*	Cllr K Pringle
*	Cllr P K Cuthbert	*	Cllr R Rowe
*	Cllr R J Foss	*	Cllr M F Saltern (Chairman)
*	Cllr J P Green	*	Cllr P C Smerdon (Vice Chairman)
∅	Cllr J D Hawkins	*	Cllr R C Steer
∅	Cllr M J Hicks	∅	Cllr R J Vint

Other Members also in attendance:
Cllrs N A Hopwood, R J Tucker and S A E Wright

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Senior Leadership Team, Specialist Manager, Senior Specialist – Environmental Health and Senior Specialist – Democratic Services

OSDM.1/18 **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:-

Cllrs D Brown and J P Green declared a Personal Interest in Item 7: 'Budget Proposals for 2019/20 Onwards Update' (Minute OSDM.4/18 below refers) specifically in relation to the funding recommendations to the South Devon Area of Outstanding Natural Beauty (AONB), by virtue of being the Council's two appointed representatives on the AONB Partnership Committee. Both Members remained in the meeting and took part in the debate and vote thereon;

Cllr P C Smerdon declared a Personal Interest in Item 7: 'Budget Proposals for 2019/20 Onwards Update' (Minute OSDM.4/18 below refers) specifically in relation to the funding recommendations to the South Hams Community and Voluntary Service (CVS) by virtue of being a Council appointed representative and trustee of the South Hams CVS. Cllr Smerdon proceeded to remain in the meeting and took part in the debate and vote thereon.

OSDM.2/18 DEVELOPMENT MANAGEMENT – PERFORMANCE UPDATE

The meeting considered a report that outlined present performance of the Development Management (DM) service, factors influencing performance and the measures that were planned to secure sustainable improvement.

The report was presented in light of the formal request of the Overview and Scrutiny Panel to consider a DM service performance review at this joint meeting.

In the ensuing discussion, reference was made to:-

- (a) the proposed fast track, paid for premium planning service. Whilst the need for the Council to be more commercially minded was recognised, some Members did express their unease over the proposal to offer a premium planning service. Despite receiving assurances to the contrary, these Members still felt that a two tier service could be to the detriment of the 'standard' service;
- (b) agreed time extensions. Members were of the view that, for those applications that had been granted an agreed time extension, the Council website should be updated accordingly with a revised target date also included;
- (c) the proposal to increase service capacity. In response to a Member asking whether one additional shared Development Management officer would be sufficient bearing in mind the workload, it was **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** that:

'A further service capacity review be undertaken by the Overview and Scrutiny Panel six months after the additional Level 5 Specialist takes up their post.'
- (d) the national shortage of Development Management officers. In recognition of the national shortage, Members were very supportive of the approach being taken by the Council to upskill its officers in order to improve the resilience of the service;
- (e) environmental mitigation measures. Some Members welcomed the comments in the published agenda report whereby further work would be undertaken to determine how the monitoring of environmental mitigation measures could be effectively undertaken by the service.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council that:-

1. the actions being taken to secure improved performance within the Development Management Service be endorsed;
2. as part of the 2019/20 Budget Setting process, support be given to the addition of a Level 5 Specialist, at a cost of £29,000, within the Development Management service (to be funded through planning income); and
3. in the event of recommendation 2 (above) being approved, a further service capacity review be undertaken by the Overview and Scrutiny Panel six months after the additional Level 5 Specialist takes up their post.

OSDM.3/18 REVIEW OF FEES AND CHARGES 2018/19

The meeting considered a report that set out proposals for fees and charges for all services for 2019/20.

In discussion, reference was made to:-

- (a) site sponsorship charges. As an income generation opportunity to the Council, Members were of the view that there was scope to increase the promotion and awareness of the site sponsorship activity;
- (b) memorials charges. A Member felt that the ability to impose charges on items such as planters and picnic benches should be further explored;
- (c) boat storage charges. Since the agenda report highlighted that last year had seen the first increase of the boat storage charges since 2010, a Member questioned whether the fees should be increased further than was being proposed. In response, officers confirmed that the Harbour Master had been tasked with reviewing all aspects of the boat storage charges during the next financial year;
- (d) planning enforcement related fees and charges. A Member did not feel there was any reason to justify the proposal for those fees and charges related to planning enforcement to be retained at the 2018/19 levels. In response, officers informed that the fees had only been introduced in 2018/19 and, to date, take up had been very low and this trend would not be reversed if these charges were increased. Nonetheless, the Member retained his view and **PROPOSED** that:

'The planning enforcement related fees and charges for 2019/20 be increased in line with inflation.'

This proposal was not seconded and was therefore not subject to any debate;

- (e) zoo licensing charges. An additional recommendation was **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** that:-

'Officers undertake a review into all aspects of fees and charges related to zoo licensing with these being reported back to the joint Budget Consultation meeting in January 2020.'

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council that:-

1. the proposed fees and charges set out for Parks, Open Spaces and Outdoor Sports (as outlined in Appendix A of the presented agenda report) be approved;
2. the proposed Environmental Health Charges (as outlined in Appendix B of the presented agenda report) be approved;
3. the proposed Fees and Charges for Development Management (as set out in Appendix C of the presented agenda report) be approved;
4. delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Dartmouth Lower Ferry Fees to take account of market conditions, including competitor charges;
5. there are no changes to the Car Park Charges for 2019/20, except for where this has been agreed as an alternative to the implementation of Pay on Entry at public toilets (NB. a report will be presented to the Executive in this respect in due course);
6. the proposed changes to Boat Storage Charges (as set out in paragraph 3.7 of the presented agenda report) be approved;
7. delegated authority is given to the Group Manager for Commercial Services and Section 151 Officer, in consultation with the Portfolio Holder, to set the Commercial Waste charges, once all the price modelling factors are known;
8. officers undertake a review into all aspects of fees and charges related to zoo licensing, with these being reported

back to the joint Budget Consultation meeting in January 2020.

OSDM.4/18 **BUDGET PROPOSALS FOR 2019-20 ONWARDS UPDATE**

Members considered a report that asked for consideration of the draft Budget proposals for 2019-20.

In introducing this agenda item, the Chairman highlighted the need for the Meeting to focus on making recommendations to the Executive on how the Council should close the projected Budget gap of £75,007.

In discussion, the following points were raised:-

- (a) A number of Members expressed their disappointment that only half of the total membership had completed the annual budget survey;
- (b) Officers informed that the future position over New Homes Bonus funding remained unknown and it was hoped that clarity would be obtained in September 2019;
- (c) With regard to the budget pressure titled: 'Car parking costs – collection fees', it was noted that officers regularly assessed the market and assurances were given that this would continue to be reviewed to ensure that the Council was obtaining the best value for money;
- (d) To ensure accurate calculations of the Council Tax Base, the meeting was informed that strategic planning officers had been tasked with estimating the number of new dwellings that would be included with the rating list each year for the next five years;
- (e) Officers confirmed that other alternative fund managers to the CCLA Property Fund had been explored. The CCLA Fund was the only such fund where the investment did not classify as 'Capital Expenditure' and also the CCLA Fund had a five year dispensation from the Government from the fair value movements affecting the Income and Expenditure Account. In light of this, CCLA was felt to remain the most appropriate investment for the Council;
- (f) The Chairman of the Drug and Alcohol Task and Finish Group confirmed that he respected the view of the majority of Members in the Budget Survey who did not support the cost pressure that had been identified by the Group during its review;
- (g) Further to the Council decision at its meeting on 27 September 2018 to defer decisions to reduce funding to the South Devon Area of Outstanding Natural Beauty and South Devon Council for Voluntary Service (CVS) (Minute 36/18(h) refers) as part of the wider 2019/20 Budget Setting process, a lengthy debate ensued.

The overriding view of the meeting was that, whilst a number of Members did not particularly like the recommendations to reduce funding to the two organisations, there was a recognition that such difficult decisions had to be taken in the context of the Council's significant Budget pressures;

(h) Officers agreed to include with the Executive agenda papers for the meeting to be held on 7 February 2019:

- Additional details on the one-off implementation costs for the Devon aligned service for waste; and
- The list of contributions to Earmarked Reserves for 2016/17, 2017/18, 2018/19 and 2019/20.

(i) Having been informed that views were being sought on options to close the £75,007 Budget Gap, the following motion was **PROPOSED** and **SECONDED**:-

'That the following measures be implemented to close the predicted 2019/20 Budget Gap of £75,007:

- *To reduce the contribution to the Planning Policy and Major Developments from £75,000 to £50,000;*
- *To remove the £7,000 allocated to the 'Communities Together Fund'; and*
- *To reduce the contribution to the Land and Development Reserve from £50,000 to £7,000 (with the £7 being incorporated within the roundings to the nearest £'000).*

In discussion, some apprehension was raised over the proposal whereby the contribution to the Land and Development Reserve should be so drastically reduced. In reply, assurances were given that the Council would still retain the ability to use Unearmarked Reserves if it was deemed necessary during the course of the year

When put to the vote, this proposal was declared **CARRIED**.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council that the joint meeting supports:-

1. the increase in Council Tax for 2019/20 of £5 (as outlined at paragraph 3.4 of the presented agenda report);
2. the financial pressures amounting to £1,354,700 (as shown in Appendix A of the presented agenda report);

3. the net contributions to/from Earmarked Reserves amounting to £782,300 (as shown in Appendix E of the presented agenda report);
4. the proposed savings of £1,060,226 for 2019/20 (as shown in Appendix A of the presented agenda report);
5. the proposed use of £500,000 of New Homes Bonus funding to balance the 2019/20 Revenue Budget (as shown in Appendix E of the presented agenda report); and
6. the following measures being implemented to close the predicted 2019/20 Budget Gap of £75,007:
 - reduce the contribution to the Planning Policy and Major Developments from £75,000 to £50,000;
 - remove the £7,000 allocated to the 'Communities Together Fund'; and
 - reduce the contribution to the Land and Development Reserve from £50,000 to £7,000.

OSDM.5/18 **CAPITAL BUDGET PROPOSALS FOR 2019/20**

Members considered a report that set out the Capital Bids to the 2019/20 Capital Programme that totalled £15,291,000 and outlined a suggested way that these Bids could be funded.

In discussion, reference was made to:-

- (a) play parks – replacement of play equipment. Some concerns were raised over the unfairness of some town and parish councils replacing their own play equipment whilst others were being paid for by the District Council. In reply, it was noted that the different approach was due to which local authority owned each play park. In seeking additional information, it was agreed that an update on the last round of play park asset transfer discussions with town and parish councils would be circulated to all Members;
- (b) the 'Private Sector Renewals (including Disabled Facilities Grants)' description. A Member questioned the extent of Private Sector Renewals related work that the Council actually carried out and was therefore of the view that this description should be revised to read: 'Disabled Facilities Grants'. In response, the Section 151 Officer would ensure that more details were included on this matter in the published Executive agenda report.
- (c) an alternative 2019/20 Budget. The Leader gave a commitment that, provided that it was received sufficiently in advance of the Council Budget meeting on 21 February 2019, he would ensure that any

alternative 2019/20 Budget proposals that were submitted would be fully debated.

It was then:

RECOMMENDED

That the Joint Meeting **RECOMMEND** that the Executive **RECOMMEND** to Council that:-

1. the content of the Capital Programme Proposals for 2019/20 that totals £1,290,000 (as set out in Appendix A of the presented agenda report) be supported;
2. the content of the Capital Programme Proposals for 2019/20 that totals £14,001,000 (as set out in exempt Appendix B of the presented agenda report) be supported; and
3. the proposed financing of the 2019/20 Capital Programme of £15,291,000 from the funding sources (as set out in Section 4 of the presented agenda report) be supported.

(Meeting started at 10.00 am and concluded at 12.05 pm)

Chairman