

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 2 February 2017

Attendance list at end of document

The meeting started at 6.00pm and ended at 7.42pm

The Chairman advised the committee that Councillor Douglas Hull, a member of the committee, was currently unwell, and had sadly recently lost his wife. The committee expressed their condolences and wished him a speedy recovery.

***33 Public speaking**

There were no public speakers.

***34 Minutes**

The minutes of the Scrutiny Committee held on the 24 November 2016 were confirmed as a true record.

***35 Declarations of Interest**

Councillor Bruce de Saram: minute 39; personal interest; Chairman of Exmouth Cricket Club.

Councillor Darryl Nicholas: minute 37; personal interest; works for New Devon CCG.

***36 Review of the process for production of the Local Plan**

The Service Lead for Planning Strategy and Development Management updated the committee on discussions held with the Planning Advisory Service (PAS) on their availability to undertake a review of the production process of the Local Plan.

A review of the production process has been on the forward plan of the committee for some time. The proposal from PAS for undertaking the review gave an opportunity for an independent body with experience in this line of work to report back to the committee for comment and recommendations to Cabinet.

The broad outline of the proposal was set out in the report, covering 10 days work at £600 per day, plus expenses and VAT. An exemption to standing orders request will have to be submitted for the work, as there is no allocation in the budget.

The committee was asked to provide detailed instructions of any specific issues in respect of the review that they would like PAS to consider if they felt this course of action should proceed.

In discussion, the committee debated:

- An opportunity for an independent body to review the process and provide recommendations on future plan production;
- The PAS was a respected body and had undertaken such work before for another authority – although with differences in local plans, those recommendations would not necessarily apply to the Council directly;
- The recommendations that may result from the review could relate in part to the Greater Exeter Strategic Plan (GESP) but as this was now a different model of plan, it was possible that the recommendations by the PAS would not be relevant to the GESP;

- The governance arrangements for the GESP were set out and were recommended by the Strategic Planning Committee at their meeting on the 17 January 2017;
- Suggestions were put forward for specific detail for the PAS to consider relating to the Strategic Housing Land Availability Assessment (SHLAA) being communicated to land owners; and how errors in calculations were handled in the process;
- No current budget provision made for this work; a suggestion was made to start on staff travel cost review which would provide adequate budget to cover this work;
- A number of changes had occurred since the production of the plan, including the GESP and the change from SHLAA to Housing and Employment Land Availability Assessment (HELAA); and clearer guidance had evolved on the legislation;
- There was a risk that undertaking the review would produce recommendations that could not be used because of the change of how such plans were produced in the future;
- The cost was a relatively small amount and would help to clarify a number of issues.

The Chairman proposed that the review of the Local Plan production process be undertaken by PAS. The proposal was put to the vote and lost.

***37 NHS Property Services**

The committee discussed the transfer of 12 community hospitals to NHS Property Services as landlords, at their meeting on the 24 November 2016. At that meeting the committee resolved for the Chairman to write to NHS Property Services to express the disappointment at the lack of response to the request to attend committee, and put other questions raised during the debate.

A response was received on the 22 December 2016, and included:

- Explanation of calculation of market rental value for freehold properties;
- Voluntary contributions from community groups value being appreciated but does not in itself provide rights of ownership;
- The uplift to NHS England's funding from the Department of health for market rent is intended to be recurrent in subsequent years.

The committee discussion included:

- Information on the website of the NHS Property Services indicated that the body was acting as a commercial enterprise, which was not fitting to the NHS service; it was a move towards asset stripping, and a factor into the change in the NHS service moving towards the American system of healthcare;
- Areas of particular concern were that any receipts of sales were not ringfenced to the local area; the impact on voluntary donations both past and present; and that mitigation by NHS England on rents did not present any savings to the NHS budget;
- That the NHS Property Services charges were excessive and only took more money away from service delivery;
- The services required were not commissioned by NHS Property Services but by the Clinical Commissioning Group (CCG);
- Selling of assets happened elsewhere with other bodies, such as church premises, where voluntary donations had made considerable investment in maintaining them;
- Putting sales receipts into where the maintenance was most needed was a fair business model.

