

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Scrutiny Committee held at Knowle, Sidmouth on 24 January 2007

Present:

Councillors:

P W Burrows (Chairman)
A R Giles (Vice-Chairman)

R W Boote
Mrs C E Drew
H J Jeffery
Mrs A E Liverton
Mrs F I Newth
Mrs L A Roden
Mrs M A Rogers
Dr H W Waterworth
Mrs E E Wragg

Also Present:

Councillors:

Mrs M Boote
T A Cope
P A Diviani
A T Moulding
M J L Green
Mrs P A Stott

Apologies:

Councillors:

D J Cox
P J Skinner

The meeting started at 6.30pm and ended at 9.45pm

*39 **Minutes**

The minutes of the meeting of the Scrutiny Committee held on 22 November 2006, were confirmed and signed as a true record.

*40 **Items considered as a matter or urgency**

MSC Napoli

The Head of Street Scene Services advised Members of the situation with regard to cargo ship MSC Napoli which had beached in Lyme Bay on the evening of 20 January 2007. The ship had contained 2364 containers, of which 157 were believed to contain hazardous materials including perfumes, pesticides and batteries. 103 containers were washed overboard of which approximately 50 were beached, 27 were lost and 26 had been being watched but were now believed to have sunk.

The ship contained 3,500 tonnes of heavy fuel oil and 200 tonnes of diesel fuel oil. As the engine room was underwater the tanks could not be pumped until specialist crew and takers arrived. The pumping was expected to take at least a week although this could be reduced by the arrival of a second crew. The fuel oil which had leaked from the vessel had formed a sheen estimated to be over an area of 4 square kilometres but not as a

*40 **Items considered as a matter of urgency** (Cont.)

continuous sheet. This was believed to be dissipating naturally as it emulsified with the sea water. The oil which made it onto beaches had largely been cleaned up but between 600 – 900 guillemots and 200 gulls had been found on beaches around Portland and Seaton covered in oil

Two crane barges were sailing from Rotterdam, the Netherlands, to assist with the salvage of the cargo. It was believed that the removal of the containers would take between 6 and 9 months and that MSC Napoli would be sited off Sidmouth for at least a year.

The Streetscene section was thanked for the work they had put in to cleaning up the streets of Branscombe following the deluge of visitors to the village and the cargo debris which had blown around. It was noted that offers received from organisations such as Bicton College and the Probation Service had been passed onto the National Trust who would be coordinating the beach clean up operation.

Seaton Regeneration consultation

The Chairman agreed for this item to be raised as a matter of urgency to enable it to be considered prior to the closing date for the Seaton Regeneration consultation.

Councillor Mrs Rogers asked if the closing date for the Seaton Regeneration consultation could be extended as she believed residents had not been given sufficient time to consider it in detail. Kate Little, Head of Planning and Countryside Services explained that an 8 week consultation period had been given which would finish on 31 January 2007, however responses would continue to be considered up to the date of the Committee although the earlier the response the more likely the Council will be able to use it. So far the objections received had filled 3 lever arch files compare with only 3 letters of support.

*41 **Terms of Reference of the Member Involvement Task and Finish Forum**

RESOLVED that the Terms of Reference of the Member Involvement in the Political, Advisory and Decision Making Arrangements of the Council Task and Finish Forum be agreed.

*42 **Draft Service Plans and budget 2007/08**

Detailed consideration was given to the Draft Service Plans and budget for 2007/08. Before each Service Plan was considered Members were advised of the feedback from the Draft Service Plans and Budget Task and Finish Forum which met on 22 January. Unfortunately Members did not have a copy of the typed report of the Forum due to problems with the Council's computer system in preceding days. During the discussion the following points were made:

Information, Communication and Technology Service (ICT)

Concern was raised over the loss of the Leisure East Devon (LED) ICT contract. Chris Powell, Head of ICT, advised that this had not been a quick decision but had been researched for many months. Preparation work indicated that it was a viable decision for LED and one which would provide them with a service more related to their needs as a leisure service provider but at the same cost as the in house service currently provided. The downside relating to the loss of business for the Council's ICT Section would be partly off set by lower costs as the leisure centres required out of hours cover in a variety of locations spread across the district.

Members noted that no target had been set for Local Performance Indicator L94 for 2006/07 – 'percentage of switchboard calls answered within 5 rings' (page 85 of the Service Plan booklet). The Customer Service Centre had always experienced difficulties in meeting the 2005/06 target of 88% of calls however a new Customer Service Centre Manager had been in post for 3 weeks and would be reviewing the targets in due course.

*42 **Draft Service Plans and budget 2007/08 (Cont.)**

Members noted that web casting of Council meetings had not been included in the estimates.

