

Notes of the Scrutiny and Overview Committee
Business Improvement Working Group
12th January 2015

Present: Councillors: Brian O’Connell (Chairman), John Chidlow (Vice-Chairman), Paul Clarke, Jonathan Dancer, Matthew French, Nigel Jupp, Godfrey Newman

Apologies: Councillors: David Coldwell, Tony Hogben, David Jenkins, Michael Willett

Also present: Councillors: Leonard Crosbie (Chairman of Scrutiny & Overview Committee)

Officers: Aidan Thatcher, Development Manager
Raymond Warren, Business Transformation Officer

1. TO APPROVE AS CORRECT THE RECORD OF THE MEETING HELD ON 10th November 2015

The notes of the meeting held on 10th November were approved as a correct record.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. ANNOUNCEMENTS FROM THE CHAIRMAN OR CHIEF EXECUTIVE

There were no announcements.

4. BUSINESS TRANSFORMATION PROGRAMME – UPDATE FROM THE BUSINESS TRANSFORMATION MANAGER

The Chairman advised that the Business Transformation Advisory Group would be meeting on 14th January to scope the next stage of the programme. The Business Transformation Manager therefore concentrated on what had been achieved so far, in particular the office move, and how it compared to the business case which had been presented to Members in October 2014.

The office move had been scheduled for completion by the end of June 2015 and this had been achieved. The budget of £1,193,000 had been set and the project was currently just under budget.

4. Business Transformation Programme – Update from the Business Transformation Manager (Cont.)

The scope of the office move had been broadly achieved: wifi access throughout the building and standardised working spaces to allow for flexible working; the provision of 290 desks (some 25 more than originally anticipated); a mixture of formal and informal meeting spaces; dedicated Member meeting rooms, that could also be used by officers; and private customer space near the ground floor reception. There had also been a significant reduction in storage space, which had partly been achieved through off-site storage.

Members asked if the public reception area on the ground floor would be reviewed, and were advised that WSCC were looking at their customer face to face services, although there was no formal review of the reception area at present.

The Chairman thanked the Business Transformation Manager and his team for all their work in successfully delivering the office move, and other aspects of the Business Transformation Programme, including the new website.

- The Working Group would be updated with details of the next stage of the Business Transformation Programme in March, after it had been scoped.

5. PROPERTY & ASSET MANAGEMENT REVIEW – ASSET LIST UPDATE

The Chairman advised that this item was deferred.

6. REVIEW OF THE S106 PROCESS

The Working Group set out to review the West of Horsham Countryside Homes application as a case study to establish the process and see if it was fit for purpose. This had been a complex application involving a number of amendments, and it had been subject to a viability study.

The Development Manager advised that the outline application had been made in 2009, when the initial S106 agreement was entered into. The number of affordable housing units (20%) had been established at this stage. The developer had not been required to confirm the sizes of the units at the outline stage; this was established with each subsequent reserved matters application.

6. Review of the S106 Process (Cont.)

Members were concerned that local housing need had not been directly addressed at the outline application stage. The Development Manager confirmed that this was in line with government legislation.

Members were advised that a viability study was required if the developer sought an amendment to the permission, eg a reduction in infrastructure contributions or number of affordable housing units to be provided. The Development Manager confirmed that the viability study was scrutinised to ensure the developer was not profiting unduly from it.

Members discussed the review mechanism within S106 agreements designed to ensure that developers' profits were reasonable. The Development Manager reported that a Planning Obligations Officer post had been established during the recent restructure. A significant part of this role was to monitor the progress of S106 agreements.

With regards to the spending of S106 monies, the Council was establishing a new database that would record and monitor all contributions. This information would be readily available to parish councils and help to identify unspent monies.

It was suggested that a small task group of Members be set up to follow the S106 progress on major applications. The Chairman considered that such a group would not be necessary, particularly in the light of the recommendations of the Working Group that local Members, (i) be alerted when an application is likely to warrant an S106 agreement; and (ii) be advised of the draft Heads of Terms by the Legal team.

Members requested a comparison analysis of S106 agreements, looking at three major applications; Countryside, Barclay and Kilwood Vale.

- The Chairman therefore requested a comparison of the Heads of Terms of these three S106 agreements. It was noted that this information would not include details of negotiations leading to the Heads of Terms and would therefore be of limited value.

The overriding concern of the Working Group was that the initial S106 agreement secured at the outline stage did not have a monetary value attached because a breakdown of the sizes of housing to be provided was not required until the reserved matters stage.

- The Chairman therefore asked for clarification on the extent of the Council's power to negotiate with the developer at outline stage.

7. **MEMBER OVERVIEW OF THE COUNCIL'S USE OF THE REGULATION
OF INVESTIGATORY POWERS ACT 2000**

The Working Group noted that the Council had not used the powers under the Regulation of Investigatory Powers Act 2000 in the past quarter.

The meeting finished at 7.45pm having commenced at 6.00pm

CHAIRMAN