

Date: 15 January 2013
Contact name: Debbie Meakin
Contact number: 01395 517540
E-mail: dmeakin@eastdevon.gov.uk



To:
Members of the Overview and Scrutiny Committee (Mike Allen, Peter Bowden, Graham Brown, Peter Burrows, Derek Button, David Chapman, Deborah Custance Baker, Vivien Duval Steer, Roger Giles, Tony Howard, Stuart Hughes, John Humphreys, Sheila Kerridge, David Key, John O'Leary, Brenda Taylor, Graham Troman, Tim Wood, Eileen Wragg, Claire Wright, Tom Wright)
Portfolio Holders
Chief Executive; Deputy Chief Executives

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL
DX 48705 Sidmouth
Tel: 01395 516551
Fax: 01395 517507

www.eastdevon.gov.uk

Overview and Scrutiny Committee
Thursday 24 January 2013 at 6.30pm
Council Chamber, Knowle, Sidmouth

Members of the Council who do not sit on this Committee are welcome to attend as observers. Members of the public are welcome to attend this meeting.

- There is a period of 15 minutes at the beginning of the meeting to allow members of the public to ask questions.
- In addition, the public may speak on items listed on the agenda. After a report has been introduced, the Chairman (Leader of the Council) will ask if any member of the public wishes to speak and/or ask questions.
- All individual contributions will be limited to a period of 3 minutes – where there is an interest group of objectors or supporters, a spokesperson should be appointed to speak on behalf of the group.
- The Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time.

Should anyone have any special needs or require any reasonable adjustments to assist them in making individual contributions, please contact Debbie Meakin (contact details at top of page).

A hearing loop system will be in operation in the Council Chamber. Councillors and members of the public are reminded to switch off mobile phones during the meeting.

AGENDA

Page/s

1. **Public question time** – standard agenda item (15 minutes)
Members of the public are invited to put questions to the Committee through the Chairman. Councillors also have the opportunity to ask questions of the Leader and/or Portfolio Holders during this time slot whilst giving priority at this part of the agenda to members of the public
2. To confirm the minutes of the meeting of the Overview and Scrutiny Committee held on 3 January 2013 and 16 January 2013 (Minutes from 16 January to follow). 4 - 9

3. To receive any apologies for absence.
4. To receive any declarations of interest relating to items on the agenda.
5. To consider any items which, in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances.
(Note: Councillors please notify the Chief Executive in advance of the meeting if you wish to raise a matter under this item, who will then consult the Chairman).
6. To agree any items to be dealt with after the public (including the press) have been excluded. There are **no** items that the officers recommend should be dealt with in this way.
7. Decisions made by the Cabinet called in by Members for scrutiny in accordance with the Overview Procedure Rules under Part 4.5 of the Constitution. There are **no** items identified.
8. **Cabinet Agenda**
Members are asked to notify in advance the Chairman or the Democratic Services Officer any Cabinet items they wish to debate.
Members to debate any issues of concern on the current Cabinet agenda in order for the Chairman to feed this back to the Cabinet at its meeting on the 30 January 2013. The website link to the Cabinet agenda will be e-mailed to Members on 21 January 2013. Please refer to Cabinet agenda
9. **GP Commissioning**

Tamara Powderley, Head of Locality Commissioning, is back to further debate the changes to the Health Service with the Committee. Verbal report
10. **Portfolio Holder Update – Portfolio Holder for Sustainable Homes and Communities**

A presentation from Councillor Jill Elson on her work alongside other Members and the Housing Service, with an opportunity to put questions to her. Verbal report
11. **Forward Plan**
Members are asked to note the Forward Plan. 10

Decision making and equality duties

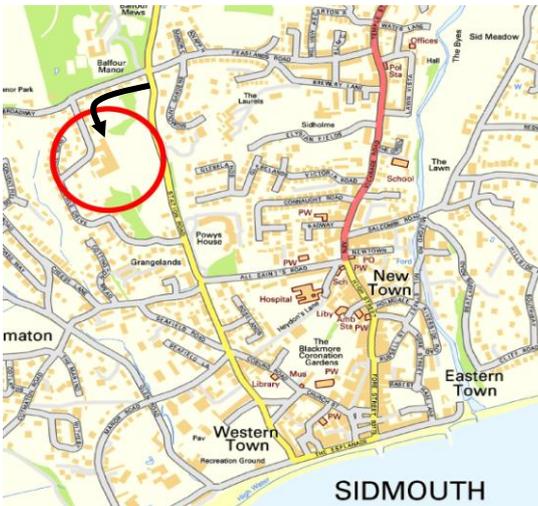
The Council will give due regard under the Equality Act 2010 to the equality impact of its decisions.