RESOLVED that

1. The Scrutiny Committee records its deep regret that the NHS Property Services has declined its invitation to a meeting of the East Devon District Council Scrutiny Committee;
2. The Scrutiny Committee to write to the three local MPs representing East Devon, expressing its concern at the failure of NHS Property Services to agree to attend a meeting of the East Devon District Council Scrutiny Committee, and asks the MPs to raise the matter with the Secretary of State for Health, with a view to his ensuring proper openness and transparency in the work of NHS Property Services, and ensuring proper public scrutiny of the work of the NHS Property Services, by requiring attendance at meetings of local councils when requested to do so;
3. The Scrutiny Committee to write to the Devon County Council Health and Wellbeing Scrutiny Committee, expressing its concerns;
4. The Scrutiny Committee to write to NHS Property Services requesting details of the actual market rent for Axminster Hospital, Budleigh Salterton Hospital, Exmouth Hospital, Honiton Hospital, Seaton Hospital and Sidmouth Hospital, with details of how those figures were arrived at.

(Councillor Darryl Nicholas left the chamber for this item once a reference was made to the CCG and remained absent for the vote)

***38 Police and Crime Panel Update**

Councillor Tom Wright, representative for the Council on the Police and Crime Panel, gave an update on their work, and highlighted that the Panel were considering the police budget at their next meeting. The Police and Crime Commissioner's new plan is now published.

In discussing the update, the committee reiterated its view that whilst it welcomed the proposal to increase police officer numbers, it wished to see the current level of PCSOs retained, as expressed to the PCC when she met with the committee on the 3 November 2016.

Cllr Wright confirmed that discussions were ongoing with the office of the PCC and other parties in relation to the future of the CCTV system in Exmouth.

***39 Scoping – rental of Sports and Activities Clubs; and Thelma Hulbert Gallery**

A scoping report set out the options for the committee to consider on any possible review of two of the topics from the forward plan list.

Rental of tenanted non-residential property – sports and activities clubs

The report set out a timeline of the process of council asset review of those premises used by sports and activities clubs, covering the reports presented to Cabinet outlining the review and a proposed rent support grant scheme.

Cabinet are due an update report that illustrates the work completed to date with lease reviews and the first round of applications to the support grant scheme, along with a review of that scheme and any refinements that may be required for subsequent applications.

The committee were in agreement that this topic should not be scoped further until the update report had been presented to and discussed by the Cabinet.

Thelma Hulbert Gallery

The focus on the scope was to look at the performance of the gallery in commercial terms, rather than comment on the diversity and type of events and workshops offered.

Regular reporting is made to the Arts and Culture Forum and directly to Council. Basic statistical information was presented to the committee to show the footfall and income increases; the number of events and workshops were illustrated in recent Cabinet reports, which reflected the social, wellbeing and economic benefits that the Gallery gives.

Based on this trend of improvement, the officer recommendation was that no further work was required by the committee to review the progress of the Gallery at this time.

A suggestion was put forward that the committee should receive an update from the gallery about their work, in particular their excellent outreach work. In response the Chairman made clear that he felt the remit of the committee was related to the performance of the gallery, and the information presented showed that there were no areas of concern that warranted further investigation by the committee. The internal audit plan already shows work on discretionary services (including THG) for 2017/18.

RESOLVED that:

1. No further investigation into the Thelma Hulbert Gallery is warranted at the current time;
2. No further scoping into Rental of tenanted non-residential property – sports and activities clubs until an update on the rent support scheme has been received and debated at Cabinet.

***40 Scrutiny Forward Plan**

The forward plan was noted with the addition of discussion on submitting comment to a government inquiry on the overview and scrutiny arrangements.

The Broadband update scheduled for 2 March meeting was discussed and suggested to widen to include mobile phone coverage; the committee requested that representation from Connect Devon and Somerset and British Telecom is sought for that meeting.

Other suggested topics were already being discussed by the Overview Committee or the Strategic Planning Committee.

Attendance list (present for all or part of the meeting):

Scrutiny Members present:

Roger Giles
Alan Dent
Colin Brown
Simon Grundy
Bruce de Saram
Dean Barrow
Darryl Nicholas
Cherry Nicholas

Bill Nash
Val Ranger
Marianne Rixson

Other Members

Dawn Manley
Andrew Moulding
Geoff Jung
Megan Armstrong
John Dyson
Pauline Stott
Tom Wright
David Barratt

Officers present:

Ed Freeman Service Lead Planning Strategy and Development Management
Giles Salter, Solicitor
Debbie Meakin, Democratic Services Officer

Scrutiny Member apologies:

Cathy Gardner
Marcus Hartnell
Maddy Chapman
Douglas Hull

Other Member apologies:

Graham Godbeer
Jill Elson

Chairman Date.....