

## **SCRUTINY COMMITTEE**

Minutes of the meeting held on 26 September 2013 commencing at 7.00 pm

Present: Cllr. London (Chairman) (Chairman)

Cllr. Brown (Vice-Chairman)

Cllrs. Abraham, Butler, Clark, Mrs. Davison, Gaywood, Maskell, Mrs. Morris and Mrs. Purves

Apologies for absence were received from Cllrs. Mrs. Bracken, Cooke, Edwards-Winsor, Fittock and Raikes

### 7. Declarations of Interest

No additional declarations of interest were made.

### 8. Minutes

Resolved: That the Minutes of the meeting of the Scrutiny Committee held on 18 July 2013, be approved and signed by the Chairman as a correct record.

### 9. Actions from the last meeting of the Committee (attached)

The actions were noted.

### 10. In depth Scrutiny - setting up of a Working Group to consider the Budget

Members considered a report proposing to establish a Working Group to consider the draft budget presented to Cabinet on 5 December 2013, as requested by the Committee on 18 July 2013.

Members discussed whether the working group should concentrate on the draft budget being presented to Cabinet on 5 December 2013, or the general budget process. The timescales meant that the Group would need to meet shortly after the Cabinet meeting on 5 December 2013 and submit their final report to the Committee on 5 February 2014 in order to be able to feed any comments to the Cabinet meeting on 6 February 2014.

Resolved: That

- a) an in depth scrutiny Members' working group be set up to consider the draft budget presented to Cabinet on 5 December 2013;
- b) the draft terms of reference as set out in the report be agreed; and
- c) the working group consist of the following Members: Cllrs Abraham, Mrs Bracken, Butler, Gaywood and Maskell.

**11. Performance Monitoring**

The Committee considered an exceptions report with a commentary from officers explaining the reasons why performance was not within 10% of target and detailing any actions the service was planning to take to improve performance levels. Cabinet had considered these indicators at the meeting on 12 September 2013.

A Member was concerned that the planning appeal situation appeared to be worsening.

**Resolved:** That the contents of the report be noted.

**CHANGE IN ORDER OF AGENDA ITEMS**

With the Committee's consent, the Chairman took items 8 and 10 before item 6 'Questions to the Portfolio Holder for Local Planning and Environment', to allow the Portfolio Holder time to attend.

**12. Work Plan**

The Chairman advised that the Chairman of the Parking Working Group had reported that the group was due to meet on 2 October 2013.

The Vice Chairman requested that a speaker from Pembury be asked to attend and answer questions on the Accident and Emergency Department and the 111 service.

A Member requested looking at the BT Broadband roll out in April 2013. The Chief Officer Communities and Business advised that the Economic and Community Development Advisory Committee had invited a speaker to attend in November which Scrutiny Committee members could attend.

A Member requested that Council publications be looked at, such as 'In Shape' and minutes and whether it should all be carried out electronically. The Vice Chairman suggested that maybe this could come under budget review.

Memberships of the working groups to be placed on the work plan.

The terms of reference to be appended for information on the next meetings agenda.

**13. Questions to the Portfolio Holder for Economic and Community Development**

The Portfolio Holder for Economic and Community Development gave a brief overview of his areas of responsibility and work programme.

The Chairman asked whether the various areas worked together well as a Portfolio area and whether any area/issue kept him awake at night. He replied that as a big picture it did make sense, though was quite complex. However the Advisory Committee membership was well structured to cope. The only particular concern he had was that the current pace was not fast enough, every item needed to be urgently pushed and prioritised. The work programme presented to the first meeting of the advisory committee had had only two items on it, he wanted to see an overpopulated work

programme with at least five items from each area and the top three prioritised and being worked on.

The Vice Chairman asked whether: there were plans to actively encourage and generate more local economic activity, for example parking measures; when the rates being charged by SENCIO were almost as much as commercial rates, what was the argument to consider providing a subsidy to SENCIO; and, as he had street naming, when was there going to be an Andy Murray Avenue? He replied that with regards to the last question he could not promise anything. With regards to economic activity within retail, this was an unfolding story. He saw that a need for people to come and enjoy town centres would not diminish. Sevenoaks did well for food outlets/coffee shops and hairdressers, these enterprises were market driven. There were signs of neglect and he would be attempting to tackle 'grot spots'. He intended to work with local communities to remove the negative impact these areas created. The Chief Finance Officer had provided a business rate analysis and the Council was constrained with the revenue that could be raised this way. The Council was already at the support level, which meant any losses had to be made up. He did not see Bluewater as a competitor but as a choice. With reference to SENCIO, as an organisation had had to adapt a lot over the past few years and was working on a viable programme into the future. He personally welcomed any competition. At this stage there was a lot to be discussed and considered. A Member expressed concern about delays to the need for redevelopment of the White Oak Leisure Centre in Swanley.

A Member commented on the improvement made to a 'grot spot' in Hartley which looked a 100% better with the work of the Community Safety Manager and an EVA, and asked what legacy had been left by hosting the Paralympics. The Portfolio Holder for Economic and Community Development advised that one legacy was demonstrated by him handing out NVQ Level 2 certificates to volunteers that Saturday and there seemed to be more cyclists.

The Portfolio Holder for Economic and Community Development was asked how the issue of planning and opportunity for agricultural growth could be addressed especially in light of agricultural growth, and how he would support agricultural developments support to overcome these barriers. He replied that agricultural was a large part of the district's local economy. A recent food festival selling local produce had sold out within three hours, which demonstrated its popularity. Globally there was also the issue of food security. Capital investment was needed and he wanted to see the Council facilitate agricultural development as much as possible. He was still on a learning curve with regards to planning issues but would be in defence of keeping agricultural land. With regards to a question on Local Enterprise Partnerships, he had attended a workshop in London the day before and it was clear to him that the Council needed some direct membership on the LLEP and that we should be conforming to the LLEPs overarching strategy document if we were to achieve any potential finding, as if any bid did not full conform it would fail.