- An appropriate level of analysis of equality issues, assessment of equalities impact and any mitigation and/or monitoring of impact will be addressed in committee reports.
- Consultation on major policy changes will take place in line with any legal requirements and with what is appropriate and fair for the decisions being taken.
- Members will be expected to give reasons for decisions which demonstrate they have addressed equality issues.

Members and co-opted members remember!

- ❑ You must declare the nature of any disclosable pecuniary interests. [Under the Localism Act 2011, this means the interests of your spouse, or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living as if you are civil partners]. You must also disclose any personal interest.
- ❑ You must disclose your interest in an item whenever it becomes apparent that you have an interest in the business being considered.
Make sure you say what your interest is as this has to be included in the minutes. [For example, 'I have a disclosable pecuniary interest because this planning application is made by my husband's employer'.]
- ❑ If your interest is a disclosable pecuniary interest you cannot participate in the discussion, cannot vote and must leave the room unless you have obtained a dispensation from the Council's Monitoring Officer or Standards Committee.

Getting to the Meeting – for the benefit of visitors



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The following buses all terminate at the Triangle in Sidmouth. From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).

From Exeter – 52A, 52B; From Honiton – 52B

From Seaton – 52A; From Ottery St Mary – 379, 387

Please check your local timetable for times.

The Committee Suite has a separate entrance to the main building, located at the end of the visitor and Councillor car park. The rooms are at ground level and easily accessible; there is also a toilet for disabled users.

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the
Overview and Scrutiny Committee held
at Knowle, Sidmouth on 3 January 2013

Present: Stuart Hughes (Chairman) Sheila Kerridge
John Humphreys (Vice Chairman) Brenda Taylor
Mike Allen Graham Troman
Graham Brown Tim Wood
Derek Button Claire Wright
David Chapman Tom Wright
Deborah Custance Baker
Vivien Duval Steer
Roger Giles
Tony Howard

Officers:

Andrew Ennis, Environmental Health & Parking Services
Manager
Debbie Meakin, Democratic Services Officer
Mark Williams, Chief Executive

Also Present

Councillors:

Ray Bloxham Alan Dent
Iain Chubb Pauline Stott
Graham Godbeer Jill Elson
Ian Thomas David Cox
Phil Twiss
Andrew Moulding

Apologies:

Committee Members:

Peter Bowden
Peter Burrows
David Key
John O'Leary

Councillors:

Geoff Chamberlain
Paul Diviani
Steve Gazzard
Steve Hall
Peter Halse
Stephanie Jones
Mark Williamson

The meeting started at 6.30pm and ended at 8.50pm.

***36 Public Question Time**

Richard Eley, from Sidmouth, admitted that the figures he had previously outlined to the Committee on car parking were not correct. He reminded the Committee of the Vitality of High Streets recommendations and requested that four should replace the maximum stay of three hours in some car parks. He also suggested that the free afternoon parking in the run up to Christmas did not generate extra business to the towns in the afternoons. He also praised the Environmental Health & Parking Services Manager.

***37 Minutes**

The minutes of the meetings of the Overview and Scrutiny Committee held on 25 October 2012 were signed and confirmed as a true record subject to amending Minute 29 to refer to refer to the meeting on the 27 September 2012, and include apologies from Derek Button.

In response to a question, the resolution under minute 31 on notification of minor and major planning applications to local health services was being implemented.

***38 Declarations of Interest**

Councillor/ Officer	Minute number	Type of interest	Nature of interest
Sheila Kerridge	39	Personal	Business owner in Sidmouth
Graham Troman	39	Personal	Business owner in Sidmouth
Pauline Stott	39	Personal	Campervan owner

39 Parking Services Operational Review

Andrew Ennis, Environmental Health & Parking Services Manager, presented his additional information report requested by the Committee, covering:

