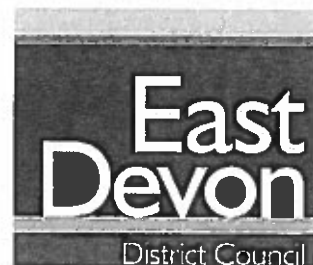


Date: 7 October 2010
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To: Members of the Overview and Scrutiny Co-ordinating Committee
(Councillors: Ray Bloxham; Peter Bowden; Bob Buxton; Iain Chubb;
Christine Drew; Roger Giles; Pat Graham; Steve Hall; Peter Halse;
John Humphreys; Stephanie Jones; David Key; Frances Newth;
Barry Nicholson; Marion Olive; Helen Parr; Bob Peachey; Ken Potter;
Graham Troman; Eileen Wragg; Steve Wragg)

Portfolio Holders
Other Members of the Council for Information
Chief Executive and Corporate Directors
Donna Best – Principal Estates Surveyor

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Meeting of the Overview and Scrutiny Co-ordinating Committee

Monday, 18 October 2010 – 6.30pm

Council Chamber, Knowle, Sidmouth

Members of the public are welcome to attend this meeting.

- **A period of 15 minutes has been provided at the beginning of the meeting to allow members of the public to raise questions.**
- **In addition, the public may speak on items listed on the agenda. After a report has been introduced, the Chairman of the Committee will ask if any member of the public would like to speak in respect of the matter 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 public is advised that the Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time.**

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 Co-ordinating Committee held on the 15 September 2010; 5 - 11
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: such circumstances need to be clearly identified in the minutes; Councillors

please notify the Chief Executive in advance of the meeting if you wish to raise a matter under this item. The Chief Executive will then consult with the Chairman).

6. To agree any items to be dealt with after the public (including the press) have been excluded. There are 2 items that the officers recommend should be dealt with in this way.
7. Decisions made by the Executive Board called in by Members for scrutiny in accordance with the Overview Procedure Rules under Part 4.5 of the Constitution. There are no items which have been identified.
8. **The Vice Chairman to move the following:-**
"that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session (Part B)."

PART B - Matters for Decision

9. Asset Management

Para 3 Schedule 12A Information relating to the financial or business affairs of any particular person (including the authority holding that information).

(Councillor Andrew Moulding, Portfolio Holder for Resources; and Councillor John Humphreys, Member Champion for Asset Management, are invited to attend)

- | | |
|--|-------------------------------|
| a) Updated Asset Management Plan plus attached Draft Asset Management Plan | 12 – 13
plus
attachment |
| b) Off Street Car Parks Review 2010/11 including attached Draft Off-Street Car Parks Review and specific recommendations on pages 18 - 30 | 14 - 30
plus
attachment |
| c) Public Open Space Review including CIPFA Property report | 31 - 37 |

This Committee is scrutinising Asset Management in advance of this being considered by the Rationalisation Panel. The minutes with recommendations and findings from this meeting will be referred back to the Panel at a future meeting. Members are asked to consider progress on the Asset Management Plan and how more income could be generated from the Council's assets, through revenue or capital, to help towards the Council's budget deficit; and the recommendations for off street car parks and public open space.

10. East Devon and South Somerset Joint Scrutiny Panel

Para 3 Schedule 12A Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Recommendations from the joint panel are set out below:

1. that consideration be given to having an independent element for the recruitment process for populating the revised management structure, in the interests of providing objective advice and perspective;
2. that a timeframe and process for harmonising terms and conditions across the two authorities be provided, as this has not been clearly identified in documentation to date;

9. 3. that evidence be produced to prove that sufficient in-house capacity to support both authorities through the transition stage will be in place;
4. that evidence of clear project management for the implementation of a shared management structure (if approved) and the implementation of shared services be provided;
5. that the appointment of the Shared Strategic Directors be carried out as a first step to allow them to help form the Assistant Director tier as they deem appropriate for the emerging shared service; and that clarity be provided on the Assistant Director tier to establish what their role involves in terms of strategic and operational level; and what capacity those roles hold to manage the change, as well as continue delivering day-to-day services.
6. that each Executive of the respective District Councils consider holding simultaneous Executive meetings when considering recommendations from the JIC, in the interests of expediency and allowing members to discuss issues collectively.