A Member stated that in that day's publication of The Times newspaper, there was a report which stated that one in three Councils raised more money via car parking charges than through Council Tax, and asked whether the District was one of them. The Portfolio Holder for Economic and Community Development did not know and requested to answer by return email.

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A Member asked whether the Council was still supporting grass roots organisations through the Big Community Fund, and expressed concern at STAG cinema sales. The Portfolio Holder advised that there was still money to be bid for, and that weekly ticket sale figures were well above this time last year.

A Member asked what the cost of tourism was, and how the benefits were measured against the cost. The Portfolio Holder replied that he was not happy and was trying to get to grips with why the Council gave contributions and would be holding meetings with relevant officers as he felt that they could be doing more for this area but emphasis seemed to be mainly on east Kent. Westerham had many attractions but limited parking so was looking into ways of helping. With regards to cost the external contribution would be looked at in order to gain better value for money.

A Member expressed interest on what could be done at White Oak Leisure Centre and was anxious to know what would be done. The reply was that a more in depth report would be coming to Cabinet and that at some point soon there would be a more comprehensive study on leisure provision that was viable and sustainable within the cost frame available. In answering another Members question on the plans for White Oak Leisure Centre he added that the study would be on the broader leisure aspect and how SENCIO fitted into this, the capital side of Whiteoak Leisure was not in his portfolio. Clarification was sought that the briefing sheet provided implied refurbishment yet no formal decision had yet been made. He responded that there were two options available, refurbishment or replacement.

In response to a question on when decisions were taken on the disposal of non performing assets he advised that it was officer level and Cabinet.

A Member asked what 'supporting the Executive local action group working with members of rural organisations' entailed as he was currently the Council representative on Action with Communities in Rural Kent and the LGA: Rural Commission. The Portfolio Holder replied that interaction with all members with relative knowledge and connections was essential and he would be in touch! The Member congratulated the Chief Officer for Communities and Business and staff for the initiatives being put in place within New Ash Green and hoped the resources would be made available to carry out the work proposed. He extended an invitation for the Portfolio Holder to visit which was accepted.

### **14. Questions to the Portfolio Holder for Local Planning and Environment**

The Portfolio Holder for Local Planning and Environment gave a brief overview of his areas of responsibility and work programme. He also advised that one of the legacies left by hosting the Paralympics for West Kingsdown had been an outside gym for residents.

The Chairman asked the Portfolio Holder to apprise the Committee of the challenges he was facing and any concerns forming. He responded that he was concerned with monitoring consistency in decision making, monitoring the labour force (he was happy with current numbers), and encouraging development control pre applications.

The Vice Chairman queried whether there was any ability to enforce developers to build, or complete a build, in order to prevent longstanding sites left demolished. Were there any statutory powers that could be used or conditions imposed when granting

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applications? On behalf of the Portfolio Holder the Chief Planning Officer advised that it was very difficult to enforce. A completion notice could be served but the opportunity to use those would depend on site specific circumstances and there were rights of appeal.

A Member asked that when more Parish Councils were considering Neighbourhood Plans did the Council have the resources to support this; and, how could the current 33% recycling rate be improved and how was it calculated. The recycling rate was calculated by weight. It was imperative that recycling centres such as the one at Sainsbury's not be lost (as Sainsbury's nationally had decided to take recycling 'in house'), and the Chief Officer Environmental & Operational Services was looking into whether other sites could be placed. The Chief Planning Officer responded that there was a fully resourced planning policy team and there was still Government funding available for support. The DCLG had confirmed the funding would be available for the next financial year.

In response to a Member's question on the number of appeals and the expense, the Portfolio Holder replied that ordinarily around 75% of appeals were dismissed. He hoped that increased uptake in the pre-application process may reduce the future number of appeals.

A Member asked how the Portfolio Holder intended to protect employees considering the reduction in funding, something had to give whether services or a reduction in staffing. The Portfolio Holder advised that he hoped the labour force could be kept at a level to deal with throughput, for example enough trained planning officers in order to prevent more appeals through issues such as non determination. If necessary he would fight for resources.

In response to a question on flytipping he explained that if it was commercial Kent County Council (KCC) dealt with it; if domestic the Council; and if on private land it was up to the landowner. With reference to bottle banks he would investigate what had happened to the one in Kemsing car park.

A Member requested further information on how the affordable housing grant money was allocated. There was to be a seminar for Members on affordable housing on 27 November 2013. The Member also asked a question on what was happening with the 'Cycling Strategy' which had been developed in partnership with Kent County Council and the Sevenoaks Cycling Forum.

In response to a question on whether the Council applied for costs on appeals, the Chief Planning Officer reported that it was not often applied for as it was quite hard to prove the requirement of 'unreasonable behaviour'.

A Member asked about timings of policies as she had expected for example the Allocations and Development Management Plan to have been finalised by now. The Chief Planning Officer replied that the CIL examination would be taking place on 8/9 October 2013 but he believed would be over in one day. The next one would be Allocations and Development Management Plan which was nearly ready to be submitted, after that would be the Gypsies and Travellers Plan which was due to be considered at the next Local Planning & Environment Advisory Committee on 27 November 2013.

The Vice Chairman requested that a breakdown of costs and spending on appeals, recovery amounts sought and awarded, further broken down into appeals against Officer

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decisions and those taken by the Development Control Committee be submitted to the next meeting.

*Action 1: Appeals statistics on costings be submitted to the next meeting.*

THE MEETING WAS CONCLUDED AT 9.06 PM

CHAIRMAN