- **Car park ticket and permit sales as an indicator:** figures suggest that usage is broadly similar, with gross income from pay and display sales increased, and ticket sales remaining around the same level. This does not support the alleged reduction in usage;
- **Inspection and enforcement costs:** setting out the costs for VAT and business rates on the Council's car park assets;
- **Comparison of fees and charges with others:** Checked West Dorset figures showed an actual decrease in tickets sold with only a minimal increase in their permit sales. This contrasted with East Devon's net pay and display increase in income and ticket sales. Benchmarking against other local authorities in the region showed that other areas were struggling with visitor numbers;
- **Alternative tariff options:** Off-peak tariffs need to be considered for those car parks less well used at particular times of the day, for example in the afternoons for many of the towns. The risk of introducing more tariffs could cause confusion, perhaps best done by a trial period of an off-peak price. Feedback from operatives on the ground already showed that some users were confused by the current charging regime;
- **Alternatives to the "pay and display" format:** The current size and layout of the existing car parks in the District gave only very limited opportunities to create separate in and out lanes. Queuing on the highway, and having operational staff on site to deal with equipment malfunctions, however rare, suggested that the pay and display format, for the present time, was the most appropriate format. The pay by phone option, which supplemented the pay and display format, was now operational and had been recently publicised.

39

Parking Services Operational Review (continued)

inaccurate figures had been quoted under public questions at the last meeting.

There had in fact been an increase in ticket sales (taking account of the loss of Hind Street car park) from 2009/10 to 2010/11 and gross income.

Members raised a number of issues, including:

- Why there was a requirement to provide staff on site for a barrier system? Relevant considerations of introducing a barrier system were helpfully set out in the British Parking Association's parking practice note entitled "Pay on foot or pay and display – a comparison". It could not be assumed that the barrier system would never fail – therefore someone had to be on site or very close by in order to release any individual prevented from leaving the site because of a barrier malfunction or release ticket failure;
- What percentage of increase in ticket sales and gross income?: Ticket sales during 2009/10 were 1,857,331 pay and display parking transactions and the gross cash taken was £2,620,326.73. During 2011/12 there were 1,883,574 pay and display parking transactions and the gross cash taken was £2,905,047.48. This is an increase of 26,243 transactions (increase of 1.4%) and £284,720.75 (increase of 11%);
- Explore "double ticketing" schemes whereby the cost in full or part is refunded by participating shops in a town to encourage visitors to use those shops during their visit. Some schemes are already in place and could be encouraged to operate elsewhere in the District;
- Consider those car parks which are not getting adequate ticket sales for asset disposal;
- Support for a four hour limit for some car parks, in particular coastal towns where visitors may plan to not only shop but also use local cafes or restaurants and visit the beach;
- Enable longer than 24 hour parking in some car parks to allow users to park for longer periods of time (an example given was to park a vehicle for more than 24 hours whilst continuing a journey by train);
- Evidence from the Vitality of High Streets and Town Centres TaFF made clear that any alternative business setting up stalls in car park spaces would not only impact on local businesses in a town, but also take up valuable car parking spaces, so that recommendation in the report was not supported;
- Promoting the use of Maer Road car park for overnight parking by camper vans and motor homes received a mixed response – there was no clear evidence that this would resolve the issue of excessive numbers of motor homes parked on the Exmouth seafront, although the recommendation had been proposed as an experiment.

39 **Parking Services Operational Review (continued)**

- RECOMMENDED**
1. Introduce a summer season half price tariff in Exmouth's under used long stay car park in Maer Road;
 2. Offer weekly East Devon car parking permits for sale through Sandy Bay and Ladram Bay to encourage holiday makers to visit Exmouth;
 3. Continue to restrict parking in short stay car parks to a maximum of three hours, but increase to a maximum of four hours for at least one car park per town;
 4. Carry out a review of permit charges;
 5. Remove the restriction that prohibits any vehicle from staying longer than 24 hours in any East Devon car park to enable long stay customers to park for more than one day at a time;
 6. Seek tenders for the 46 remaining Sidmouth town centre reserved parking spaces.

40 **Neighbourhood Assessment Programme**

The Environmental Health & Parking Services Manager reminded Members of the programme, running since 2007, and the top issues arising from the assessments. The initiative was one for the Council to be proud of, enabling partnership engagement to bring benefit to the community. It also gave an alternative way for people to engage with the Council and the partnership agencies. The feedback they provided helped inform policy and service delivery.

Members welcomed the positive work of the neighbourhood assessments and gave examples of the benefits they had brought to their Wards. The assessments were confirmed as covered by the existing budget for the service.

A number of dog fouling hot spots were discussed by Members and these were noted.

More involvement from two other agencies, namely Health and the Fire Service, was requested by Members as a way to further improve the assessments. The participation of Health was expected to increase, following implementation of their new structure in April.

- RECOMMENDED** That the Chief Executive writes to the Fire Service and the Fire Authority to ask for improved involvement with the Neighbourhood Assessment programme

41 **Recording of Meetings**

Debbie Meakin, Democratic Services Officer, presented the report on the audio only option of recording meetings of the main Committees, with a draft protocol to cover the requirements. She updated the Committee on declining webcasting figures at Devon County Council and the likely cost of installing webcasting at this Council being a more realistic figure to the County's current spend of £40K per annum.