A report on the research undertaken on other shared service local authorities is 38 - 43
attached for information;

Minutes of the Panel from 23 September 2010

44 - 47

Members remember!

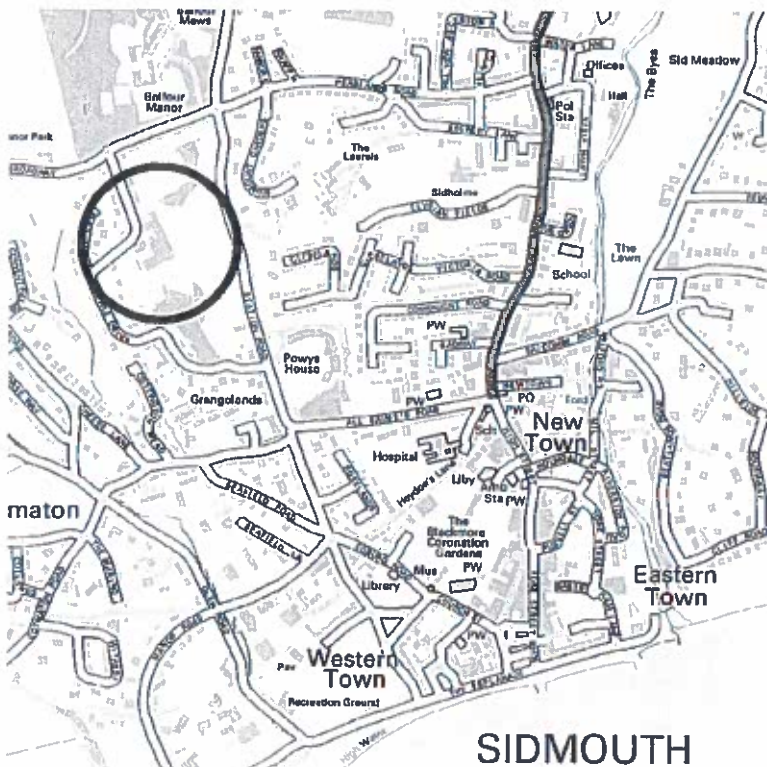
- You must declare the nature of any personal or prejudicial interests in an item whenever it becomes apparent that you have an interest in the business being considered.
- Where you have a personal interest because the business relates to or is likely to affect a body of which you are a member or manager as an EDDC nominee or appointee, then you need only disclose that interest when (and if) you speak on the item. The same rule applies if you have a personal interest in relation to a body exercising functions of a public nature.
- Make sure you say the reason for your interest as this has to be included in the minutes.
- If your interest is prejudicial you must leave the room unless
 - a) you have obtained a dispensation from the Council's Standards Committee or
 - b) where Para 12(2) of the member Code of Conduct applies. [Para 12(2) allows a Member with a prejudicial interest to stay for the purpose of making representations, answering questions or giving evidence relating to the business but only to the extent the public are allowed the same rights. If you do remain for these purposes, you must not exercise decision-making functions or seek to improperly influence the decision; you must leave the meeting room once you have made your representation, answered questions or given evidence.]
- The Code states that any member of the Executive Board or other decision-making committee or joint committee or sub-committee attending Overview and Scrutiny committees has a prejudicial interest in any business where that member was a member of the committee at the relevant time **and** present when the decision was made or other action was taken (whether or not implemented). Members with prejudicial interests should declare them and are allowed to remain in the meeting for the limited purposes set out in the Code para 12(2) – see last paragraph.
- You also need to declare when you are subject to the party whip before the matter is discussed.

Suggestions for questioning during an Overview and Scrutiny meeting

Below are some prompts which may help you to form your own questions to ask at an Overview and Scrutiny meeting. Your questioning technique is crucial in creating an atmosphere conducive to open answers. Avoid excessive interrogation and treat those being questioned with courtesy and respect; however don't be afraid to ask supplementary questions if you feel that you haven't been given a clear answer.

