

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Scrutiny Committee held at Knowle, Sidmouth on 21 March 2007

Present:

Councillors:

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

R W Boote
D J Cox
Mrs A E Liverton
Mrs F I Newth
Mrs M A Rogers

P J Skinner
B J Toyne
Dr H W Waterworth
Mrs E E Wragg

Also Present:

Councillors:

Mrs M J Boote
Miss J M Elson
C F A Gibbings
S Hughes
G K Liverton

Ms S M Merritt
A T Moulding
Mrs P A Stott
T A Cope

Apologies:

Councillors:

Mrs C E Drew
H J Jeffery
Mrs L A Roden

The meeting started at 6.30pm and ended at 9.50pm

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Minutes

The minutes of the meeting of the Scrutiny Committee held on 14 February 2007, were confirmed and signed as a true record subject to recommendation 2 of minute 54: Progress report on Poltimore House, being amended to read as follows and the addition of a third recommendation:

- RECOMMENDED**
2. that the Poltimore House Trust be requested to submit a feasibility study within two months,
 3. that East Devon District Council should not commit any further funds to the restoration of Poltimore House bearing in mind the overall costs, valuation shortfall and open ended nature of the project.

*56

Urgent item

The Chairman agreed that the decision made by the Portfolio Holder – Communications, agreeing to the purchase of a television, should be considered as an urgent item under Part B of the agenda.

*57 **Exempt Information**

RESOLVED that the classification given to the documents to be submitted to the Committee be confirmed and that the report relating to exempt information be dealt with under Part B of the agenda.

*58 **Allocation of ICT resources with regard to the Finance Service Plan**

At the previous meeting of the Scrutiny Committee Members noted that a significant number of the Service Plan areas categorised as areas of concern or variation were attributable to the performance of the ICT section. This included targets within the Finance Service which had not been met because ICT resources had not been allocated. The committee resolved that the Portfolio Holder – Communications and the Head of ICT should be invited to this meeting to explain why ICT resources had not been allocated to the three finance actions detailed in the report.

The Head of ICT advised Members that as Service Plan targets were set up to 18 months in advance best estimates had to be used. The ICT section did not have officers who could be solely dedicated to projects. Projects were assigned to individual officers but they still had to carry out day to day work supporting systems and users. The Project Management Board reviewed and prioritised projects on a monthly basis. Although ICT had not been able to dedicate resources to the three Finance Service targets, this had not come as a surprise to the Finance Service. It was anticipated that work on the 24 hour automated telephone payments service and the introduction and promotion of the direct public module of revenues and benefits would start in May 2007. This would be followed in October 2007 by work on the introduction of paperless direct debits.

The Portfolio Holder – Communications expressed his support for the work of the ICT section and how it was managed.

59 **Fees and Charges Task and Finish Forum – follow up questions**

At the Council meeting on 11 October 2006 questions were raised concerning charges made for use of Council owned land by small community groups and the possibility of charging for pre-application planning advice. Members were reminded of the work carried out by the Fees and Charges Task and Finish Forum and the recommendations made concerning these two areas.

Non commercial events on Council owned land

In 2006 a charge of £50 was introduced for use of Council owned land for events by non commercial organisations. In 2007 this was increased to £55. The charge could be waived by the Portfolio Holder – Environment. In 2006 there were 41 non commercial events held on Council owned land, a charge was made for approximately half of these. Charges were waived for events such as church services and boy scout activities. Discussion took place on whether it was worth making a charge for any non commercial event given the associated administration and processing costs and whether there should be guidelines on when costs should be waived.

Charging for Pre-application (planning) advice

Consideration was given to whether charges should be made for providing pre-application planning advice. The Head of Planning and Countryside Services advised Members of the advantages and disadvantages of providing a pre-application planning advice service.

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Fees and Charges Task and Finish Forum – follow up questions

The advantages were listed as:

- Income generation
- It would provide the applicant with the benefit of guidance on how their application could be judged
- It would identify early on in the process whether any specialist officers could be needed
- It would allow the Council to suggest modifications to applications in advance thereby helping with the achievement of planning targets
- It would help prevent unrealistic applications progressing further
- It would help ensure that applications were submitted with all the appropriate supporting information thereby reducing the number of applications returned as invalid.

The disadvantages were listed as:

- The Freedom of Information act already meant the Council was subject to requests for details of advice given out. If a professional service was offered the advice given would be more likely to be provided in written form, thereby increasing the likelihood of such requests. This would impact of the Council but also on any potential developer who might wish to keep private any commercially sensitive information.
- Charging for advice could lead to increased expectations although all advice would be given on a non prejudicial basis. No advice given would bind the Council to making a favourable decision for the applicant.
- If the Council charged for a service it would have to commit to providing that service and to meet time restraints which could impact on officer work load.