41 **Recording of Meetings (continued)**

She thanked Martin Lee of ICT for his research into finding a recording solution of suitable quality with existing equipment, and her Portfolio Holder for his assistance on producing the report.

The Portfolio Holder for Corporate Services reminded the Committee of the benefits of extending the reach of public meetings into the District, making best use of public funds by delivering a practical solution at a negligible cost. He gave examples of how small statistically, based on the County Council's viewing figures, any East Devon take up of webcasting would be, at an unacceptable cost.

He advised the Committee that consultation with staff had now been completed, and that the clause relating to Officers' right not to be recorded had now been removed.

In response to a question regarding press recording, the Chief Executive reminded Members that the press had always been welcomed to record meetings. If the request was made, officers liaised to check what they wished to record – rarely did they request to film a whole debate.

Many Members supported the proposed change to record meetings. There was some debate over how public speakers who did not wish to be recorded would be recorded in the written minutes of a meeting, which would still capture the flavour of debate without verbatim quotes. A suggestion was made to record any meeting held in the Chamber with the agreement of that meeting's Chairman; however this was not supported by the Committee.

RECOMMENDED

1. That Council requests the Monitoring Officer to review the Constitution with a view to making recommendations for the changes that would be required to Council proceedings to enable audio recording to take place;
2. To implement audio recording of specified Council proceedings using existing equipment;
3. To adopt and implement the Audio Recording Protocol;
4. To permit audio recording of Council; Cabinet; Development Management Committee; Planning Inspections Committee; Overview and Scrutiny Committee; Audit and Governance Committee; Housing Review Board; Licensing and Enforcement Committee and Standards Committee (when held in the Chamber) for the public parts of the meetings only. Private (Part B) sections and closed meetings will not be recorded;
5. To publish recordings online to be publically available within seven days of each recorded meeting. Post production editing to be limited to the separation of a meeting recording into individual agenda items, for ease of access.

42 **Social Media Policy update**

Members reviewed the amended policy. Discussion took place over the practice of using social media during a meeting, and how that may be construed by the public. Generally the Committee felt that monitoring tweeting during a meeting was hard to achieve and it was up to individual Councillors to abide by the Code of Conduct.

The changes to the Social Media Policy were noted.

RECOMMENDED that the amended Social Media Policy be adopted.

*43 **Police Commissioner Election**

The Committee, as the designated Crime and Disorder Committee, was informed of the election of Tony Hogg, Conservative Candidate, as the new Police and Crime Commissioner for Devon and Cornwall.

*44 **Performance Monitoring**

The Chief Executive updated Members on the progression of the inter tidal habitat scheme on Sheep's Marsh at the Axe Wetlands. Land had now been transferred and the project was now back on course for delivery.

The performance monitoring report was noted.

*45 **Forward Plan**

Members noted the Forward Plan for the Committee and the amendments to it.

Two new topics – discussion on flooding with the partner agencies (in particular South West Water); and the Five Year Land Supply were agreed to be added to the schedule for the coming months. Flooding impact on the beaches was also discussed and would be added for debate.

Chairman Date

Agenda Item 11

Overview and Scrutiny Committee

24 January 2013



Overview and Scrutiny Committee

Forward Plan 2012/13

Date of Committee	Report	Lead Officer
28 February 2013	<ul style="list-style-type: none">Update from Member Champion Post OfficesSustainable Communities ActQuarterly Monitoring of Performance – 3rd Qtr 2012/13	Cllr Ken Potter Jamie Buckley
28 March 2013	<ul style="list-style-type: none">Five Year Land SupplyReviewing the general terms of reference for working parties and task and finish forums, including consideration to formalising some officer meetings and criteria to apply	Matt Dickins Debbie Meakin
25 April 2013	<ul style="list-style-type: none">Draft Overview and Scrutiny Annual Report	Debbie Meakin

Topics for scoping and allocation to the Forward Plan:

- Updates from Portfolio Holders
- Youth service provision
- Flooding – partner agencies
- Flooding – impact on beaches
- Police Area Commander visit
- Local Plan production (moved to take into account staffing resources on the current Local Plan process)

Task and Finish Forums Update

- Community Infrastructure Levy - next meeting prior to Development Management decision on the CIL Charging Schedule.
- Business TaFF second meeting held on 23 January.
- Fees and Charges TaFF to start February.