

**SCRUTINY & OVERVIEW COMMITTEE**

**6<sup>TH</sup> SEPTEMBER 2012**

Present: Councillors: George Cockman (Chairman), Brian Donnelly (Vice-Chairman) John Chidlow, Philip Circus, Leonard Crosbie, Duncan England, Josh Murphy, Brian O'Connell, Jim Rae, Kate Rowbottom, Tricia Youtan

Apologies: Councillors: Laurence Deakins, Jim Goddard, David Sheldon, David Skipp

Also present: Councillors: Roger Arthur, John Bailey, Andrew Baldwin, Roy Cornell, Frances Haigh, Ian Howard, Liz Kitchen, Gordon Lindsay, Sheila Matthews, Christian Mitchell, Stuart Ritchie, Sue Rogers, Claire Vickers

SO/17 **MINUTES**

The minutes of the meeting of the Committee held on 2nd July 2012 were approved as a correct record and signed by the Chairman.

SO/18 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

SO/19 **ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COMMITTEE OR THE CHIEF EXECUTIVE**

The Chairman of the Scrutiny & Overview Committee welcomed Councillor England to the Committee and announced that he had replaced Councillor Dunlop.

SO/20 **TO RECEIVE A PRESENTATION BY THE CHIEF EXECUTIVE AND THE HEAD OF PLANNING AND ENVIRONMENTAL SERVICES ON:**

**(A)ISSUES AND IMPLICATIONS RELATING TO PLANNING APPLICATIONS FOR RESIDENTIAL DEVELOPMENT AT LAND EAST OF MANOR CLOSE, HENFIELD, AND**

The Chief Executive introduced this item. The Business Improvement Working Group had previously been asked to consider whether there were staffing issues in the Development Management Department. This had in part been prompted by concerns amongst members stemming from an appeal that had been lodged as a result of the Council's failure to determine planning application DC/11/1962 (residential development, land east of Manor Close, Henfield) within the statutory period.

At the Business Improvement Working Group's meeting on 10<sup>th</sup> July 2012 it was agreed that a presentation should be made to the Scrutiny and Overview

SO/20 To receive a presentation by the Chief Executive and the Head of Planning and Environmental Services on:

(B) Issues and implications relating to planning applications for residential development at Land East of Manor close, Henfield, and (cont.)

Committee about the recent and prospective changes to staffing, structure and systems within the department. Subsequently the Chairman of the Committee agreed that the issues and implications in relation to the Henfield cases should also be considered given the concerns that they had prompted. The Chief Executive had prepared a paper on this issue which had been circulated to all Councillors.

The Chief Executive advised members that non-determination appeals were rare and were only used when applicants concluded that they were unlikely to gain planning permission from the Council and they wished to accelerate the appeal process. He also explained that Councils were not in a weaker position at appeal if the appeal had arisen from non determination. He had concluded that he found no connection between the difficulties the Council faced with the Development Control (South) Committee decisions on the two applications and the performance of the department.

Members expressed concerns including the time taken for consultees to respond and there were a number of different views about whether the Development Control (South) Committee had debated the merits of the application at its April and May meetings. The Chief Executive explained that he would be preparing a report on the lessons to be learnt from the way the applications were processed and determined and in doing so he would review transcripts of that Committee's deliberations.

It was agreed by the Committee that this item would be referred back to the Business Improvement Working Group, where Members would consider the Chief Executive's report, along with the meeting transcripts, once these were available. The Working Group would report back to the Scrutiny and Overview Committee.

**(C) RECENT AND IMPENDING CHANGES TO DEVELOPMENT MANAGEMENT DEPARTMENTAL STRUCTURE, STAFFING AND PROCESSES FOLLOWING REDESIGN AND RESTRUCTURING**

The Head of Planning and Environmental Services provided the Committee with a presentation on the recent and impending changes and continuous improvement to the Development Management department, as part of the Redesign process and restructuring.

The Cabinet Member for Living and Working Communities added that a great deal of work had already been undertaken in the department and the improvements were ongoing A Senior Planner had recently been appointed and as part of their new role, would be continuing to work on the development of the department.

SO/20 To receive a presentation by the Chief Executive and the Head of Planning and Environmental Services on:

(D) Recent and impending changes to development management departmental structure, staffing and processes following redesign and restructuring (cont.)

The Committee discussed this item in detail.

It was agreed that the Committee would not initiate another review of the department at this stage as changes previously approved by the Council were still being implemented on a phased basis.

The Business Improvement Working Group would be kept updated periodically.

SO/21 **REPLIES FROM CABINET/COUNCIL REGARDING SCRUTINY AND OVERVIEW RECOMMENDATIONS**

The Committee noted the response from the Cabinet Member for a Safer and Healthier District to the recommendations made by the Social Inclusion Working Group on Disability Access to the Council's Services.

