

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of a Meeting of the Scrutiny Committee held at Knowle, Sidmouth on 26 July 2006**

**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  
B J Toyne  
Dr H W Waterworth  
Mrs E E Wragg

**Also present:**

Councillors:

Mrs M Boote  
T A Cope  
P A Diviani  
Miss J M Elson  
M J L Green  
Ms S M Merritt  
B Nicholson  
Mrs P A Stott

**Apologies:**

Councillors:

D J Cox  
A T Moulding  
S C Wragg

The meeting started at 6.30pm and ended at 9.45 pm

\*8

**Minutes**

The minutes of the meeting of the Scrutiny Committee held on 28 June 2006, were confirmed and signed as a true record.

9

**Quarterly monitoring of performance – first quarter 2006/07**

Members noted the report of the Policy Manager on the quarterly monitoring of performance against Performance Indicators (PI) for the first quarter 2006/07. Members raised issues concerning a number of indicators. The main points were as follows:

- it was felt that progress could be made on indicator L61 Councillors accessing electronic information, by getting together those Councillors who preferred not to be e-enabled to offer them individual support from other Members and Officers and to encourage them to embrace the technology;

9 **Quarterly monitoring of performance – first quarter 2006/07 (Cont.)**

- the importance of encouraging SMART targets, meaning specific, measurable, achievable, realistic and time-based targets which challenged and motivated employees;
- indicator BV183 –‘the length of stay in temporary accommodation’ had been distorted by the fire in a property in Exmouth. This indicator was now improving as families had been rehoused;
- it was accepted that the level of performance on indicator L12 – ‘average void period for council homes’ was unacceptable and the Housing Needs Team was doing all it could to improve performance. It was particularly important to improve performance as there was a significant loss of rental income and over 4,000 people on the Council’s Housing Register;
- the Committee accepted that there were some ‘harder to let’ properties in the sheltered housing sector which distorted indicator L12 ;
- it was also recognised that the policy of undertaking modernisation work in void properties had an impact on void periods. Members questioned whether this policy should be reviewed again;
- when an indicator was red then there should always be a comment in the officer notes column to explain the situation;
- that indicator BV8 ‘percentage of undisputed invoices paid on time’ should be improved and invoices actioned faster than they currently were;
- it was hoped that indicator BV78a – ‘average time for processing new claims (Housing and Council Tax benefit)’ would be improved and the annual target would be met as performance has been much better during April and May;
- Members questioned indicator BV204 and how many of the planning appeals allowed were from decisions made by delegation and how many made by the Development Control Committee;
- that all PI descriptions should be easily understood and jargon free;
- Members questioned the number of Members who had received training on planning matters;
- Members questioned the method for calculating BVPI 2b.

**RECOMMENDED**

- 1) that all Members be trained in planning issues and that holding training sessions after Council meetings would be a good opportunity;
- 2) that the Committee continues to closely monitor Performance Indicator L12 - average void period for council homes;
- 3) that the Corporate Director – Central Services investigate Indicator BV204 - planning appeals allowed, to find out how many appeals allowed were from delegated decisions and how many on decisions made by Committee;
- 4) that the Corporate Director – Central Services review the Performance Indicator descriptions for clarity;
- 5) that the Corporate Director – Central Services circulate the Audit Commission description of the collection method for BVPI 2b.

(Councillor Miss J M Elson declared a personal interest in the licensing indicators as a holder of a taxi licence)

10 **Older people’s access to services**

Members considered a discussion document from the Corporate Director – Communities on older people’s access to services and the issues that may cause some limitations in older people accessing services.

10 **Older people's access to services** (Cont.)

It was noted that 27% of East Devon's population was over the age of 65 and that 20% of all households in East Devon were occupied by people of pensionable age living alone. Many of the issues in the report affected the whole population of East Devon, not just older people.

It was noted that transport issues were due to be considered by the Corporate Overview Committee later in the current year.

**RECOMMENDED** that the Corporate Director – Communities produce more written information for older people about the services available.

**RESOLVED** that the issue of older people's access to services be discussed at meeting to be held on 25 October 2006 to consider rural deprivation, which would include issues for both younger and older people.

