

Minutes of a meeting of the Scrutiny Committee held on 5th July 2016 at Pippbrook, Dorking from 7.00pm to 8.50pm

Present: Councillors David Draper (Chairman), David Harper (Vice-Chairman), Tim Ashton, Stephen Cooksey, Mary Cooper, Simon Edge, Mary Huggins, Duncan Irvine and Paul Newman

Also present: Councillor Howard Jones

12. Minutes

The minutes of the Scrutiny Committee meeting held on 7 June 2016 were agreed as a correct record and signed by the Chairman.

13. Apologies for Absence

Apologies for absence were received from Councillors David Hawksworth, Malcolm Ladell, Jatin Patel and Paul Potter. Councillor Mary Cooper attended the meeting as a substitute for Councillor David Hawksworth.

14. Disclosure of Interests

None

15. Transform Leatherhead – Masterplan and Implementation

The Executive Member for Transform Leatherhead introduced the Masterplan and Implementation report, which contained six recommendations for the Executive to determine at its meeting on 19 July 2016.

The first recommendation of the report was to note the stage 3 consultation report, attached at Appendix 1. The Scrutiny Committee raised no concerns in relation to this recommendation.

The Chairman suggested that recommendations two and three of the report should be considered jointly as they each related to Option A, and then recommendations four, five and six also be considered jointly as they related to Option C.

Discussing the second and third recommendations, a range of views were offered by the Committee. Some Members expressed full support for the recommendations, suggesting that a feeling of excitement at the Leatherhead project beginning to materialise could already be sensed around the town, for example with the preparatory work taking place on Church Street for a new Waitrose store. Some Members were also of the view that the consultation responses would serve an additional benefit in terms of the development of Mole Valley's new Local Plan, a key component of which was securing community support, which the Transform Leatherhead initiative had demonstrated overwhelmingly.

Other Members of the Committee were more cautious regarding recommendations two and three, suggesting that giving 'significant weight' to the Masterplan in the preparation of the new Local Plan was a vague statement of intent, and more work would need to be done to ensure that the two plans did not end up conflicting with one another. It was also suggested that whilst Mole Valley was clearly leading on the delivery of the Masterplan, there were areas where partner agencies would be need to be involved to help the project to realise its ambitions. In this regard, some Members considered the report to be light on detail regarding how partner agencies would be brought on board in order to address issues such as traffic and parking, given that these fell outside the remit of the District Council. In response to this suggestion, the Executive Member advised the Committee that the County Council, being the Highways authority, was fully involved and supportive of the project, and had separately applied to the Local Enterprise Partnership (LEP) for funding to carry out detailed traffic modelling in Leatherhead, which would be required to analyse issues of such complexity.

Discussing the fourth, fifth and sixth recommendations, the Committee were mindful of the potential dangers involved in failing to secure an appropriate balance between control, cost and risk in a project of such scale. The Executive Member explained that the fourth recommendation would

provide for the majority of the funding and financial risks associated with delivery to be met by a Development Partner, in return for a share of the financial return. This was the favoured approach because it would give the Council greater control than a Joint Venture Partnership could offer, for a relatively small additional cost.

Members expressed concern that in light of the uncertain economic outlook, particularly in the wake of the recent referendum result, whether it was likely that investors would be willing to get involved with the project, and where the project would stand if the investment sought was not forthcoming. The Deputy Chief Executive sought to reassure the Committee that the Council had a reasonable degree of confidence that there was, and would remain, sufficient market demand for the investment opportunities offered within the Masterplan, but Members stressed that it would be dangerous to show complacency in this regard.

Members also asked for clarification on how the £1m Transform Leatherhead Development Reserve had been arrived at, whether the figure was capped, and where the money would be spent aside from the £100,000 already earmarked for the appointment of a Property Advisor. The Deputy Chief Executive advised that the figure had been settled based upon advice from masterplanners and that it was envisaged that the outlay would be recovered through income generated over the full life of the project. The Committee were reassured that any decisions regarding how the Reserve fund is subsequently spent will have to be passed either through the Council or Executive cycle, therefore Members could expect to be kept fully informed of developments in this area.

Resolved: That the comments of the Scrutiny Committee be relayed to the Executive during its consideration of the report.

16. Authorisations Made Under the Regulation of Investigatory Powers Act 2000 (RIPA)

The Committee received a report which provided an update on the use of powers, and any authorisations made for directed covert surveillance, during the last year under the Regulation of Investigatory Powers Act 2000, together with the outcome of an inspection of the Council's policy and procedures by the Office of the Surveillance Commissioner.