Housing and Social Inclusion

In response to a question on targets, Members were advised that targets had been set for 3 years as the Service Plans were 3 year plans designed to take us above the reported national average performance. It was possible to predict performance and plans based on current performance in order to set the targets. In June 2007 the actual performance and targets for 2006/07 would be reviewed and inserted into the plan.

Members noted that de-commissioned sheltered housing schemes could be purchased under the Right To Buy scheme if they were not designated for older people.

Consideration was given to the refurbishment of vacant properties. Concern was expressed that sometimes properties seemed to be refurbished unnecessarily thereby increasing expenditure and the time they remained empty. John Golding, Head of Housing and Social Inclusion advised that the Council maintained high standards in Council properties in order to meet the Decent Homes Standard. He added that the method used for letting properties had been improved recently to try to speed up the letting procedure. Increased efforts would be made to ensure that fixtures and fittings that could usefully be used by a new tenant would remain in place through the pre-allocation of properties. The new void procedure was approved by the Housing Review Board in 2006/07.

Members noted that the Service planned to start a door replacement programme. This had been a popular request that had come out of the Housing Stock Option Appraisal project. Doors would be replaced in order of age and condition with the worst doors being replaced first.

Members were advised that Best Value Performance Indicator 202 'number of rough sleepers' was recorded using a precise Audit Commission definition which looked at the number of people sleeping rough on a specific date.

It was noted that the Council had been offered £90,000 in the current year from the Council Tax paid by second home owners. This would be used to upgrade a sheltered housing scheme. Income accrued from this source in previous years fell between £400,000 and £750,000 and was used to purchase existing properties with our partner, Devon and Cornwall Housing Association.

Environmental Health and Health Equalities

Members were advised that the budget for provision of gipsy sites was relatively low for 2007/08 as it was predicted that most of the expenditure relating to this requirement would be in 2008/09.

Members noted that a one off government grant of £53,000 had been included in the budget for the introduction of the new no-smoking legislation. It was not possible to predict at this stage whether this would be sufficient.

A bid for £2,000 had been included in the draft budget as a contribution towards the Devon Affordable Warmth Officer. Members were advised that this post had been in place for a few years but the Council had not previously contributed. The Officer would help the Council to meet its Affordable Warmth Strategy targets, for example by reducing the level of fuel poverty in the district.

*42 **Draft Service Plans and budget 2007/08 (Cont.)**

Planning and Countryside

Concern was raised that the number of 'major', 'minor' and 'other' planning applications determined within their given timeframe were below target. Members were advised that because the Council received so few 'major' planning applications this target could easily be missed by just one application taking longer than the 13 weeks.

In addition, concern was also raised with regard to Performance Indicator 204 'percentage of planning appeals allowed'. The target had not been met for several months. However this was an area which would be tackled by the new Development Control Manager who was now in post.

The development of a Tree Strategy was included in the list of service improvements planned for 2007/10. Members were advised that this was not a national requirement but a strategy the Planning and Countryside Service wanted to introduce and could do so by using existing resources.

Members were pleased to see that a Section 106 Officer had been included in the draft budget. It was expected that the post would be self funding in due course but had been included as an item of expenditure in the mean time.

It was noted that the match funding lottery bid for a Biodiversity Action Plan had been excluded from the draft budget. Kate Little, Head of Planning and Countryside Services advised that environmental concerns were addressed on a daily basis by the Service and were built into existing strategies. The Biodiversity Action Plan was a specific project which could not be accommodated within current resources but instead required additional funding.

Street Scene Services

Discussion took place on the Britain in Bloom competition and whether it was in the Council's best interest to enter given the increasingly stringent requirements being applied. Entering the competition did put the grounds maintenance staff under a lot of pressure and used resources which could otherwise be diverted elsewhere. However the positive improvement to East Devon towns was appreciated by tourists and locals alike and doing well in the competition did prove a boost to staff morale. It was suggested that Quality Councils might be interested in raising their precept to take on the associated work themselves.

Consideration was given to the targets set for National Performance Indicator BV82a 'percentage of total tonnage of household waste arisings which have been sent by the authority for recycling'. Members were advised that the targets set were National targets, but the Council would strive to achieve higher figures. This indicator included the percentage tonnage of waste which had been sent by the authority for composting. However, the Council was keen to increase the number of households composting their own waste rather than using resources to transport this elsewhere. It was noted that village composting schemes could not be set up for legal reasons.

Karime Hassan, Corporate Director – Environment advised Members that the Recycling and Refuse contractors believed that all East Devon households now had a recycling box. Members were asked to advise the Customer Service Centre as soon as possible if this was not the case.

Consideration was given to the flood alleviation schemes included in the draft Service Plan. Members were advised that no budget provision had been included for flood alleviation schemes which failed to attract Department of Environment, Food and Rural Affairs (DEFRA) funding. The full list of schemes to be supported was included in the budget (pages 58 – 59).

