

## **BABERGH AND MID SUFFOLK DISTRICT COUNCILS**

Minutes of the meeting of the **JOINT OVERVIEW AND SCRUTINY COMMITTEE** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Monday, 23 July 2018

### **PRESENT:**

Councillors:	Barry Gasper	Lavinia Hadingham
	John Hinton	Bryn Hurren
	Alastair McCraw - Chair	Dave Muller
	Adrian Osborne	Fenella Swan
	Keith Welham	Kevin Welsby

### **In attendance:**

Councillors: Derek Davis  
Nick Ridley  
Jan Osborne  
Jill Wilshaw

Strategic Director (KN)  
Assistant Director – Planning for Growth (TB)  
Assistant Director – Law and Governance (EY)  
Professional Lead – Growth and Sustainable Planning (PI)  
Corporate Manager – Strategic Planning (RH)  
Area Planning Manager (GW)  
Service Manager – The Shared Legal Service (TH)  
Strategic Housing Officer (GC)  
Governance Support Officer (HH)

### **1 APOLOGIES AND SUBSTITUTES**

Apologies were received from Councillors Sue Ayres, James Caston, John Field, Elizabeth Gibson-Harries, Lesley Mayes, Derek Osborne and Stephen Williams.

Councillor Dave Muller was substituting for Councillor Lesley Mayes.

### **2 JOS/18/3 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON THE 21 MAY 2018**

**It was RESOLVED: -**

**That the minutes of the meeting held on the 21 May 2018 be confirmed as a true record**

### **3 JOS/18/4 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON THE**

**28 JUNE 2018**

**It was RESOLVED: -**

**That the minutes of the meeting held on the 28 June 2018 be confirmed as a true record**

**4 DECLARATION OF INTERESTS**

There were no declarations of interests.

**5 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

None received.

**6 JOS/18/5 SCOPING OF THE PRE-PLANNING APPLICATION FEE**

6.1 Councillor Ridley, Cabinet Member - Planning, introduced the item and detailed some of the responses of the attached Planning Pre-application Service Customer Questionnaire on page 15 to page 45.

6.2 The Professional Lead – Growth and Sustainable Planning, explained that the fee charge service for pre-planning had been in place for approximately one year and that overall the survey was positive. He said that the department was in the process to of evaluating the responses to make improvements to the service.

6.3 Members proceeded to complete the scoping document and asked the following to be added:

- That 60% to 70% of customers were fairly satisfied with the service;
- That the timing needed to be improved and was to be addressed in the report;
- That the apparent difference between the advice provided at the site visits and the written advice produced by the Planning Department;
- A request for Suffolk County Council Highways to be invited as witness to the Committee meeting;
- A copy of the pre-application form to be attached;
- Analysis of how many responses included other departments such as flooding and heritage;
- The Planning Department was to invite professional agents for larger developments if possible and inform the Chairs of their attendance;
- Investigate if customers were discouraged by having to pay a fee for pre-planning advice. The outcome was to be split between the percentage of private customers and professional agents;
- Resource requirements in relation to site visits for householder applications.

**7 JOS/18/6 REVIEW OF THE SHARED LEGAL SERVICE**

7.1 The Assistant Director – Law and Governance forwarded an apology on

behalf of Councillor Suzie Morley, Lead Member for Organisational Communications and Organisational Delivery.

- 7.2 She then introduced the report and pointed to the list of recommendations made by the Joint Overview and Scrutiny Committee in December 2017. The report included responses to the points made by the Committee in December and data on the progress on workloads, case management and arrangements for instructing the legal team.
- 7.3 A new intranet page and reinforcement of the Business Partner arrangements had also been implemented. There were still some challenges for the team such as staff recruitment and retention, which was being addressed.
- 7.4 Members asked questions in relation to paragraph 11.6, page 73 and Appendix 2, page 81 and queried the variance between the figures. It was agreed that an Information Bulletin for Appendix 2 be provided to the Committee.
- 7.5 Further questions were raised in relation to Paragraph 11.16, page 75, and that any contact could result in an expenditure. Members expected that relevant information received would be linked to the appropriate cases before an expenditure could be raised. The response was that the Shared Legal Service officers maintained a record for the time they spent on individual cases. This was not recorded as an expenditure but kept on record for possible future use. The cost of the Service was split 43% to West Suffolk District Council and 57% to Babergh and Mid Suffolk District Council.
- 7.6 Questioning continued, and officers responded that all officers at the Shared Legal Service had access to the Case Management System and could update on the progress status on all cases. However, it was possible to lock down access to individual cases, such as confidential and covert cases.
- 7.7 Members ask for clarification on how the cost was allocated for cases won or cases lost. Council would receive any costs in connection with won cases and the department who raised the case would be allocated the cost for cases lost.
- 7.8 The split of the cost between the Councils was questioned further and although it was possible in the future to allocated specific costs for individual cases, but it was not currently a cost-effective method of allocating costing.
- 7.9 Members asked about the key performance indicators and how long it took for cases to be completed as there was a difference between the two Councils. This was explained as due to the judicial reviews currently being undertaken by both Councils.
- 7.10 Councillor Davies felt that the service for the Shared Legal Service had improved, and that the Website for the Service was a good indicator of this improvement.