Members suggested that rather than being given a statistic on the annual number of authorisations made, it would be useful for the Committee to receive a confidential pink paper report outlining the reason(s) for the authorisation and any relevant background information. The Legal Services Manager stated that previously reports had contained an annexe showing relevant information about the authorisation but with the names and addresses of the individuals removed and confirmed that this could be provided in future.

Members also noted that in-house training had been provided for "as many officers who could attend", but asked what provisions had been made for those that had not been able to attend. The Legal Services Manager advised that those who had not attended the in-house training had been given the opportunity to attend training hosted by other local authorities, or failing that had been sent the presentation slides from the in-house training to use as a reference. Members also noted that an inspection carried out on 8 March 2016 had resulted in a recommendation that the Council's policy be revised in accordance with suggestions made by the Assistant Surveillance Commissioner, and asked whether Members had access to this policy. It was confirmed by the Legal Services Manager that the policy provides a reference point for Officers to use to ensure that powers are not being wrongly applied, and is not made available for Member scrutiny.

17. 2015/16 Outturn Report

The Committee received a report which provided an overview of the Council's performance and financial position for the period April to March 2015/16.

A Member of the Committee raised a number of concerns regarding some of the performance data, in particular on the subject of street cleaning, where it was suggested that a possible link existed between the £30,000 underspend on the street cleaning contract and a perceived decline in the

quality of service. The Member also suggested that more needed to be done to assess the impact of falling refuse collection rates and to reduce the number of families housed in bed and breakfast accommodation.

Some Members of the Committee raised concerns about staff shortages in the Planning department, particularly as the outturn report highlighted that savings had been made by not filling vacant posts within this area. Members pointed out that failing to fill these vacancies would increase pressure on existing staff, and also many residents had reported concerns to them regarding the timeframes currently experienced for dealing with planning applications. In response to the concerns regarding unfilled vacancies, the Financial Services Manager advised that it was not a deliberate Council strategy to make savings by leaving posts vacant, but rather that attempts to recruit to these areas had thus far been unsuccessful due to a shortage of suitable and qualified planners.

Members also asked whether, in light of the fact that most of the performance indicators showed the Council was achieving its targets, the targets themselves were sufficiently challenging or if they needed to be revised in order to drive further improvements. It was suggested that the recent Infrastructure Needs Assessment which the Committee had discussed at its previous meeting demonstrated that there were some areas of service provision where public expectations were not being met. The Deputy Chief Executive acknowledged that target setting involves finding the right balance between what is realistic and achievable, but reassured the Committee that Executive Members carefully monitor activity within their areas of responsibility and will always challenge Officers and Managers where improvements are required.

Resolved: That the comments of the Scrutiny Committee be relayed to the Executive during its consideration of the report.

18. Tourist Information Panel – Terms of Reference

The Committee approved the terms of reference for the Tourist Information Panel, and the Chairman confirmed that Councillors Mary Cooper, David Draper, Rosemary Dickson, Mary Huggins and Malcolm Ladell had been nominated by Group Leaders to form the Membership of the Panel.

19. Planning Enforcement Panel – Terms of Reference

The Committee received the proposed terms of reference for the Planning Enforcement Panel, which had been revised to take account of changes to the Council's partnership arrangements since its creation, and to strengthen the Panel's monitoring and reporting responsibilities.

Members welcomed the revisions and expressed a strong desire to be kept informed of the number of enforcement cases being dealt with and the number of cases currently unresolved, in order to judge whether current resourcing levels were appropriate.

Subject to an amendment to the wording of item 2, the Committee approved the revised terms of reference for the Planning Enforcement Panel, and noted the timeframe which proposed that the Panel should meet as soon as possible with a view to reporting back to the Scrutiny Committee in the autumn of 2016.

20. Scrutiny Committee Work Programme 2015/16

The Committee noted the summary of work undertaken during 2015/16 and approved the recommended work programme for 2016/17.

The Chairman reminded Members during the discussion of this item that the opportunity existed to ask Officers questions, in respect of issues concerning matters of detail or for further clarification, prior to the meeting. This was not intended to deter questioning at the meeting itself, but to ensure

that any questions could receive the appropriate Officer attention prior to the meeting, and a full and informative answer to be given at the meeting. If questions were saved until the meeting itself, this ran the risk that the appropriate Officer may not be present at the meeting, or would not have the necessary information to hand in order to provide an answer. The Committee noted the advice provided.

21. Urgent Items

None

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Chairman

Date: