

**MINUTES OF THE MEETING OF THE  
OVERVIEW & SCRUTINY PANEL  
HELD AT FOLLATON HOUSE, TOTNES ON  
THURSDAY, 6 APRIL 2017**

<b>Panel Members in attendance:</b>			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	*	Cllr D W May
*	Cllr J P Birch	*	Cllr J T Pennington
*	Cllr J I G Blackler	∅	Cllr K Pringle
*	Cllr J P Green	*	Cllr M F Saltern (Chairman)
*	Cllr J D Hawkins	*	Cllr P C Smerdon
*	Cllr N A Hopwood	∅	Cllr K R H Wingate (Vice Chairman)
∅	Cllr E D Huntley		

<b>Other Members also in attendance:</b>
Cllrs H D Bastone, I Bramble, J Brazil, D Brown, P K Cuthbert, R Foss, R D Gilbert, M J Hicks, J M Hodgson, T R Holway, J A Pearce, R Rowe, R C Steer, R J Tucker, R J Vint 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); and Senior Specialist – Democratic Services
8	O&S.83/16	Brookbanks Consulting Limited – Managing Director
9	O&S.84/16	Commissioning Manager
10	O&S.85/16	Specialist Manager and Community Of Practice Lead Development Management
11	O&S.86/16	Specialist Assets

**O&S.78/16 APPOINTMENT OF VICE-CHAIRMAN**

In light of the Vice-Chairman submitting his apologies to this meeting, nominations were invited to serve as Vice-Chairman for the duration of this meeting.

It was then:

**RESOLVED**

That Cllr J T Pennington be appointed Vice-Chairman for the duration of this meeting.

**O&S.79/16 MINUTES**

The minutes of the meeting of the Overview and Scrutiny Panel held on 23 February 2017 were confirmed as a correct record and signed by the Chairman.

**O&S.80/16 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 M F Saltern declared a personal interest in agenda item 8: 'Sherford Project Update' (Minute O&S.83/16 below refers) by virtue of being a Director of the Ivybridge Academy Trust and remained in the meeting and took part in the debate on this matter; and

Cllr P C Smerdon declared a personal interest in agenda item 11: 'New Homes Bonus Allocation to Dartmoor National Park Authority' (Minute O&S.86/16 below refers) by virtue of his local ward being based largely within the Dartmoor National Park Authority area and remained in the meeting and took part in the debate and vote on this item.

**O&S.81/16 PUBLIC FORUM**

In accordance with the Public Forum Procedure Rules, there were no issues received for consideration.

**O&S.82/16 EXECUTIVE FORWARD PLAN**

The Panel was presented with the most recently published Executive Forward Plan and duly noted its contents without further discussion.

**O&S.83/16 SHERFORD PROJECT UPDATE**

The Managing Director of Brookbanks Consulting Limited presented an update to the Panel that included reference to the following early findings:-

- There was proving to be insufficient space for water and a lack of climate change allowance;
- There were certain conflicts between the Masterplan and the topography of the landscape; and
- The rate of sales were presently too low. However, since visitor numbers were higher than anticipated and the calendar was moving into what was traditionally prime selling time, it was hoped that this trend would soon be reversed.

In its conclusion, the presentation highlighted the following next steps for the project:-

- to implement the Strategic Review;
- to develop the Community Trust;
- progression of the temporary/permanent primary school;
- progression of the Leisure Centre and the Local Centre; and
- the development of the western pitches.

In the subsequent discussion, reference was made to:-

- (a) potential solutions to the water space issue. Whilst the answers were not known yet, the Managing Director did highlight that all best practice guidance suggested that water should be managed on the surface (e.g. via basins and/or swales). However, the Panel noted that any such decisions would have to be taken in the context of how they would fit into the vision of Sherford;
- (b) the access off the A38. A Member raised the point that the works were still causing significant problems to local residents and there was a public perception that little work was taking place on the junction. In reply, the Managing Director expressed his sympathy for the situation, but was pleased to announce that the works in this area were now just about finished;
- (c) potential reasons why sales had been low to date. Having attended the recent site tour, some Members cited the following reasons as being potentially contributing factors for the lower than anticipated sales:
  - the use of community car parks and the consequent inability for residents to park outside their property;
  - the ceilings being too high;
  - the staircases being too steep; and
  - the windows being too low.