(Councillor Miss J M Elson declared a personal interest in Community Transport)

(Councillor Mrs P A Stott declared a personal interest as Community Care Worker)

(Councillor P Burrows declared a personal interest as a Care Worker)

11 **Report from the Fees and Charges Task and Finish Forum**

Members considered the final report of the Fees and Charges Task and Finish Forum presented by Councillor Dr H W Waterworth. The report gave recommendations arising from the Fees and Charges Task and Finish Forum.

During discussions the following points were noted:

- the detailed and comprehensive nature of the report as presented;
- the Task and Finish Forum's intention to bring charges more into line with costs;
- it would be helpful to have a planning officer at meetings to explain items related to planning;
- the importance of consistency throughout the report, the Council and the District;
- that items 23, 26, 34, 38 and 64 in the summary report required further information;
- the Head of Street Scene Services was investigating a system to record more accurately income and expenditure for the various sports grounds and playing fields;
- the contract for the Dog Warden Service (which contained other enforcement roles) would be put to out tender in October and the Anti Social Behaviour Task and Finish Forum would look into the letting of the contract before this date;
- landlords of Houses in Multiple Occupation (HMO) would be breaking the law if they did not apply for a HMO licence and it was noted that one of the methods for investigating whether a property was a HMO was through the electoral roll;
- that only 15% of council tax payers might use electronic communication and consideration should be given to this when the Council communicated with the people of East Devon about changes in charges;
- the Housing Review Board could not review entirely the Home Safeguard Service as the service partly provided a service for North Devon District Council as well as customers in East Devon;
- that the Head of Legal and Member Services should clarify issues around the publicising of changes to charges.

11 **Report from the Fees and Charges Task and Finish Forum (Cont.)**

**RECOMMENDED** that the recommendations of the Fees and Charges Task and Finish Forum attached as appendix A to these minutes be accepted subject to the following changes:

- (a) that use of slipways be not charged for as they were public rights of way (and that this needed to be made clear to users);
- (b) charges for commercial events to be at the discretion of the relevant Portfolio Holder in consultation with the relevant Head of Service;
- (c) that the Head of Legal and Member Services be asked what item 60 of the summary document regarding the advertisement of charges related to;
- (d) that in item 68 of the summary document, the Corporate Overview Committee be requested to consider drawing up a new Marketing/Business Plan for the Home Safeguard Service and not the Housing Review Board.

(Councillors T A Cope, A R Giles and B J Toye declared prejudicial interests in the blue badge scheme as they had relatives who were blue badge holders)

\*12 **Draft Forward Plan**

Consideration was given to the Draft Forward Plan for the Scrutiny Committee that had been included on the agenda. Members were keen for the item on the effectiveness of Member involvement be dealt with sooner in the timetable and suggested that it be discussed at the meeting on 20 September, with a view to establishing a Task and Finish Forum. At this meeting the national guidance for effective Member involvement would also be considered.

Members also noted that the Concessionary Fares Scheme would be considered at an appropriate date.

**RESOLVED** that the draft forward programme for the Scrutiny Committee be agreed, subject to the item on Effectiveness of Member Involvement being dealt with at the meeting on 20 September 2006.

Chairman ..... Date.....

