

**MINUTES OF THE JOINT MEETING OF THE  
OVERVIEW & SCRUTINY PANEL AND THE DEVELOPMENT MANAGEMENT  
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES ON  
THURSDAY, 19 JANUARY 2017**

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

<b>Other Members also in attendance:</b>
Cllrs H D Bastone, R D Gilbert, R J Tucker and S A E Wright

<b>Item No</b>	<b>Minute Ref No below refers</b>	<b>Officers in attendance and participating</b>
All		Head of Paid Service, Executive Director (Service Delivery and Commercial Development), Group Manager – Commercial Services, Operational Manager (Environment Services), Section 151 Officer and Senior Specialist – Democratic Services

## OSDM.1/16 **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 J P Green declared a Disclosable Pecuniary Interest in Item 5: 'Review of Fees and Charges for 2017/18' (Minute OSDM.2/16 below refers) specifically in relation to the proposed fee for Acupuncture, Tattooing, Ear-piercing and Electrolysis by virtue of his wife being an acupuncturist. In the event of this particular fee being debated, Cllr Green advised that he would then leave the meeting during the discussion and he abstained from the vote on the recommendation;

Cllr J D Hawkins declared a Personal Interest in Item 5: 'Review of Fees and Charges 2017/18' (Minute OSDM.2/16 below refers) by virtue of being a member of the Dartmouth Royal Regatta Committee and remained in the meeting during the debate and vote on this agenda item; and

Cllrs R J Foss and P C Smerdon both declared a Personal Interest in Item 5: 'Review of Fees and Charges 2017/18' (Minute OSDM.2/16 below refers) by virtue of having a private water supply and remained in the meeting during the debate and vote on this agenda item.

## OSDM.2/16 **REVIEW OF FEES AND CHARGES 2017/18**

The meeting considered a report that set out proposals for fees and charges for all services for 2017/18.

In discussion, reference was made to:-

- (a) the findings of the Events Task and Finish Group. It was confirmed that the Group would be presenting its final recommendations in the upcoming months. As a principle, a Member proceeded to emphasise his opposition to the Council continuing to offer an exemption for events on its land that were being held for charity events;
- (b) play area inspections. Officers confirmed that the play area inspections service was subject to open competition, with other providers also able to bid to undertake these works. However, it was also noted that the proposed increase in charges (from £100 + VAT to £130 + VAT) was still a very competitive price;
- (c) car parking charges. A number of Members expressed their disappointment at the lack of related information that had been made available to this meeting. As a consequence, Members felt that it was difficult to be able to make a recommendation on car parking charges without being in receipt of modelling work in relation to factors such as: comparative analysis figures; the projected impact of different percentage price increases; and the proposed increases shown in monetary value. In response, Members were reminded of the 'Community-led tariff' approach that had been adopted by the Council. This approach enabled Members to agree an income target for the whole district, with a consultation exercise then being undertaken with local communities around how their allotted proportion of the total income could be best achieved.

Nonetheless, based upon the information provided, some Members were of the view that they could not recommend any increase in car parking charges and the following motion was **PROPOSED** and **SECONDED** as follows:

*'That car parking charges be frozen for 2017/18.'*

In discussion, some Members felt that this motion was too restrictive at this time and, such was the budgetary pressures facing the Council, that it was incumbent that consideration was given to increasing car park charges.

When put to the vote, this motion was declared **LOST**.

A further motion related to car parking charges was then **PROPOSED** and **SECONDED** as follows:

*'That further modelling work be undertaken (and presented to the Executive meeting on 2 February 2017) on car park charges being increased by either 1% or 2%.'*

Having been invited to express their views, officers confirmed that they were confident that both the 1% and 2% increase options were achievable.

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

In addition, a Member asked that consideration be given to any increased income that was generated from car park charges being used to upgrade the appearance of the car parks. Taking this point a step further, officers also gave a commitment to investigate the merits of installing electric charging points and solar energy schemes at Council owned car parks.

Finally on car parking charges, during the community consultation exercise, a Member reiterated the importance of Economic Impact Assessments being undertaken as part of this process;

- (d) the fee structure for the planning pre-application service. A Member criticised the current service and warned against the service review from recommending any increases in charges. In contrast, another Member hoped that the review would recognise the importance of the service and conclude that there was a need to increase resources in this regard, with charges then being increased accordingly;
- (e) benchmarking proposed charges. In response to a Member expressing particular interest in the proposed charges for Dinghy Parking, the Head of Paid Service confirmed that benchmarking information relating to the proposed charges would be circulated to Members following this meeting;
- (f) the commercial waste charges. It was noted that the proposed delegated authority arrangements to set the Commercial Waste charges was being recommended to ensure that the service had the ability to react to the pricing strategies of market competitors.