Members were advised that given the work load involved it would only be appropriate to offer this service to developers submitting major applications. The consistent provision of the service would be helped by ring fencing the income generated, this would enable additional staff to be brought in during times of officer shortfall.

It was noted that applicants would still be able to have a 'free second go' with their application if they made use of the service, although the advice they received could result in this being less likely, thereby reducing overall the cost of processing the planning application.

Members were advised that in addition to a pre application planning advice service there was also an opportunity to provide a tree advice service. The Council's tree officers had found that they were being asked for advice increasingly by members of the public who were reluctant to pay tree surgeons.

The Head of Planning and Countryside Services advised that she was in the process of producing a report on the possible provision of a pre application planning advice service which she would bring back to the Scrutiny Committee in due course.

RECOMMENDED that charges be not normally made for non commercial events held on Council owned land; but Officers be able to request the Portfolio Holder to consider making a charge when it is considered that the purpose of the event proposed by the non commercial company is aimed at raising substantial income.

RESOLVED that further discussion on the provision of a pre application planning advice service be postponed pending receipt of the report by the Head of Planning and Countryside Services.

60 **Member Involvement in the Political, Advisory and Decision Making Arrangements of the Council Task and Finish Forum – Interim report**

Consideration was given to the interim report of the Task and Finish Forum together with the minutes of the meeting held the previous evening. Members were advised of the process used by the Forum to reach its decisions and then discussed each of the recommendations made. Particular consideration was given to recommendations regarding the number of scrutiny committees and who should chair them.

RECOMMENDED that the recommendations of the Member Involvement in the Political, Advisory and Decision Making Arrangements of the Council Task and Finish Forum be agreed subject to the recommendations 5.5 iv), 5.5vii) and recommendation 2 g) of the meeting held on 20 March 2007 being amended to read as follows:

5.5 iv) that the Chairman/Vice Chairman appointments of Scrutiny and Overview Committees be in proportion to the membership of political groups in the Council with a minimum of the Chair or Vice Chair for each of the committees, and a minimum of one Chair, being from the non majority groups;

5.5 vii) that provision be made in the 08/109 budget, or earlier if possible, for the appointment of a dedicated Scrutiny Officer as a means of promoting and developing an effective scrutiny function within the Council.

2 g) Planning training to be mandatory for all members of the Development Control committees and timetabled to accommodate the needs of all Councillors

*61 **Scrutiny Committee Forward Plan**

Members noted the contents of the Forward Plan.

*62 **Task and Finish Forum Status Report**

Members noted the Task and Finish Forum Status Report.

*63 **Exclusion of the Public**

RESOLVED 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, together with the item set out in minute 56, is likely to be disclosed and on balance the public interest is in discussing the items in private session.

*64 **January 2007 virus incident**

Members considered the report of the Head of ICT with regard to the action taken following the computer virus incident in January 2007. Members were advised that it would never be possible to fully protect any computer system from infection by viruses. The findings made during the incident and the lessons learnt were discussed. It was noted that the virus took hold at the same time as the Napoli incident thereby increasing the workload on the ICT section. It was not possible to calculate the total cost of the virus to the Council but Members commended the small amount of overtime charged to deal with the virus at the time of the incident and subsequently catch up with backlogs. Each section coped differently with the lack of computers, no employee was seen to be doing nothing. The effort put in by the ICT staff who worked long days throughout the incident, thereby keeping the cost down was much appreciated.

*64 **January 2007 virus incident** (Cont.)

Members thanked the Head of ICT for his honest report and for the hard work put in by members of his team.

65 **Purchase of a television set**

Members noted that the Portfolio Holder – Communications had agreed to the purchase of a widescreen television. The television had been originally acquired on a rental basis during the Napoli incident when it had proved valuable to monitor the news coverage of the event. Following the end of the period of hire the Council was offered a discount on the purchase of the television. The hire charge was deducted from the offer price resulting in a relatively small additional charge needing to be made. The decision to purchase the television was made with the knowledge that it was usual practice to hire a television during the election period and that it would come in useful for the training of Councillors following the elections.

Members were aggrieved that the decision to purchase the television had been reported as a Portfolio Holder decision which could be called in. However, as the item cost less than £10,000 it could not be subject to call in. Members were advised that additional attention would be paid to the reporting of such decisions in the future.

- RECOMMENDED**
1. that the Maritime and Coastguard Agency be invoiced for the hire of the television for the initial two month period;
 2. that the Scrutiny Committee receive a report within 6 months on the total official usage made of the television.

Chairman

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