## Appendix A

# Recommendations from the Fees and Charges Task and Finish Forum

Number & report ref.	Recommendation	Lead Officer	Already in operation?	Cost implications
<b>Financial Services</b>				
1 (1.1)	That the charge for long stay coastal car parks during the period 1 November to 31 March, or Easter (which ever comes first), be amended to 70p per hour for the first two hours then £2.10 for three hours or more.	DP	Yes	
2 (1.1)	That long stay coastal car parks currently free during the winter months remain unaltered.	DP	Yes	
3 (1.1)	That inland long stay car parks retain real time parking with a charge of £2.10 being introduced for three hours parking or more with this charge being available throughout the year.	DP	Yes	
4 (1.4)	That three car park permits be promoted as follows: <ul style="list-style-type: none"> <li>▪ East Devon permit</li> <li>▪ Economy permit</li> <li>▪ Town Specific permit</li> </ul>	DP	Yes	
5 (1.5)	That Blue Badge holders remain obliged to pay for parking.	DP	Yes	
6 (1.6)	That car park charges be increased annually in line with the Retail Price Index (rounded up to the nearest 5p) and reviewed every three years.	DP		
7 (1.7)	That the charges payable for not displaying a valid car park ticket be increased as follows: <ul style="list-style-type: none"> <li>▪ Excess charge fine £50 (currently £45)</li> <li>▪ Fine if paid within 7 days £25 (currently £15)</li> <li>▪ Fine if paid via purchase of another ticket within one hour of their previous ticket running out £5 ( currently £3 within two hours)</li> </ul>	DP	Yes	
<b>Street Scene Services</b>				
8 (2.1)	That the charges for allotment plots in Sidmouth be increased in 2007/08 to <p style="margin-left: 40px;">5 Rods    £20</p> <p style="margin-left: 40px;">10 Rods   £40</p>	MR	Yes	
9 (2.1)	That the cost of maintaining the Sidmouth allotments and the leasing arrangements with the National Trust be clarified.	MR		
10 (2.1)	That, subject to the outcome of 9) above, the Head of Street Scene Services investigates the possibility of transferring responsibility of allotment provision to the Town Council.	MR		

11 (2.2)	<p>That the charges for events on Council owned land in 2006/07 be made as follows:</p> <table border="0"> <tr> <td style="padding-left: 20px;">Booking Fee</td> <td>£35</td> </tr> <tr> <td style="padding-left: 20px;">Key</td> <td>£10 (deposit refundable)</td> </tr> <tr> <td style="padding-left: 20px;">Filming</td> <td>£220 per day plus EDDC out of pocket expenses (guideline price only)</td> </tr> <tr> <td style="padding-left: 20px;">Funfairs</td> <td>£150 per active day to include cost of utilities</td> </tr> <tr> <td style="padding-left: 20px;">Ad hoc</td> <td>£50 per stand down day including utilities</td> </tr> <tr> <td style="padding-left: 20px;">Ad hoc</td> <td>£220 per day plus EDDC out of pocket expenses (guideline price only)</td> </tr> <tr> <td colspan="2"><u>Commercial Events</u></td> </tr> <tr> <td style="padding-left: 20px;">French Farmers' Markets</td> <td>£400 (not in car parks)</td> </tr> <tr> <td style="padding-left: 20px;">Any other events</td> <td>£50 (non commercial) (inc Sid Vale Horticultural)</td> </tr> </table>	Booking Fee	£35	Key	£10 (deposit refundable)	Filming	£220 per day plus EDDC out of pocket expenses (guideline price only)	Funfairs	£150 per active day to include cost of utilities	Ad hoc	£50 per stand down day including utilities	Ad hoc	£220 per day plus EDDC out of pocket expenses (guideline price only)	<u>Commercial Events</u>		French Farmers' Markets	£400 (not in car parks)	Any other events	£50 (non commercial) (inc Sid Vale Horticultural)	MR	Yes	
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12 (2.2)	That Officers enter into negotiations with the Folk Festival organisers in respect of its use of Council owned land with the aim of achieving normal commercial terms through negotiation.	MW																				
13 (2.3)	That the revised beach hut charges for all locations along the coast, as contained in Appendix I to the report, be approved, with charges increasing annually by a minimum of 2.5% annually or the RPI, whichever is greater	MR	Yes																			
14 (2.3)	That the cost of planned beach hut maintenance be linked to the charges for the service to a given level of income to make sure that the service is run effectively as a business enterprise.	MR																				
15 (2.3)	That the termination of all existing beach hut licence agreements for Exmouth be approved.	MR	Yes																			
16 (2.3)	That the transfer of Non-Domestic Rates liability for beach huts to East Devon District Council from the present licensees be approved in the interests of ease of administration across the Council's departments.	MR/DP	Yes																			
17 (2.3)	That the change of charging structure for beach huts in Exmouth from two instalments plus a separate rates bill per annum to a single payment be approved.	MR/DP	Yes																			
18 (2.3)	That consideration be given to increasing the publicity of the beach hut facility.	MR																				
19 (2.3)	That the restrictive condition allowing only East Devon residents to take out a beach hut licence be deleted.	MR																				
20	That the charge for a Boatman Licence (valid for 5 years) be increased for 2006/07 to £75.00.	MR	Yes																			