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 be approved;

2. the proposed Environmental Health Charges review be approved;
3. the ongoing work of the Dartmouth Lower Ferry Task and Finish Group in relation to income generation opportunities be noted, in advance of assessment at a later date;
4. the planned review of the pre-application service (including the fee structure) be noted, with the outcome of this review being presented to a future Overview and Scrutiny Panel meeting;
5. further modelling work be undertaken (and presented to the Executive meeting on 2 February 2017) on car park charges being increased by either 1% or 2%; and
6. delegated authority be granted to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Commercial Waste charges, once all the price modelling factors are known.

#### OSDM.3/16 **BUDGET PROPOSALS 2017-18**

Members considered a report that asked for consideration of the draft Budget proposals for 2017-18 and that presented the outcomes of the recent Members' Budget Workshop.

In presenting this agenda item, the Section 151 Officer tabled an additional paper that outlined a summary of the changes to the report that had been initially considered by the Executive at its meeting on 15 December 2016 (Minute E.50/16 refers).

In discussion, reference was made to:-

- (a) the 2017/18 Local Government Finance Settlement. Having been informed that the provisional settlement for the Council would see funding reduced by a further 39.3% between now and 2019/20, a number of Members expressed their deep frustrations at this announcement. In acknowledging these concerns, the Section 151 Officer advised that she had compiled a strongly worded consultation response letter to the Department for Communities and Local Government, which she would ensure was circulated to all Members. When questioned, the Section 151 Officer advised that many district councils were in the same position as the Council whereby they would be in receipt of no Revenue Support Grant from Central Government by 2018;

- (b) the Development Management service. A Member stated that, such was the reputational damage incurred through the service currently being provided by Development Management, that a further detailed review should be undertaken by the Overview and Scrutiny Panel. In reply, other Members referred to the improved performance figures that were being monitored monthly by the Development Management Committee and the Overview and Scrutiny Panel already being committed to a review of progress being made on the Peer Review Action Plan.

A Member also expressed the view that the adopted T18 Model was not conducive to the Development Management service. Whilst officers acknowledged that the new Model had not initially worked as intended for the service, this was now being rectified. For example, the current practice whereby Specialists had still been validating planning applications would cease within the next two weeks;

- (c) the additional planning resources. Since the Development Management service was already under immense pressure, some Members questioned whether the proposed additional resources would be sufficient. In response, it was noted that the Senior Leadership Team had considered this matter in great depth and the proposed increases in resource represented their best predictions of future service need to ensure that performance improvements are maintained. Nonetheless, some Members were of the view that there was a requirement for more resources in the service and a motion was **PROPOSED** and **SECONDED** as follows:

*'That an additional cost pressure to that proposed in the draft budget papers of £50,000 be added to reflect a permanent increase to the staffing establishment for dedicated Development Management service resource for South Hams District Council.'*

In support of the motion, some Members reiterated the massive resource pressures being suffered by the service. In contrast, other Members felt that the predictions of the Senior Leadership Team should be trusted.

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

An alternative motion was then **PROPOSED** and **SECONDED** as follows:

*'That a cost pressure of £50,000 be added to reflect a permanent increase to the staffing establishment for an additional planning specialist and an additional Case Manager for Planning Enforcement. (NOTE: this cost reflects the Council's share of the cost for these shared staffing posts with West Devon Borough Council).'*

When put to the vote, the motion was declared **CARRIED**.

- (d) increasing the Council Tax for 2017/18. Whilst regrettable, there was unanimous support amongst Members to recommend that Council Tax be increased by £5 for 2017/18. Such was the extent of the ongoing budget reductions from central government, that Members reluctantly felt it to be absolutely essential for the Council Tax Base to be built up as much as possible;
- (e) mitigating against Climate Change and flooding. Having raised it at the recent Budget Workshop, a Member asked that consideration be given to measures being put in place to mitigate against climate change and flooding;
- (f) business rates. It was noted that a Business Rates Revaluation had been undertaken that would come into effect from 1 April 2017. The Section 151 Officer confirmed that this would result in the financial impact on the Council being cost neutral, with no increase in income to the Council. In reply to a question, it was also confirmed that a large Business Rates appeal for the Council was still ongoing;
- (g) Commercial Services. The meeting was advised that there may be some additional budgetary pressures arising from legislative changes to Commercial Services. If this was the case, then it was confirmed that these would be reported to the Executive at its meeting on 2 February 2017. With regard to the projected £125,000 savings generated by the waste round review, a Member questioned why these were no longer attainable. In reply, officers stated that the initial figures had been based upon a desktop exercise undertaken by consultants that had since proven to be unachievable. As a consequence, the Waste and Recycling Task and Finish Group was currently looking at future service options with a view to reporting its findings to the Overview and Scrutiny Panel during the upcoming months;
- (h) the reduction in planning fee income. It was noted that the main reason that income had reduced was attributed to the extensive reduction in large scale renewable energy related planning applications. Officers proceeded to confirm that this trend was consistent throughout the South West region;
- (i) the Budget Scouring savings. The Section 151 Officer confirmed that these savings had been identified through meetings between the relevant budget holder and their respective finance business partner and all parties were confident that the identified savings would be achieved. However, the Section 151 Officer did also inform that these meetings had also identified some budget pressures;
- (j) town and parish councils being in receipt of paper copies of plans. Whilst all clerks had been notified of the intention for paper copies of plans to no longer be posted to them, a Member requested an update as to whether this was still to take effect. In response, officers gave a commitment to provide an update to Members on this matter after the meeting;

