

SCRUTINY COMMITTEE

Minutes of the meeting held on 23 February 2016 commencing at 7.00 pm

Present: Cllr. London (Chairman)

Cllrs. Ball, Clack, Hogg, Kitchener, Lindsay and Reay

Apologies for absence were received from Cllrs. Brookbank, Brown, McArthur and Purves

Cllrs. Firth, Mrs. Morris and Piper were also present.

22. Minutes

Resolved: That the minutes of the meeting of the Scrutiny Committee held on 24 November 2015 be approved and signed by the Chairman as a correct record.

23. Declarations of Interest

No additional declarations were made.

24. Responses of the Cabinet to reports of the Scrutiny Committee

There were none.

25. Actions from the last meeting of the Committee

There were none.

26. Kent County Council - Highways

This item had been withdrawn prior to the meeting as Kent County Councillor Matthew Balfour, Cabinet Member for Environment and Transport, was unavailable to attend the meeting.

27. Performance Monitoring

The Chief Officer Corporate Support introduced a report which summarised performance across the Council to the end of December 2015. Members were asked to consider three performance indicators which were performing 10% or more below their target with a commentary from Officers explaining the reasons and detailing any plans to improve performance. If actions taken were not deemed sufficient, the report recommended referring those indicators to Cabinet for further assessment. The report also provided key performance indicators relating to the Portfolio Holders invited to the Scrutiny Committee meeting.

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In response to a question, the Chief Officer Corporate Support clarified that the average number of days taken to remove abandoned vehicles had been over target for December 2015 as there had been fewer working days that month.

Resolved: That the contents of the report be noted.

28. Questions to the Portfolio Holder for Planning

The Portfolio Holder for Planning updated the Committee on recent achievements within his portfolio and on his areas of focus. He explained that three of the primary areas of focus were the review of the Local Plan, income from the Community Infrastructure Levy and consultations which had included starter homes, commuter hubs, affordable homes, airports and a Lower Thames Crossing. The report updated Members on housing completions within each Ward.

The Portfolio Holder responded to Members' questions.

The Chairman asked what his primary concerns were as Portfolio Holder. He responded that the District needed to maintain economic sites, which faced reduction due to the rules on permitted change of use. Recent reports requiring other Councils to plan for larger numbers of houses would be difficult to achieve in the District as 93% of the land was Green Belt. He was also disappointed at the low levels of Affordable Housing in new developments, a matter which was to be considered at the meeting of the Planning Advisory Committee on 19 April 2016.

The Chairman also enquired whether recruitment and retention of good quality planners was a problem. He explained that the Team was fully staffed and was high quality though the Council did face competition from other employers, especially in the private sector, who could offer significantly more money.

In response to a question, the Portfolio Holder advised that sites to be considered through the Call for Sites would be notified to local Members once Officers had first vetted the sites.

Members asked about the process for the Swanley and Hextable Masterplan. The Portfolio Holder explained that the Masterplan depended upon local support and input but it could help provide clear direction for future planning in the area. Asked whether the consultation would consider views of neighbouring areas which depended upon Swanley, he confirmed it would.

A Member enquired whether the target for determining planning applications within 8 weeks prevented some applications being approved which required a little extra time. The Chief Officer Planning confirmed that developers could agree with the Council for an extension of time, which would take the application outside of the performance figures.

Members asked how the number of successful planning appeals against the Council compared with other local authorities. The Portfolio Holder clarified that there were few similar authorities as the Council refused more applications than any other in the County. The Chief Officer Planning added that Sevenoaks was also the busiest Planning Department in the County but the Council had set a target of 75% success as this was the middle of top quartile.

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Concern was raised that planning applications were advertised in the Sevenoaks Chronicle but not in newspapers in the Swanley area. The Portfolio Holder explained that although applications were advertised, including to neighbours, on the website and to local councillors, he wanted transparency and believed the systems could be advertised further.

29. Questions to the Portfolio Holder for Legal & Democratic Services

The Portfolio Holder for Legal & Democratic Services updated the Committee on key actions and achievements to date within her portfolio and the key challenges ahead. She highlighted that the Council was the only body successfully to submit a detailed alternative proposal for the Boundary Commission's revised Kent County Council division boundaries. A decision of the Licensing Hearing Sub-Committee was recently upheld at the Sevenoaks Magistrates' Court resulting in costs of £9,425 in favour of the Council. The Licensing Partnership would also include the London Borough of Bexley from June 2016, subject to the approval of existing Partners.

The Portfolio Holder explained that the new Individual Electoral Registration (IER) system continued to create difficulties and the government was not fully reimbursing the Council's costs for it. She also clarified that the Performance Indicator for the number of animal licences outstanding for more than a month had exceeded target in December due to the limit of visits vets could make. Many animal licences ran from January to December, but the number of working days in December for vets to perform the required visits was low. The figure had recovered significantly in January.

The Portfolio Holder responded to Members' questions.

The Chairman asked what her primary concerns were as Portfolio Holder. She advised that staffing resilience had become more difficult as the staffing had been pared down. Recruitment and retention had been difficult with two vacancies in the Legal Team. Legal posts in London could offer more money but the Council could offer more flexible working. A professional head hunter had been appointed to help recruit a Planning Solicitor.

A Member asked about a recent court case about Declarations of Pecuniary Interests reported to the Standards Committee on 9 February 2016. The Portfolio Holder explained that she hoped training may be provided to all Members, though it was difficult to be clear on the rules after only one court case, which had seemed a harsh interpretation.

Another Member asked for an update on recent inspections to ensure alcohol licensed premises could serve wine in measures of 125ml. The Portfolio Holder responded that throughout the inspections in the north of the district only one premises was unable to comply.

In response to a question, the Portfolio Holder advised that she would continue to investigate ways of reducing costs with the IER process.

The Portfolio Holder was asked whether the Council's trading company would affect transparency of decision making. She explained that the company would be open, as required by company law, but approvals given by Cabinet, the business plan and the

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accounts would all be public. However, there would be operational confidentiality where required for business efficacy.

A Member enquired whether there were lessons to be learnt from the prosecution of the Council for a Health and Safety offence in December 2015. She explained that the Council had responded immediately to the Improvement Notice served on the Council and the road on which the incident occurred was now treated as medium risk.

30. Chairman's Annual Report to Council

The Chairman introduced his draft Annual Report to be presented to the Council meeting on 26 April 2016. The report summarised the Committee's work plan which had focussed at each meeting on inviting an external guest, considering performance indicators, inviting two Portfolio Holders to discuss areas of focus or challenge and setting up an In-Depth Scrutiny Working Group. The results in each area were summarised.

The Chairman sought Members' views on the success of the Committee over the year. Members expressed support to a continuity of Membership on the Committee as Members felt they had grown in experience over the year. There was also concern that newer Members of the Council had begun with less understanding of the responsibilities of those who appeared before the Committee. Members discussed the frequency of the meetings of the Committee and support for In-Depth Scrutiny Working Groups and the impact these would have on Officer resource.

31. Work Plan

An [update](#) from the Member's Leisure In-Depth Scrutiny Working Group was tabled for the Committee's information. It was noted they would provide their full report in May 2016.

It was agreed that the following external guests would be invited to attend before the Committee:

- Moat Housing and West Kent Housing in July 2016;
- Mike Hill, KCC Cabinet Member for Community Services in November 2016 to discuss library provision;
- A representative of Kent Police to attend in February 2016.

THE MEETING WAS CONCLUDED AT 8.28 PM

CHAIRMAN