In reply, the Managing Director welcomed these observations and reiterated that these features were within the Design Town Code for Sherford and it was his belief that the Code would need to be reviewed as the site continued to evolve. The Managing Director also emphasised that the use of modern building materials now resulted in a better end product and the Town Code was restricting the project by requiring the use of traditional materials;

- (d) the delivery of on-site affordable housing. Members were advised that the 130 affordable houses that were part of phase 1 of the project had been secured by Devon and Cornwall Housing and they would be advertised imminently. Whilst this phase of affordable housing was situated within the Plymouth City Council geographical boundary, it was confirmed that these would be allocated on a 50/50 basis between the city and the South Hams;
- (e) the Community Trust. In reply to a question, the Managing Director advised that the amount that each householder would have to pay would depend upon the effectiveness and the success of the Community Trust. As a worst case scenario, the Managing Director estimated that each property would pay between £250 and £300 per annum. In reply, one Member commented that this was likely to be a further reason why sales had been less than expected;

- (f) the amount of green space. The Panel was assured that, regardless of how the development evolved, the amount of on-site green space would not change;
- (g) renewable energy. Whilst the central government position had changed in relation to feed-in tariffs (thereby affecting the viability of certain sources of renewable energy), the project remained committed to achieving its overall aspirations, but via alternative means;
- (h) progression of the primary school. The view was expressed that early establishment of the primary school would have been an incentive to prospective buyers. The Managing Director informed that it was the initial intention for the school to be developed during the early stages of the project. However, the uncertainty following the results of the EU Referendum last June had affected the delivery of the primary school. That being said, the Managing Director still hoped that the school could be developed early in the project and dialogue was taking place with Devon County Council to progress this matter.

In conclusion, the Chairman wished to thank the Managing Director for his informative presentation and responses to Member questions and, on behalf of the Panel, requested that the next project update be scheduled for six months' time.

## O&S.84/16 **ANNUAL REPORT**

The Panel considered a report that presented the Council's draft Annual Report. The purpose of the Annual Report was to review Council progress over the last financial year and to set the scene for the upcoming year ahead.

In discussion, the following points were raised:-

- (a) In accordance with the Governance Section of the Annual Report, a Member repeated his previously raised concerns over the emphasis in the Council's Contract Procedure Rules to the EU Procurement Rules and proceeded to **PROPOSE** the following additional recommendation:-

*'That the EU Procurement Rules be brought to the attention of Mr David Davis MP in his capacity as Secretary of State for Brexit.'*

However, this proposal was not **SECONDED**.

- (b) Having been informed of its recent success in attaining a national award, a number of Members wished to put on record their congratulations to the Locality Team. The Panel felt that the Locality Service had proven to be one of the real success stories of the Council's Transformation Programme;

- (c) A number of Members felt that the new Council website was a vast improvement and was much more user friendly. As a result, the view was expressed that this would greatly support the Council's channel shift agenda;
- (d) In stating the importance of the Council supporting town and parish councils to deliver their Neighbourhood Plans, the Panel requested that consideration be given to including this as an additional Action for 2017/18 in Section 8 of the Annual Report prior to it being formally adopted;
- (e) Prior to any vote taking place, Members felt that the recommendation should acknowledge the fact that the Council had faced challenges throughout the course of the year. This suggestion was subsequently **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED**;
- (f) With regard to the Grounds Maintenance Review and, based upon the state of the parks in Salcombe, a local Ward Member highlighted that it was her impression that the performance of the service was poor;
- (g) Specifically regarding the policy that had been established to support design quality, a question was asked as to what extent Members had been involved in the development of this policy. In reply, officers gave a commitment to provide a written response outside of this meeting;
- (h) Some Members felt that 'Our Plan' and its eight underpinning themes were due for a review. In accepting the point, the Head of Paid Service replied that it was his intention for a review to be undertaken by Members later in the year;
- (i) The view was expressed that the Council of the Year Award 2016 was a misleading statement in the Annual Report and some Members felt that it would have been a more accurate reflection to include reference to it being an iESE sponsored award.

It was then:

**RECOMMENDED**

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

1. the challenges that have occurred throughout the year be acknowledged and the progress and achievements made by the Council be endorsed; and
2. the Annual Report (as outlined at Appendix A of the presented agenda report) be adopted and published for the financial year 2016/17.

## O&S.85/16 **PLANNING PEER CHALLENGE ACTION PLAN UPDATE**

Members considered a report that outlined progress with implementing the Peer Review Action Plan that arose from the Planning Peer Challenge Visit conducted between 18 and 20 April 2016.

In discussion, reference was made to:-

- (a) the Transformation Programme. In reply to a query regarding who the accountable officers were for a planning application, officers confirmed that ultimate responsibility sat with either the Specialist Planning Officers or the Level 6 Case Managers;
- (b) the potential use of apprenticeships and placements with universities. Members expressed their support for this initiative to be explored in an attempt to address the challenge of recruiting planning officers;
- (c) scrutinising the performance information related to the service. A Member expressed his personal belief that, whilst a standing item on each Development Management Committee meeting, the performance information was not adequately being scrutinised since it was always at the end of the agenda. In reply, a number of Committee Members strongly rebuked this claim but, nonetheless, the Committee Chairman did give an assurance that he and officers would review the order of the agenda before each Committee meeting agenda was published.