- (k) the recent Member Survey. All Members were urged to complete the recently published Survey to help the Council inform its work in bringing forward and prioritising income and efficiency initiatives;
- (l) the £777,402 that had been transferred into an Innovation Fund. Members were reminded that these monies (with the exception of £20,500) had already been committed to invest to earn projects (as outlined at paragraph 10.6 of the presented agenda report);
- (m) the T18 Programme payback period. Whilst acknowledging that the Programme had delivered the required savings, the request was made for a report to be presented on this matter to a future Overview and Scrutiny Panel meeting;
- (n) the recommendations of the Joint Steering Group on the Local Authority Controlled Company (LACC). In the event of the Council approving the recommendations regarding the LACC, a Member questioned what informal consideration had been given to alternative options. In reply, the Leader advised that more information would become apparent at the Executive meeting on 2 February 2017;
- (o) the balance in the 2016/17 Budget Surplus Contingency Earmarked Reserve. There was unanimous support amongst the meeting for the balance (amounting to £287,273) to be used to fill the 2017/18 Budget gap, thereby enabling time to identify future saving and/or income generation opportunities;
- (p) income generation opportunities from renewable energy sources. The majority of Members repeated their earlier views whereby it would now be timely to revisit potential income generation opportunities from means such as Solar PVs on car parks and Council owned buildings and electric charging points in Council car parks. Moreover, requests were made for the Panel to give consideration to the future use of Follaton House and officers agreed to give consideration to the merits of conducting a feasibility study on the development of small scale employment units for the use of small businesses.

It was then:

### **RECOMMENDED**

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

1. Council Tax for 2017/18 be increased by £5;
2. a cost pressure of £50,000 be added to reflect a permanent increase to the staffing establishment for an additional planning specialist and an additional Case Manager for Planning Enforcement. (NOTE: this cost reflects the Council's share of the cost for these shared staffing posts with West Devon Borough Council); and

3. a temporary increase be made to the staffing establishment of five Case Managers for a twelve month period, with the majority of these staff (in the short term) working within the Development Management service (NOTE: the £75,000 cost of this temporary resource to be funded from the Budget Surplus Contingency Earmarked Reserve).

#### OSDM.4/16 **CAPITAL BUDGET PROPOSALS FOR 2017/18 TO 2019/20**

Members considered a report that set out the Capital Bids to the 2017/18 Capital Programme totalling £2,525,000 and a suggested way that these Bids could be funded. The report highlighted that all items in the proposed Capital Programme were based on budget estimates and would be subject to the normal project appraisal procedures.

In light of Members wishing to discuss elements of the exempt appendices, it was then:

#### **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 item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

In discussion on the exempt appendices, the following points were raised:-

- (a) There was widespread opposition expressed amongst Members to the proposed Council Chamber refurbishment project being undertaken at this time. As a consequence, it was **PROPOSED** and **SECONDED** that

*'The proposed Council Chamber refurbishment project should be removed from the list of proposed capital projects.'*

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

- (b) Officer confirmed that the Market Square, Totnes Project would be undertaken in consultation with the town council.

Once all Members were content that they had no further issues to raise in exempt session, it was then

#### **RESOLVED**

That the public and press be readmitted to the meeting.

In discussion on the report, particular reference was made to:-



- (i) Private Sector Renewals (including Disabled Facilities Grants). A Member urged the Council to be firm in its negotiations to ensure that the Council did not have to use any of its own Capital contributions. In response, it was noted that the Council was being firm and it was hoped that a further update in this regard would be available in time for the Executive meeting on 2 February 2017;
- (ii) Affordable Housing. A number of Members expressed their strong support and emphasised the importance of the proposal to include an annual contribution of £230,000 towards affordable housing provision.

It was then:

**RECOMMENDED**

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

1. the Capital Programme project proposals for 2017/18 (as outlined at Appendix A of the presented agenda report) be approved;
2. the Capital Programme project proposals for 2017/18 (as outlined at Exempt Appendix B of the presented agenda report) be approved, subject to the removal of the Council Chamber refurbishment project at Follaton House, Totnes;
3. following the Budget Scouring exercise, the capital projects for 2016/17 (as detailed in Exempt Appendix D of the presented agenda report) be removed from the Capital Programme;
4. the remaining Capital Programme contingency monies from the 2015/16 and 2016/17 programmes (totalling £167,000) be used to meet the increased costs detailed in Exempt Appendix D of the presented agenda report); and
5. the 2017/18 Capital Programme of £2,525,000 (less the £110,000 for the Council Chamber refurbishment) be financed from the funding sources that are set out in Section 4 of the presented agenda report.

(Meeting started at 10.00 am and concluded at 12.25 pm)

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Chairman