- 7.11 The Service Manager for the Shared Legal Service said that the new case management system was efficient, and the Service would be able to deal with the increasing case load and provide progress reports. The system would also enable officers to maintain detailed records and to provide information to Members in subject to the General Data Protection Regulation on individual cases. It was also possible to gather data for future analysis and she referred Members to Appendix 3, page 83.
- 7.12 It was generally felt by Members that Appendix 3 contained too much data and required further analysis. It was therefore agreed that a recommendation should be included for this purpose.
- 7.13 The Chair enquired about the Client Portal and how this would work. The officers responded that it was an Application that currently was on test with high level officers in West Suffolk District Council. The aim was to use this application to improve the service to Clients and enable access to cases, along with controls in place to secure confidentiality if needed.
- 7.14 Members generally felt that the Shared Legal Service had responded to the recommendations made in December 2017 and that the Service was improving the Service it provided to clients.
- 7.15 Members agreed that an Information Bulletin should be provided by the Financial Department to explain the figures in Appendix 2 and that the data provided in Appendix 3 should be analysed and clarified to the Committee.

By a unanimous vote

**It was RESOLVED: -**

- 1.1 That the contents of the report and presentation to the Overview and Scrutiny Committee be noted.**
- 1.2 That an Information Bulletin be provided by the Finance Department to clarify Appendix 2 of the report and be presented to the Joint Overview and Scrutiny Committee 19 November 2018.**
- 1.3 That the data in Appendix 3 of the report be analysed and clarified and presented to the Joint Overview and Scrutiny Committee on the 19 November 2018.**

## **8 JOS/18/7 DEVELOPMENT OF THE JOINT HOUSING STRATEGY 2018- 2036**

- 8.1 Councillor Osborne, Cabinet Member – Housing, introduced the report by summarising the recent development in the Housing Strategy and that emphasis was on strong, safe and resilient communities. Supply of housing in the future depended on co-operation between key stakeholders and Member involvement. She referred to the recent Member workshop and reminded Members that further workshops were to take place, and that the final one was to be held in November. The Housing Strategy Consultation

period also ended in the first week in November 2018.

- 8.2 Robert Hobbs, Corporate Manager – Strategic Planning, explained it was not a legal requirement of the Councils to provide a Housing Strategy, but that there was a legal requirement to produce a Homelessness Reduction Strategy and that the focus had been on the four main issues identified in the scoping document as priority 1 to 4 (page 112 to 114). An action plan was to be in place for the next five years and was to be presented to the Cabinets in December 2018.
- 8.3 Councillor Welham asked questions including:
- Could the key principles include energy and water efficiency;
  - That the report appeared to have too much emphasis on home ownership and too little on the social rental sector;
  - If the Housing Strategy was robust enough to withstand Central Government's policy changes or flexible enough to adapt to Government policy changes;
  - Were there potential staffing implications in relation to monitoring the number of houses being completed and to the monitoring of the progress of stalled sites.
- 8.4 The Cabinet Member - Housing responded that there was no specific emphasis on home ownership, houses with affordable rent or shared ownership in the strategy and if this was felt to be the case the report was to be amended. The main focus was to provide the right housing in the right place and with the right tenure. She also said it was difficult to pre-empt future Government legislation, but that the Strategy was flexible enough for this.
- 8.5 Fuel and energy efficiency were included as key objectives in the document, and that solar panels were installed on Council properties.
- 8.6 Officers continued that staffing was being addressed and that the team was being restructured to progress with the demands of housing delivery.
- 8.7 An allowance of £60,000 had been allocated for Mid Suffolk to work on the blockage of stalled sites and attempts had been made to fill a post to manage this project. However, this had been unsuccessful and the engagement of a consultant for Navigus Planning had been employed to work on this project and on an on-going database with up-to date information for the sites. It was a challenge to recruit the right people and was not just a question of resources.
- 8.8 Councillor Jan Osborne added that the Action Plan for the Housing Strategy would have the ability to adapt to Central Government Legislation.
- 8.9 Members then asked about paragraph 4.5 (page 103) and that the expected increase in the population would be 21,000.
- 8.10 The Corporate Manger – Strategic Planning, responded he would provide the