21 (2.4)	That the charge for a Categorised Waters Tax Licence (under 12 passengers and valid for 1 year) be increased for 2006/07 to £50.00.	MR	Yes	
22 (2.4)	That it be noted that if a new Categorised Waters code was made statutory the costs to the Council of issuing licences could be significantly increased and that efforts should be made in the meantime to cover attributable licensing costs.	MR		
23 (2.5)	That in view of the lack of clarity with regard to the allocation of income and expenditure figures to the various sports grounds and playing fields, Street Scene produce a detailed report to the Scrutiny Committee clearly showing the breakdown of income and expenditure for <u>all</u> sports grounds, pitches and open spaces, owned and managed by East Devon District Council, before the end of the current financial year;	MR	Not possible under the current Cedar accounting system MR	
<b>Planning &amp; Countryside Services</b>				
24 (3.1)	That for 2006/07 the charge for re-producing plans be increased to £5 to cover handling costs.	KL	Currently in a state of flux due to the challenge made elsewhere by Friends of the Earth	
25 (3.2)	That consideration be given to the introduction of charges for pre-planning application meetings along the lines of those charges operated by Taunton Deane Borough Council.	KL	Not yet implemented	
26 (3.2)	That the principal of charging for pre-application meetings/advice should be adopted and available for all planning applications as soon as possible. The Committee understands the protocols for 'Planning Delivery Agreements' are being written and will be trialed in respect of the Cranbrook development, following which they will be adapted for all other developments at a later stage.	KL	Not yet implemented	
27 (3.2)	That a report be put before the Scrutiny Committee within six months in respect of the possible introduction of pre-planning application charges.	KL	Not yet implemented	
28 (3.3)	That a Section 106 Officer be added to the establishment at the earliest possible date for the mapping, recording and controlling of Section 106 agreements and related funds.	KH	Mark Williams is undertaking some pre-work on this project.	
29 (3.3)	That a sliding planning tariff be introduced as soon as possible for sites of up to 15 units in both urban and rural areas as a contribution to affordable housing in the district.	KL	Not yet implemented	

30 (3.3)	That as monies and accruing interests received in respect of Section 106 agreements were not ring fenced they should be treated as follows: <ul style="list-style-type: none"> <li>▪ Sums received in respect of maintenance of open spaces should be treated as a capital receipt.</li> <li>▪ Sums received for defined works to be used within a set time frame should be held in a designated account until used in accordance with the agreement.</li> </ul>	KL	?	Now done
31 (3.4)	That if further services are made available online, for example the ability to print plans, charges be applied on a pre payment basis rather than following receipt of the service.	KL	All plans on line free – following Friends of Earth Court Case.	
32 (3.5)	That the following planning copying and research charges be applied: Search by admin staff £20.00 per hour. Search by Planning Officer £40.00 per hour. History files no longer to be accessed free when 24 hours notice given.	KL	Done	
33 (3.5)	That the following charges be retained: Copy of letter - £0.50p. Listed building description - £5.00. A4 - £0.50p.	KL	See comments for rec. 24 above. Following Friend of Earth Court Case – will have to reduce fees to actual cost = 10p for A4	
34 (3.6)	That an interim report be presented to the Scrutiny Committee by the end of 2006 to include: <ol style="list-style-type: none"> <li>1) Likely future arrangements for Home Improvement Packs/Home Condition Reports.</li> <li>2) The way forward for the Building Control section, with regard, for example, to the powers to trade and other options to cover costs in order to retain the viability of the fee paying element.</li> </ol>	KH	Overtaken by events – surveys not to be part of package at present.  Building Control Project Team now set up (of Members/Officers) to take this forward.	
35 (3.6)	That it be noted that the Task and Finish Forum supports in principal the work of the Building Control Project Team and anticipates their conclusion by the end of the year.	AT		
36 (3.6)	It is understood that we do not charge for FENSA applications but it is understood by Members that some Authorities do make a charge.			
37 (3.6)	That no exception be made for the Valuation Office and that they are charged the standard planning fees of £10 for every 10 history files they wished to inspect, or £2 per file, plus photocopying charges when applicable.	KL	Done	
38 (3.7)	That it be noted that the situation with regard to Local Land Charges was in a state of flux but would be clearer once the Government had reached its decision on options available.			