*42 **Draft Service Plans and budget 2007/08 (Cont.)**

Legal, Licensing and Member Services

Members were advised that there were no nationally set Best Value Performance Indicators for Legal, Licensing or Member services work.

Members praised Member Services for taking on the role of first point of contact for all Members and Town and Parish Councils. This saved Councillors time in working out who the most appropriate person was to speak. It was and was seen as a great and positive improvement.

Consideration was given to the training given to the Councillors of Quality Town and Parish Councils. It was noted that the bid to train Clerks to the level necessary to achieve Quality Parish status had been excluded from the draft budget. If funds were available through savings made in 2006/07 then this training would be facilitated together with the Local Democracy Week contribution to participating schools/colleges.

Organisational Development

Members were advised that Best Value Performance Indicator 12 'working days lost due to sickness absence' was currently in the top quartile, however, a cautious approach was being taken as it was believed this could be affected by the job evaluation appeal results which were in the process of being released.

Best Value Performance Indicator 175 'percentage of racial incidents resulting in further action' was shown as below target, this was not as a result of poor performance but more to do with the interpretation of the Indicator. Officers acted on all reports of racial incidents but did not take further action if this was against the wishes of the person concerned.

Economic Development and Property

Members were advised that the Draft Service Planning and Budget Task and Finish Forum had questioned what the Asset Management Forum did and how Council assets were managed. One Member advised that Sidmouth Town Council had written to the Asset Management Forum approximately one year ago offering to take over the maintenance of the Sidmouth seafront shelters but had not yet received a decisive reply.

Consideration was given to Best Value Performance Indicator 156 'percentage of authority buildings in which all public areas are suited for and are accessible to disabled people'. Members were advised that the Council had carried out all appropriate adjustments. Some buildings could not be fully adapted due to their design however the Disability Discrimination Act did not concentrate solely on physical adjustments to properties but also the way in which services were delivered.

It was noted that the bids for market research for the Seaton destination survey and the Seaton Town Manager had been excluded from the draft budget as the planning application for Seaton redevelopment had not yet been determined.

Internal Audit and Governance

Consideration was given to the role of internal audit and whether this could be extended to include work as a scrutiny officer. However, Members were advised that not only was the section already very busy, but that scrutiny work required a very different set of skills from that of an auditor.

*42 **Draft Service Plans and budget 2007/08 (Cont.)**

Economy

Members were advised that Performance Indicators BV78b 'average time to process new benefits claims' and BV8 'percentage of undisputed invoices paid on time' remained areas of concern. Efforts were being made to analyse where the hold ups were with regard to the payment of invoices and how these could be avoided.

Members were pleased to see the increase in expenditure on the Concessionary Fare Scheme and thanked officers for the good advice they received in the past when the decision was made to opt out of the Devon wide scheme.

Review of the draft budget overall

Members noted that a sum of £20,000 had been included in the draft budget for the Community Fund Panel which match funded projects in rural communities. It was suggested that the sum be increased by between £2,000 and £5,000 in order that more support could be provided. Discussion took place on the take up of the scheme and whether it should be better publicised. Sulina Tallack, Funding Consultation Coordinator, was praised for the extremely helpful advice that she had offered to Parish Councils seeking funding.

It was noted that page 5 of the budget document showed an increase in civic expenses within the Communications Portfolio.

- RECOMMENDED**
1. that de-commissioned sheltered housing be subject to Section 157 of the Housing Act 1985 to prevent the properties being purchased as second homes.
 2. that the head count details included in all Service Plans in future be shown as 'full time equivalent' figures
 3. that the offer from Sidmouth Town Council to take over the Sidmouth seafront shelters be looked into
 4. that the budget for the Community Fund Panel be increased from £20,000 to £22,000 for 2007/08

RESOLVED that the advantages and disadvantages of entering Britain in Bloom be included in the Scrutiny Committee Forward Programme before spring 2008

*43 **Anti Social Behaviour Task and Finish Forum Report**

Members agreed to postpone consideration of this report until the following meeting given the time.

*44 **Scrutiny Committee Forward Plan**

Consideration was given to the Scrutiny Committee Forward Plan. Councillor Waterworth advised that he would not be able to attend the meeting to be held on 14 February 2007 and asked, as Chairman of the Fees and Charges Task and Finish Forum, for this item to be moved to the following meeting.

RESOLVED that the Anti Social Behaviour Task and Finish Forum Report be considered at the meeting to be held on 14 February 2007 and the Fees and Charges Task and Finish Forum follow up questions be put back to the 21 March 2007 meeting.

*45 **Task and Finish Forum Status Report**

Members noted the Task and Finish Forum Status Report.

Chairman Date.....