information outside the Committee.

- 8.11 Councillor Hurren generally felt the report was quite robust but regretted the absence of involvement of the Housing Association, and he felt that the focus was not local enough.
- 8.12 The Housing Strategy Officer – Strategic Planning, explained her role in the department and how she was supporting the local community. She continued that the document in front of Members provided the general top lines of what the finished Housing Strategy would look like. She was currently undertaking detailed work for the finished document and this would have to be presented to the Cabinets in September. She said that the Action Plan would contain more detail of local needs. There was also to be an annual review and monitoring of the Action Plan.
- 8.13 Councillor Hinton raised questions in relation to voids and said that these had to be kept to a minimum.
- 8.14 The Cabinet Member – Housing, responded that the voids team had worked hard to reduce the time it took to re-let a Council Property and that in June the number of days were reduced to 17 days. Currently there was 324 empty properties across the two Districts and the Councils were working with private landlords to get more property ready to be re-let.
- 8.15 The Chair reminded Members that in the past year the Committee had been involved in the work to reduce voids.
- 8.16 Councillor Welham enquired if there would be a reference to Council Housing developments across the Districts in the Action Plan and the officers responded that there would be a section for this.
- 8.17 The Chair then drew Members' attention to the Indicative Time Table on page 122.

The recommendation 3.1 was proposed and seconded.

By a unanimous vote

**It was RESOLVED: -**

**That the comprehensive BMSDC Housing Strategy context and development process detailed in the report be endorsed, which includes a revised Homelessness Reduction Strategy**

## **9 JOS/18/8 INFORMATION BULLETIN**

- 9.1 The Corporate Manager – Strategic Planning referred to the table paper 'Information Bulletin for Joint Overview and Scrutiny Committee – Five Year Housing Land Supply'

9.2 Members thanked the Planning Team for the work conducted to achieve a Five-year Housing Land Supply.

**It was RESOLVED: -**

**That the Information Bulletin be noted**

**10 JOS/18/9 FORTHCOMING DECISIONS LIST**

**It was RESOLVED: -**

**That the Forthcoming Decisions List be noted**

**11 JOS/18/10 BABERGH OVERVIEW AND SCRUTINY WORK PLAN**

Members suggested topics to be added to the work plan including:

- The effect of Brexit on employment opportunities in the Districts
- Retention of staff
- The financial strategy for Babergh District
- Shared Service Agreements
- Shared Revenues Partnerships

**It was RESOLVED: -**

**That the Babergh Work Plan be noted**

**12 JOS/18/11 MID SUFFOLK OVERVIEW AND SCRUTINY WORK PLAN**

12.1 Members discussed the work plan and if the Disability Facility Grant should be added, as there currently was underspend of 70% in Mid Suffolk District Council.

**It was RESOLVED: -**

**That the Mid Suffolk work plan be noted**

**13 EXCLUSION THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

The resolution was proposed and seconded.

By a unanimous vote

**It was RESOLVED: -**

**That pursuant to Part 1 of Schedule 12AA of the Local Government Act 1972 the public be excluded from the meeting for the business specified below on the grounds that if the public were present during this item, it is likely that there would be the disclosure of them of exempt information as indicated against the item.**

**The Committee was also satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.**

**14 JOS/18/12 CONFIRMATION OF THE CONFIDENTIAL MINUTE FROM THE MEETING HELD ON THE 28 JUNE 2018**

**It was RESOLVED: -**

**That the Confidential minute from the meeting held on 28 June be confirmed as a true record.**

The business of the meeting was concluded at 4:10 pm.

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Chair