In addition, some Members felt that there should be a greater role played by the Panel in reviewing key service performance data and the following additional recommendation was **PROPOSED** and **SECONDED** and when being put to the vote declared **CARRIED**:-

*'That key service performance data be reported to the Panel on a quarterly basis.'*

- (d) support for neighbourhood plans. Some Members reiterated the point that the support being offered to groups was intermittent and took issue with the Action Plan status suggesting that this particular action was 'complete'. In response, it was noted that the Action Plan comments only referred to specific actions. Furthermore, an officer had recently been appointed by the Council to have specific responsibility for supporting neighbourhood planning groups to ensure that the Council was fulfilling its statutory obligations. Members also requested that a position paper on the levels of support being provided to neighbourhood planning groups should be presented to a future Panel meeting;

- (e) the pre-application process. Some Members stated that the Council's reputation for its approach to pre-applications amongst the general public was presently poor and required improvement. In reply, officers advised that a review was to be undertaken and it was accepted that a good quality pre-application service would be beneficial to the performance of Development Management. As part of this wide ranging review, it was confirmed that the Duty Planning Service would be included;
- (f) the new Committee site inspection process. Members were of the view that the new process was much improved and had helped to speed up the determination of planning applications that were being presented to the Development Management Committee;
- (g) the Council's approach to viability. Members requested that they be given the opportunity to review the Council's approach to viability at a future Panel meeting. The fact that applicants paid for their own viability assessments was welcomed by Members;
- (h) planning related training. A number of Members emphasised the importance of being in receipt of ongoing planning related training. In response, officers confirmed that they remained committed to arranging regular training sessions for Members;
- (i) the recent surge in planning workload. The Panel was advised that 252 planning applications had been submitted to the Council in March 2017 (which equated to a 26% increase to the monthly average). Officers stated that this was a particularly large peak in the volume of applications received and they would continue to monitor the numbers submitted and take the appropriate action to ensure that they were dealt with as efficiently as possible;
- (j) the enforcement backlog. In highlighting the impact of the transitional resources, it was noted that the vast majority of backlog cases had now been resolved. However, moving forward, the Council had recognised that the initial resources allocated for planning enforcement were insufficient and this had been addressed during the Budget setting process for 2017/18;
- (k) planning officer contact details. In light of a request, officers agreed to send the contact details of planning officers to an interested Member.

It was then:

### **RESOLVED**

1. That the progress made in implementing the Peer Challenge Action Plan be noted; and
2. That key service performance data be reported to the Panel on a quarterly basis.

**O&S.86/16 NEW HOMES BONUS ALLOCATION TO DARTMOOR NATIONAL PARK AUTHORITY (DNPA)**

The Panel considered a report that presented the projects that had been funded by Dartmoor National Park Authority from the New Homes Bonus funds allocated by the Council.

It was then:

**RESOLVED**

That the Panel welcome the details of the projects being funded by Dartmoor National Park Authority

**O&S.87/16 TASK AND FINISH GROUP UPDATES**

**(a) Dartmouth Lower Ferry**

There was no update given to this meeting.

**(b) Waste and Recycling**

The lead Executive Member for Commercial Services made reference to the Waste and Recycling Service Briefing that had been scheduled to take place on Thursday, 27 April 2017 and encouraged all Members to attend this important session.

**O&S.88/16 ACTIONS ARISING / DECISIONS LOG**

The contents of the latest version of the Log was presented and it was agreed that the Chairman and Senior Specialist – Democratic Services would review previous Logs to ensure that all historical matters had now been addressed.

**O&S.89/16 DRAFT ANNUAL WORK PROGRAMME 2017/18**

In consideration of its Annual Work Programme, the following comments, additions and amendments were made:-

(a) It was noted that the next Panel meeting had been rearranged to take place on 16 May 2017;

(b) With regard to future energy provision at Follaton House, Members commented that they had still not been contacted by the lead officers and it was therefore requested that this matter be followed up;

(c) Whilst the Calendar of Meetings for 2017/18 had still to be agreed by the Council, Members requested that future agenda items be programmed for the Panel in the next Municipal Year in relation to:

- The request made at the Special Council meeting on 30 March 2017 for the Panel to regular monitor the Homelessness Strategy 2017/22 and the 2017 Action Plan (Minute 78/16(e) refers);
- The wish for six-monthly updates to be received by the Panel on the Sherford project;
- An update in relation to Village Housing Initiatives;
- Development Management performance data being considered by the Panel on a quarterly basis;
- A position paper being presented on the levels of support being provided to neighbourhood planning groups; and
- The Council's current approach to viability assessments.

(Meeting started at 10.00 am and concluded at 1.00 pm)

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Chairman