Following the report by the Social Inclusion Working Group on Disability Access to the Council's Services a number of recommendations were made by the Committee to the Cabinet Member for a Safer and Healthier District. These responses were received at the last meeting of the Committee however Members were not satisfied with two responses and these were referred back to the Cabinet Member. The additional information was received at the meeting.

The Committee noted the responses and the ideas for continuous improvement, the Cabinet Member would also be working with the Chairman of the Horsham and District Access Forum providing feedback forms to ensure the continuous improvement of services. The feedback form was also circulated at the meeting.

The Chairman of the Social Inclusion Working Group thanked the Cabinet Member for the report.

SO/22 **BUSINESS IMPROVEMENT WORKING GROUP – TO RECEIVE AN UPDATE FROM THE CHAIRMAN AND NOTES OF THE MEETING HELD 10<sup>TH</sup> JULY 2012**

The Chairman of the Business Improvement Working Group presented the notes of the meeting held 10<sup>th</sup> July 2012.

The Chairman explained that the amended Regulation of Investigatory Powers Act 2000 would be presented to the Working Group at its October meeting, as the amendments were not yet available.

SO/22 Business Improvement Working Group – To receive an update from the Chairman and notes of the meeting held 10<sup>th</sup> July 2012 (cont.)

The Working Group would also receive the draft Contract Standing Orders in relation to the use of consultants at this meeting.

At the next meeting the Working Group in September Members would continue discussing vehicle procurement and would receive an updated copy of the Council's fleet list.

RESOLVED

That the notes of the Business Improvement Working Group meeting held 10<sup>th</sup> July 2012 be received

REASON

All notes of Working Group meetings are to be received by the Committee.

SO/23 **FINANCE AND PERFORMANCE WORKING GROUP - TO RECEIVE AN UPDATE FROM THE CHAIRMAN AND NOTES OF THE MEETINGS HELD 5<sup>TH</sup> JULY AND 8<sup>TH</sup> AUGUST 2012**

The Chairman of the Finance and Performance Working Group presented the notes of the meetings held 5<sup>th</sup> July and 8<sup>th</sup> August 2012.

The new combined Working Group had begun receiving its quarterly reports, including those on Complaints, Compliments and Suggestions, the District Plan Priorities Progress, Projects and Performance Indicators and the Budget Report for first quarter.

RESOLVED

That the notes of the Finance and Performance Working Group meetings held 5<sup>th</sup> July and 8<sup>th</sup> August 2012 be received

REASON

All notes of Working Group meetings are to be received by the Committee.

SO/24 **SOCIAL INCLUSION WORKING GROUP – TO RECEIVE AN UPDATE FROM THE CHAIRMAN AND NOTES OF THE MEETING HELD 30<sup>TH</sup> JULY 2012**

The Chairman of the Social Inclusion Working Group presented the notes of the meeting held 30<sup>th</sup> July 2012.

At the meeting the Working Group heard from Southern Water in respect of the new metering programme which had been implemented across the District. The Working Group had requested that a press release be issued and an article included in the February 2013 issue of the Horsham District News, encouraging residents who were struggling with their water bills under the new system to come forward and get in contact with Southern Water.

At the next meeting the Working Group would be considering how the Council was represented on outside bodies.

RESOLVED

That the notes of the Social Inclusion Working Group meetings held 30<sup>th</sup> July 2012 be received

REASON

All notes of Working Group meetings are to be received by the Committee.

SO/25 **SUPPORTING LOCAL BUSINESSES WORKING GROUP – CHAIRMAN'S UPDATE AND NOTES OF THE MEETING HELD 25<sup>TH</sup> JULY 2012**

The Chairman of the Supporting Local Businesses Working Group presented the notes of the meeting held 25<sup>th</sup> July 2012.

The Working Group had received a great deal of information over the course of the review and it was anticipated that following the next meeting the information would be collated into a final report and the review concluded.

The Committee discussed the notes of the meeting and Members were alarmed to see that the obligations and policies placed on companies supplying to the Council did not differentiate between large and small businesses.

The Committee asked that the Working Group investigate this further and suggested that a recommendation be made to the Cabinet Member for the Local Economy to ask him to look into this further and remove the prohibitive measures placed on small businesses.

The Chairman explained how Members had previously raised this issue with the Joint Procurement Officer and enquired about what measures the Council could take in order to assist businesses of £50,000 and less so that they did not

SO/25 Supporting Local businesses Working Group – Chairman’s update and notes of the meeting held 25<sup>th</sup> July 2012 (cont.)

have to follow the same onerous processes as did the larger businesses and suppliers. The Working Group would follow this up.

Some Members were also concerned about the cuts to the Saturday bus services which transported residents from the District into Horsham town centre, and asked whether this also be addressed as part of this review.

RESOLVED

That the notes of the Supporting Local Businesses Working Group meeting held 25<sup>th</sup> July 2012 be received

REASON

All notes of Working Group meetings are to be received by the Committee.