- ❑ **IS IT REQUIRED?** (do we have this, does it make sense to tackle it, do we really need it).
- ❑ **IS IT SYSTEMS THINKING?** (is it evidence based and designed around the customer demands)
- ❑ **IS THE INTENTION CLEAR?** (what are we actually trying to achieve)
- ❑ **ANY REAL OUTCOMES?** (are we actually, and measurably, achieving things for our customers).
- ❑ **WHAT IS THE COST?** (both time and money)
- ❑ **DOES IT COMPLY?** (have we checked that it meets our obligations, the law, any formal guidance, and any Council policy or resolutions).
- ❑ **OTHERS DO WHAT?** (how do other organisations tackle this, best practice)
- ❑ **EFFECTIVE AND EFFICIENT?** (how do we know we're doing things well, in a timely fashion, and at "best value")
- ❑ **WHAT IS THE RISK?** (any areas of risk for the Council)
- ❑ **ANYONE LOSE OUT?** (are there sections of the community who might be disadvantaged by this approach, or be less able to take advantage, than others)
- ❑ **DOES IT LINK?** (have we linked this to other, similar, pieces of work within or outside the Council)

Getting to the Meeting – for the benefit of visitors



The entrance to the Council Offices is located on Station Road, Sidmouth. **Parking** is limited during normal working hours but normally easily available for evening meetings.

The following **bus service** stops outside the Council Offices on Station Road:
From Exmouth, Budleigh, Otterton and Newton Poppleford – 157

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.

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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 Co-ordinating Committee held at Knowle, Sidmouth on 15 September 2010

Present:

Councillors:

Ray Bloxham (Chairman)
Bob Peachey (Vice-Chairman)
Peter Bowden
Bob Buxton
Christine Drew
Roger Giles
Steve Hall
Stephanie Jones

David Key
Frances Newth
Marion Olive
Helen Parr
Ken Potter
Graham Troman
Steve Wragg

Officers:

Karime Hassan – Corporate Director
Peter Jeffs – Corporate Director
Kate Little – Head of Planning & Countryside
Diccon Pearse – Corporate Director
Debbie Meakin – Democratic Services Officer
Gerry Moore – Community Safety Co-ordinator
Mark Williams – Chief Executive

Also Present

Councillors:

Vivienne Ash
Graham Brown
Roger Boote
David Cox
Paul Diviani
Geoff Chamberlain
Douglas Hull
Ben Ingham

Graham Godbeer
Ann Liverton
Graham Liverton
Andrew Moulding
Sara Randall Johnson
Phillip Skinner
Pauline Stott
Ian Thomas

Apologies:

Iain Chubb
Pat Graham
Peter Halse
Eileen Wragg

Jill Elson
Tim Wood

The meeting started at 6.30pm and ended at 9.16pm.

***15 Public question time**

There were no questions from the public raised at this point of the meeting.

***16 Minutes**

The minutes of the meeting of the Overview and Scrutiny Co-ordinating Committee on 23 June 2010, and the Special Meeting on 19 August 2010, were confirmed as a true record.

***17 Declarations of Interest**

Councillor/ Officer	Agenda Item	Type of interest	Nature of interest
Councillor Bob Peachey	10. Local Development Framework	Personal & prejudicial	Owner of land identified in the preparation of the draft documents of the report
Councillor Philip Skinner	10. Local Development Framework	Personal & prejudicial	Part owner of radar station close to potential strategic allocation; family farmed land identified for potential strategic allocation.
Councillor Andrew Moulding	10. Local Development Framework	Personal	Chairman of the Management Committee of Cloakham Lawn Sports Centre. A site detailed in the consultation document is adjacent to Cloakham Lawn Sports Centre.

***18 Devon and Cornwall Constabulary**

The Chairman welcomed Inspector Antonia Weeks and Inspector Jez Capey to the meeting.

Questions were put to the Inspectors on a number of issues, including:

- What steps are in place to prepare for the budget cuts to be announced? Several scenarios are prepared depending on the level of budget cut predicted; Inspector Weeks declined to comment on recent media statements and was unable to make any definitive statement on the outcome of the budget cuts until the outcome of the October spending review.
- To clarify the role of police in managing events and traffic management plans: The police have no legal duty to undertake traffic management plans, and the decision to cease policing events brought Devon & Cornwall Constabulary in line with the national approach. The Devon County Show was a good example of the event organisers utilising a contractor to undertake traffic management for the event and positive comments had been received by Members about how that was handled.
- Would future budget cuts impact on PCSOs?: PCSOs were recognised as having a vital role in supporting the Police and in helping to prevent crime and disorder by working closely with the local community. Many Members endorsed the excellent work of their local PCSOs with many examples cited of proactive work in their local community.
- Could station opening hours be adjusted to allow a period outside of normal office hours, so that individuals with work commitments could access the station, for example to provide licence documentation? Inspector Capey informed Members of an ongoing front office review, looking at demand peaks and reasons for accessing station front desks. The outcome of the review may well incorporate some form of improved access as suggested by the Member Champion for Community Safety. Members were assured that any reduction or change in opening hours would be widely publicised.
- Could PACT meetings be reduced or cease as a cost reduction measure? Some examples of PACT meetings were cited by Members as covering non-police related issues, and therefore were perceived to be a waste of police time. Inspector Capey informed Members that PACT meetings had been imposed under the 'Policing Pledge', which is no longer in force; therefore meetings would be now be arranged on a need basis.
- Special Constables were still in place in certain pockets in the District and their experience and skills were highly valued.

***18 Devon and Cornwall Constabulary (continued)**

The Chairman also raised the need to continue valuable partnership working, in light of expected budget cuts for both the Police Authority and Councils. Gerry Moore's work as Community Safety Co-ordinator in bringing partners together was beneficial to all concerned, particularly in areas of early intervention. In light of impending budget cuts, Member supported a future meeting to discuss implications of policing, once the budget levels are known. The Chairman was also keen to stress that the Council were keen to listen to any request by the Police in extending partnership working.

The Chairman thanked the Inspectors and Gerry Moore for attending.

***19 Ice/Snow/Frost Treatment Policy**

Members considered the report from Peter Jeffs, Corporate Director in response to previous concern about the Council's policy of not gritting Council owned car parks.

He outlined the three areas that Members would have to consider:

- General public access areas, such as car parks;
- Tenanted areas, such as access to tenant properties;
- Staff access areas to Council workplaces.

He highlighted the effectiveness of various treatments to Members and general weather warning advice to stay indoors following heavy snowfall. The Local Government Association are pressing for clarity on the legal responsibility and the view of insurers. The Council's current insurers are also unable to advise on general policy, citing that consideration is made on a case by case basis. The proposed policy opted for a risk management approach with specific criteria for assessment.

Any approach other than no action would bear a cost, and approximate costs were outlined to the Committee.

Members discussed the implications of any future policy, including:

- Police requests for action over iced car parks, where anti-social behaviour had arisen from youths using the area as a skid pan, specifically in Ottery St Mary. Gritting would prevent this occurring;
- Problems with grit usage in causing blockages to drainage systems could lead to other problems;
- Consult with town and parish councils to establish the local car parks most frequently used, even in the event of inclement weather;
- Concern that any steps taken may result in escalating costs for longer periods of inclement weather;
- If the income lost in closing a car park in poor weather would be less than the cost of treatment of the car park to keep it open;
- Promotion of self help and consideration of the recommendations by the Environment, Economy and Culture Scrutiny Committee Task Group of Devon County Council that have been adopted at County level;
- Link to Devon County Council policy and procedures and economies of scale by purchasing salt through Devon County Council.

The Member Champion for Community Safety asked officers to ensure they had as clear advice as could be obtained from the Council's insurers before embarking on any further work on the issue.

Members were in agreement that the issue of gritting car parks should be raised with Town and Parish Councils at the earliest opportunity, via the normal communication channels from the District Council. Once their views had been obtained, work could commence on how best to work with the County Council to deliver local requirements.

*20 **Local Development Framework**

The Chairman welcomed Kate Little, Head of Planning & Countryside Service, and Karime Hassan, Corporate Director to the meeting, to help clarify a number of issues surrounding the consultation document on the proposed Core Strategy.