39 (3.7)	That a report be presented to the Scrutiny Committee before the end of 2006 to update Members on the current situation with regard to Local Land Charges.	KL	Not yet implemented	
40 (3.7)	That the Local Land Charges administration charge for personal searches be increased from £6 to £9.	KL	LLC in a state of flux & charges cant be increased at current time.	
<b>Environmental Health &amp; Health Equalities</b>				
41 (4.2)	That the charge for a licence to carry out ear piercing/electrolysis/tattoo & acupuncture be increased in 2006/07 to £75 per qualified person with a further increase being made the following year, with a view to reaching a target fee of £150 within three years. A discount of £50 per person will be given when dealing with applications from more than two people at the same location.	SS	Charges not increased – awaiting Committee approval	
42 (4.3)	That the charge for licences issued under the Zoo Licencing Act be increased to £100 plus vet fees.	SS	As per 41	
43 (4.4)	That the charge made for licences issued under the Dangerous Wild Animals Act 1976 be increased to £100 plus vet fees.	SS	As per 41	
44 (4.5)	That the 2006/07 charge for a Pet Animals (shop) Licence be set at £75	SS	As per 41	
45 (4.6)	That the charge made for dog breeders licences be increased to £75 plus vet fees.	SS	As per 41	
46 (4.7)	That in the light of the feedback received from 'Barking Mad', the recommended charge for a Home Boarding Licence be £50.00 per establishment for 2006/07, with this being increased in future years by RPI inflation rate or 2.5%, whichever is the greater. In the event of any concerns being raised by the dog warden contractor conducting the inspection a vet to be appointed to carry out an independent inspection to be paid for by the applicant.	SS	As per 41	
47 (4.8)	That the charge for an Animal Boarding Licence - Catteries and Kennels be increased for 2006/07 to £3 per animal with a minimum charge of £80 applying and a maximum charge of £120.	SS	As per 41	
48 (4.8)	That when the contract for the dog warden service is next put to tender the cost of inspecting animal boarding establishments be separately identified to enable the Council to ensure the charges applied cover the costs incurred in issuing the necessary licences.	SS		
49 (4.9)	That the 2006/07 charge for a Riding Establishment licence be set at £150 for up to 10 horses, thereafter £10 per horse up to a maximum charge of £200.	SS	As per 41	

50 (4.10)	That the 2006/07 charge for contaminated land enquiries be set at £50 for the first hour or part thereof, then £50 for each additional hour.	SS	As per 41	
51 (4.11)	That the charge for an Export Certificate - Fish be increased to £200 for 2006/07 and thereafter to increase by RPI inflation levels or 2.5% whichever is the greater.	SS	As per 41	
52 (4.12)	That the charge for a replacement licence certificate issued by the Environmental Health Service be increased to £15 plus VAT.	SS	As per 41	
53 (4.13)	That the cost of a Motor Salvage Operators Licence be set at £100 for 2006/07 to increase in future years by RPI inflation levels or 2.5% whichever is the greater.	SS	As per 41	
54 (4.14)	That the charge for the variation of a HMO licence be set at £10 for 2006/07 and increased to £25 for 2007/08.	SS	As per 41	
55 (4.14)	That all HMO licence fees increase annually by RPI or 2.5%, which ever is the greater.	SS		
56 (4.15)	That the charges for radon and contaminated land enquiries be set as follows: <ul style="list-style-type: none"> <li>▪ Radon enquiries: £15.00.</li> <li>▪ Contaminated land enquiries: £50.00 minimum charge with work over 1 hour being charged at an additional rate of £50.00 per hour or part thereof.</li> </ul>	SS	As per 41	
<b>Legal &amp; Member Services</b>				
57 (5.2)	That the following charges be levied for 2006/07 and that future charges rise by at least RPI inflation levels or 2.5%, whichever is greater. <u>Cemetery Fees for 2006/07 proposed as follows:</u> Adult Internments, including woodland burial plots - £300 increasing to £400 within 3 years Exclusive Burial Rights (@1.5 x internment fee) - £450 Internment of Ashes - £80 + RPI Scattering Ashes - £55 + RPI Exclusive Rights for Internment of Ashes plot - £200 Exclusive Rights for Garden of Rest - £55 + RPI Plaques - £140 Headstone Approval - £110 + RPI Flatsone/footstone/kerbstone Approval - £110 + RPI Vase/Tablet/Inscription - £50 + RPI Chapel Service - £70 + RPI Child - £0	RP	Yes	
58 (5.3)	That the minimum cemetery records search fee of £25 for the first half hour, with further officer time being levied at a price of £50 per hour.	RP		
59 (5.4)	That the fee be increased to £10,000 for grant and renewal of Sex Shop Premises licences.	RP		

60 (5.5)	Head of Legal & Member Services recommend to the ODPM that the regulation for the advertisement of charge changes be amended. This would mean that the Council could advertise changes on the website only, which would produce savings of at least £600 per annum.	RP		
61 (5.5)	That the following charges be levied for 2006/07 and that future charges rise by at least RPI inflation levels or 2.5%, whichever is greater.  <u>Private Hire and Hackney Carriage Licensing Fees for 2006/07 proposed as follows:</u> Vehicle Licence - £200 Vehicle Licence (where licence commences within 6 months of the annual expiry date) - £115 Drivers Licence - £75 Drivers Licence (where an HC drivers licence is already held with EDDC) £55 Private Hire Operators Licence - £100 Vehicle Ownership Transfer - £60 Vehicle Transfer - £60 Drivers Licence Badge Deposit - £15 Replacement Plate - £35 Criminal Records Bureau Check (Admin Charge) - £25	RP	Some 2006/07 charges being applied differ slightly from these	
62 (5.10)	That a charge based on a rate of £50 per hour, minimum charge £25, be charged for providing information about former Council houses.	RP		
<b>Economic Development &amp; Property</b>				
63 (6.6)	That a review of the effect of the new licensing law on the bookings for the Knowle be considered by the Scrutiny Committee within one year.	IP		
64 (6.6)	That the Asset Management Forum look into the possibility of developing the East Devon Business Centre, including a possible 'phase 3' with a view to increasing income generation and encouraging the local economy.	DP		
65 (6.7)	That the charges to keep a boat and winch on a Council beach increase to £50 and £60 respectively for 2006/07.	IP	Yes	
66 (6.7)	The fee for keeping a winch on a Council beach to increase in 2007/08 to £70.	IP		
<b>Housing &amp; Social Inclusion</b>				
67 (7.1)	That Home Safeguard remains a fully independent service and not included within the Customer Service Centre.	JG		

68 (7.1)	That the new Housing Review Board look at developing, with some urgency, a new Business Plan for the Home Safeguard Service to ensure that it reached and maintained a sustainable, self financing position. The Plan to take on board: <ul style="list-style-type: none"> <li>▪ Charging, including the use of direct debit,</li> <li>▪ Marketing, including the different options for users to lease or purchase equipment,</li> <li>▪ Maintenance of quality equipment, staff and accommodation, and</li> <li>▪ A review of current contract arrangements.</li> </ul>	JG		
69 (7.1)	That all Members be invited to visit the Home Safeguard offices.	JG		
<b>Organisational Development</b>				
70 (8.2)	That serious consideration be given to maximising recent investment in payroll software and personnel expertise by using the new powers to trade and charge to promote a commercial payroll bureau aimed at public sector organisations;	KJ	This has been investigated. Due to the licensing costs involved the other councils who initially expressed interest have discounted this as a solution for them. We will continue to look for possible opportunities to market these services. KJ	
71 (8.2)	That payroll slips for all Councillors be distributed with other non-urgent Councillor post and not posted separately.	KJ	To start in July 2006	

**KEY**

JG = John Golding, Head of Housing & Social Inclusion  
KH = Karime Hassan, Corporate Director – Environment  
KJ = Karen Jenkins, Head of Organisational Development  
KL = Kate Little, Head of Planning & Countryside Services  
IP = Ian Page, Head of Economic Development & Property  
DP = Diccon Pearse, Corporate Director - Economy  
RP = Rachel Pocock, Head of Legal & Member Services  
MR = Mark Reilly, Head of Street Scene Services  
MW = Mark Williams, Chief Executive  
SS = Head of Environmental Health & Health Equalities