SO/26 **SOUTHERN RAIL’S PERFORMANCE IN SEVERE WEATHER WORKING GROUP – CHAIRMAN’S UPDATE AND NOTES OF THE MEETINGS HELD 16<sup>TH</sup> JULY AND 28<sup>TH</sup> AUGUST 2012**

• **TO APPROVE THE REVISED TERMS OF REFERENCE**

The Chairman of the Southern Rail’s Performance in Severe Weather Working Group presented the notes of the meetings held 16<sup>th</sup> July and 28<sup>th</sup> August 2012.

At its last meeting the Working Group heard from a representative from the West Sussex Rail Users Association for their perspective of the disruption to the rail service which was faced as a result of the severe weather. At the future meetings Members were hoping to hear from Southern Rail and then Network Rail.

RESOLVED

- (i) That the amended terms of reference for the Southern Rail’s Performance in Severe Weather Working Group be approved
- (ii) That the notes of the Southern Rail’s Performance in Severe Weather Working Group meetings held 16<sup>th</sup> July and 28<sup>th</sup> August 2012 be received.

REASON

All notes of Working Group meetings are to be received by the Committee

SO/27 **REPORT FROM THE WEST SUSSEX JOINT SCRUTINY TASK AND FINISH GROUP ON THE COMMUNITY LEGAL ADVICE SERVICES CONTRACT**

The Scrutiny and Overview Committee received the report by the West Sussex Joint Scrutiny Task and Finish Group on the Community Legal Advice Services Contract.

The Joint Scrutiny Task and Finish Group was established to consider the future arrangements for the provision of generalist legal advice services to the residents of West Sussex.

Councillor Donnelly represented the Council on this Group and presented the report to the Scrutiny and Overview Committee.

The report recommended that the existing contract with the West Sussex Citizens Advice Bureau Consortium be extended for a further two years on the current level of funding.

The Task and Finish Group would reconvene again in the future to consider the proposed arrangements from April 2015 when the contract would expire.

**RECOMMENDED TO THE CABINET MEMBER FOR A SAFER AND HEALTHIER DISTRICT**

- (1) The existing contract with the West Sussex Citizens Advice Bureau Consortium for the provision of generalist advice should be extended for a further two years at the current level of funding, with West Sussex County Council letting the contract on behalf of all existing partner authorities
- (2) It is not appropriate to step in to fund any element of the contract currently funded by the Legal Services Commission
- (3) The negotiation of the extension should include the following elements -
  - A. revision of the existing conditions to seek greater flexibility of service provision and improved productivity, in the light of the significant reduction in central government funding of legal aid
  - B. preservation of the existing facility for each District and Borough Council to influence the nature of provision within their area according to local need
  - C. continuation of the local provider presence in 11 locations throughout the County
  - D. appropriate confidentiality assurances regarding individual client information, but an assumption that all other

SO/27 Report from the West Sussex Joint Scrutiny Task and Finish Group on the Community Legal Advice Services Contract (cont.)

- information about the contract and service should be open and available for scrutiny
- (4) The priority client groups should remain as in the original contract –
    - A. those under 25
    - B. those experiencing or at risk of domestic abuse
    - C. those at imminent risk of losing home
  - (5) The period of the extension should be used to
    - A. enable all partner authorities to decide on the nature of their future involvement in the provision of generalist advice services beyond March 2015
    - B. analyse the effect of changes likely to impact on levels of demand and the nature of the service required to enable a revised specification to be developed for service beyond March 2015
    - C. gather customer satisfaction information about the existing arrangements
    - D. explore the potential of the market and options for a range of providers to contribute to the future tendering process, including the potential to explore other ways of delivering community legal advice services provision
  - (6) A Joint Scrutiny Task and Finish Group should be convened (or the existing group reconvened) to examine the revised specification and approach to tendering proposed for the arrangements to be put in place for the period from April 2015, with sufficient time allowed for detailed scrutiny in advance of the executive decision making and tendering processes.

SO/28 **TO RECEIVE ANY SUGGESTIONS FOR THE SCRUTINY AND OVERVIEW WORK PROGRAMME**

There were no suggestions for the Scrutiny and Overview work programme

SO/29 **ITEMS NOT ON THE AGENDA BUT CONSIDERED URGENT**

The Chairman of the Scrutiny and Overview Committee explained that the Council had a Horsham District Community Safety Partnership (CSP) which was a statutory partnership under the Crime and Disorder Act 1998.



SO/29 Items not on the agenda but considered urgent (cont.)

Good practice from around the country was that the work of the CSP be scrutinised to ensure that it was transparent and effective in tackling crime and disorder.

Therefore it was suggested that the Scrutiny and Overview Committee establish a standing Crime and Disorder Working Group to enhance existing partnership arrangements.

The Chairman would circulate a briefing note to all Members of the Committee however a formal report would be presented to the Committee at its next meeting with any recommendations.

The meeting finished at 7.33 pm having commenced at 5.30pm.

CHAIRMAN