The Chairman reiterated his reasons for bringing this item back to the Committee for further consideration:

- That overall housing units appeared to have increased from the figures used earlier in the year despite the RSS figures being abolished;
- That Members have not had suitable opportunity to debate the contents of the draft Core Strategy, due to the timing and location of the Panel Meetings and the limitation of the Development Management Committee in only allowing Members on that Committee to enter into debate (no debate on the content of the draft Core Strategy was permitted at the Special Development Management Committee on 17 August 2010);
- That the "hub settlement" concept is new to many Members from previous draft versions and does not appear in consultation received to date;
- Previous consultation, and discussion at this Committee, has highlighted the request by some smaller villages for new homes in order to develop into a sustainable community. The consultation document does not appear to reflect this in the broad brush approach to the smaller villages and he illustrated this with examples from his own ward:
 - West Hill classified as a "hub" settlement with local concern about what level of development that entailed;
 - Aylesbeare with a tight back line development boundary, with no option set out in the consultation document for development that the community wants;
 - Alfington with two boundaries classed in the third classification "into the countryside" so limiting any development the local community wants in bringing the two halves together to attract development that may bring in wanted infrastructure, such as a play area.
- There is no connection in the draft Core Strategy to the Decentralisation and Localism Bill that will bring about new system of collaborative planning.

The Chairman also stressed that once the issues had been debated, Ward Members would be in a stronger position to go back to their wards to help explain the core strategy and help those planning to respond to the consultation.

At this point in the meeting, the Chairman invited members of the public to speak.

John Harding, a resident from Ottery St Mary Rural Ward, asked if the Land Allocations and Development Management Development Plan will be consulted on with towns and parishes before it is finalized, when that would occur and what confidence could be given that the views expressed would be taken into account. He also asked for assurances on preferred policy approach draft CS21 not affecting those villages not included in the core strategy.

Richard Eley, representing the Sidmouth Chamber of Commerce, spoke about his concern with a lack of communication regarding employment provision. He also spoke about his concern on the increase of housing provision numbers above that of the abolished RSS figures and stated that the area could not sustain such a rapid increase in housing.

Norman Allison, a resident of Aylesbeare, informed the Committee of the extensive work undertaken by his parish in creating a parish plan, created to help revitalise the dying village. He considered that the draft core strategy dodged small village development, that his village had to endure development to Exeter Airport but received nothing in return.

*20 **Local Development Framework (continued)**

He also expressed the view that the basic assumptions made as the basis of the strategy were incorrect and he endorsed recent government localism ideas that the local community know best what they want for their area.

Claire Wright, a resident from West Hill, commented that the methods for consultation were good but that some of the messages contained in the consultation document were not clear, citing as an example a 'flexible boundary'. She asked for clarity in any documentation sent out to the public and also asked if the responses received would be taken into account.

Jo Talbot, a resident of West Hill, spoke of her concern about the impact of flexible boundaries and how they may lead to a rush of applications for many parcels of land surrounding West Hill to be developed. She was also concerned about how that boundary might still change in future years, and how it was not clear in the documentation if the boundary would become static or flex further.

(Cllrs Peachey and Skinner left the Chamber at this point for the rest of the item because of the interests they declared as set out at Minute 17.)

The Chairman of the LDF Panel, Councillor David Key, responded in respect of the figures set out in the draft core strategy, and advised the Committee that any comments would be considered in full as part of the consultation process.

Housing provision figures

Kate Little, Head of Planning, clarified the figures set out in the consultation document, breaking down the 16,400 homes into existing commitments and completions at 6,600; the core strategy allocations at 7,650 (of which 5,100 were allocated to the West End) and provision through other future plans at 2,100. Windfalls were not, as stated in the documentation, taken into account in the grand totals but potential levels of windfalls were estimates based on the past trends of the previous 20 years. The evidence base of the RSS figures was still robust evidence on which to base the housing projections.

'Hub' settlements and classification of rural areas

Kate Little explained to the Committee that there had been competing demands from village communities, and therefore the Panel had felt that some reasoning to an approach was required, and compiled the classification set out in chapter 14 of the consultation document. This system was as a direct result of the information received from consultation earlier in the year and she considered that the document reflected that. If this was not the case, she requested that those communities communicate their needs during this consultation process and those comments will be taken into account. Karime Hassan also commented that evidence could be demonstrated of responses from communities direct to the planning policy service, which is reflected in the draft core strategy.

The Chairman suggested that a better approach would be to remove the detail of the number of houses allocated per village/community, and replace it with an overall figure for the rural area in total in the District (i.e. the area left aside from the main Towns and the West End provision specifically set out in the document). The detail of how many to allocate to each community could be dealt with, after further working with those communities, in another plan such as the Land Allocations and Development Management Policy Development Plan Document. Mrs Little responded that it was not the intention to impose the figures set out in the documentation for rural areas, but was happy to accept comment for further consideration by the LDF Panel at the next stage of the core strategy drafting.

*20 **Local Development Framework (continued)****LDF Panel Meetings**

Councillor David Key, Chairman of the LDF Panel, refuted the suggestion that Members had not had the opportunity to be involved in the process because of the timing of the LDF Panel meetings. He advised the Committee that an open invitation had been made, with different days and times set up so as to accommodate as many Councillors as possible. Member responses clarified that some Members outside of the Panel membership had been able to attend some of the meetings where their diary had allowed and had valued the approach by the Chairman of the Panel. There had been concern that the Panel meetings had not awarded the opportunity to see the core strategy as a whole and that this meeting was the first real opportunity to do so.

Consultation with Young People

Councillor Christine Drew, Member Champion for Young People, advised the Committee that a briefing paper on the consultation had been issued to all colleges in the District, with an invitation to visit the college and obtain feedback from the pupils as to their thoughts on the core strategy. In response to a question, Councillor Mrs Drew responded that Members would be kept informed of how that was progressing in their ward.

Members debated the content of the draft core strategy, including:

- If the evidence base from the original RSS figures was still valid in light of the localism agenda;
- If the credibility of the core strategy had been undermined by what appeared to those less well informed of the process as 'last minute' changes;
- Concern that issues debated at LDF Panel meetings, including suggestions by Ward Members, appeared not to have been taken into account or not reflected in the draft core strategy;
- Level of detail should be low as the document is a strategy;
- Marking of the Dinan Way 'Link' in the draft core strategy did not correlate to the Devon County Council view and care needed to be exercised in regard to the Exmouth/Lympstone boundary. The ownership and restrictions of National Trust land around that area for development and improvement to rail links had not been made clear in the documentation;
- Housing needed in Axminster but "in the right place";
- Valued work of the officers involved, including Karime Hassan, Kate Little, and the Planning Policy team, plus the work of the Panel in producing a core strategy that had an innovate approach as approved by Members some two years before;
- Some elements of the draft core strategy did reflect the views given and those areas where Members felt did not reflect local views should be reported via this current period of consultation;
- Ward Members had a clear role in studying the draft core strategy in full and going back to their communities armed with the knowledge to assist them;
- Responses from the community should be filed in ward order to permit ease of access to Ward members to those comments made about their Ward.

The Chairman summed up the debate from the comments made to the Committee. He stated that the majority of the draft core strategy, where set out at a strategic level, was agreeable to the majority of Members present. He also summarised that the document contained too detailed information for a document of that level, in particular reference to the treatment of small villages, and re-iterated his suggestion of extracting the detail of how many to allocate to each community, after further working with those communities, in another sub-level plan.

***20 Local Development Framework (continued)**

The Chairman was heartened at the repeated statements by the officers and the Chairman of the LDF Panel to be prepared to change the document depending on the consultation responses received, and welcomed that there would be another opportunity, after this period of consultation, to debate the core strategy again before its submission. He thanked the members of the public for their questions and attendance to the lengthy debate.

***21 Joint East Devon and South Somerset Scrutiny Panel Update**

For Members' information, the next meeting of the Panel is the 23 September 2010 at the East Devon Business Centre, Honiton starting at 10.00am.

***22 Update from the Chairman of each Overview and Scrutiny Committee**

Graham Troman and Helen Parr gave brief updates on the last meetings of their respective Overview and Scrutiny Committees. Economy Overview and Scrutiny Committee had received a presentation on the A3052 and A376 transport corridors; and debated farm shops and managed workshop space. Communities Overview and Scrutiny Committee debated the NHS White Paper entitled "Equity and Excellence" covering the possible changes in health priorities.

***23 Overview and Scrutiny Committees Forward Plan**

Members noted the combined Forward Plan for the Committees. The Chairman informed the Committee of an additional meeting of the Co-ordinating Committee planned for the 14 October 2010 on Asset Management. He also informed Members that an informal meeting of the Chairmen and Vice-Chairmen would be held on the 1 October 2010 starting at 10.00am in the Committee Room, where discussion would take place on the concept of scrutinising the future role of scrutiny and the effectiveness of the four Committees.

Chairman Date

