OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on Tuesday 8 January 2013 at the Town Hall, Royal Leamington Spa at 6.30pm.

PRESENT: Councillor Gifford (Chairman); Councillors Mrs Blacklock, Boad, Brookes, Copping, Dean, Edwards, Mrs Falp, Mrs Gallagher, Gill, Illingworth and Weber.

ALSO PRESENT: Councillor Hammon (Portfolio Holder)

Councillor Illingworth substituted for Councillor Davies.

Apologies for absence were received from Councillors Mrs Higgins and Guest.

84. **DECLARATIONS OF INTEREST**

Minute Number 86 – Executive Agenda item 16 - Fetherston Court

Councillor Illingworth declared a personal interest because he was Chairman of Planning Committee.

85. **MINUTES**

The minutes of the meeting held on 11 December 2012 were agreed and signed by the Chairman as a correct record.

86. **UPDATE FROM THE PORTFOLIO HOLDER FOR DEVELOPMENT SERVICES**

The Committee received a presentation from the Portfolio Holder for Development Services and the Head of Development Services, Tracy Darke on the Development Services section. The presentation covered the following headings:

- Financial position
- Service Area priorities
- Actions done to-date
- Key risks
- What was planned for 2013/14

Following the presentation, a "Question and Answer" session followed. Members were informed that Planning Services tried to achieve a balance between income generation and not discouraging investment or householders from seeking advice. Currently a pre-application fee was charged only for applications that proceeded through to application stage, and the fee formed part of the application fee. However, it was recognised that pre-applications used a lot of officer time.

The Head of Development Services explained that the Service Area was undergoing a "Peer Review". This review had been organised by the

Planning Advisory Service, and the team conducting the review would include three officers from other local authorities. They would have the opportunity to speak to our officers, senior officers and management. They would also be speaking to Agents, representatives from parish councils and town councils, external partners and stakeholders. There would be a cross-fertilisation of ideas and practices.

Members were informed that the numbers of enforcement enquiries were dropping. The Service Area was now more proactive and brought these to Members earlier.

The Overview and Scrutiny Committee thanked the Head of Development Services and the Portfolio Holder for the presentation and for answering the questions.

Councillor Copping left the meeting during this item and Councillor Edwards arrived at the meeting during this item.

87. **EXECUTIVE AGENDA (NON CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 9 JANUARY 2013**

Item 7 – Annual Monitoring Report and Local Development Scheme

The Labour Group had requested that this item was discussed by the Overview and Scrutiny Committee because these were important overviews of planning in the District and Members had some comments about priorities.

The Annual Monitoring Report (AMR) assessed the extent to which existing planning policies and proposals were being implemented against a range of indicators. The AMR also monitored progress on the preparation of planning policy documents and therefore informed the review of the Council's Local Development Scheme (LDS). The report to be submitted to the Executive sought approval for the AMR 2012.

The LDS was a project plan that outlines what planning policy documents the Council intended to prepare. The Council approved its current LDS in December 2011 and this was brought into effect in the same month following its submission to the Secretary of State. The report also therefore sought approval for a revised LDS to be published in light of progress that the Council had made during 2012.

The Overview and Scrutiny Committee was concerned that the timetable set for the Local Plan (Appendices 2 & 3 in the report going to the Executive) would not override the Town Centres' Action Plans. It was noted that the start of the Leamington Spa Action Plan had been delayed to get the Local Plan in force.

The Committee also wanted clarification on whether the Kenilworth Action Plan was going to the Executive in May 2013, ahead of the Leamington Spa and Warwick Actions Plans, which were going to Executive in 2017.

Item 6 – Provision of WDC Legal Services

The Labour Group had requested that this item was discussed by the Overview and Scrutiny Committee because its Members had some questions about WDC service use and cost management.

The report which would be presented to the Executive the following day, recommended a four-year service level agreement for the continuation of a joint legal service with Warwickshire County Council (WCC).

The Overview and Scrutiny Committee felt that the arrangement for legal services with WCC had worked well when advice was required by our Planning, Licensing and Regulatory Committees. The Overview and Scrutiny Committee suggested that it would be useful if half-yearly meetings between the Chairman of our Planning, Licensing and Regulatory Committees could be arranged with Ian Marriott, the officer in charge of legal services at WCC, if the Chairmen felt it helpful.

88. **COMMENTS FROM THE EXECUTIVE**

The Committee considered a report from Civic and Committee Services which detailed the response the Executive had given to their comments regarding the reports submitted to the Executive in December 2012.

The report was produced to create a dialogue between the Executive and the Overview and Scrutiny Committee and it ensured that the Overview and Scrutiny Committee were formally made aware of the Executive's responses.

RESOLVED that the report be noted.

89. **FORWARD PLAN**

The Committee considered the Forward Plan which had been published for January 2013 to April 2013.

RESOLVED that the report be noted.

90. **REVIEW OF THE WORK PROGRAMME**

The Committee considered a report from Civic and Committee Services on the Committee's work programme from January 2013 to March 2013.

RESOLVED that the report be noted.

91. **SEXUAL ENTERTAINMENT VENUES (SEVS) TASK & FINISH GROUP**

At the Overview and Scrutiny Committee meeting held in December 2012, the membership of the Sex Establishment Venue Task and Finish Group had been agreed and this group was asked to present a draft scoping document laying out its terms of reference at the next Overview and Scrutiny Committee for its consideration and agreement.

Members were advised that the Group had only met on 7 January 2013 to discuss the scoping document and the lead officer had then drawn up the

draft scoping document for the Overview and Scrutiny Committee to consider. The Task and Finish Group had not had the opportunity to review the written document beforehand.

Members of the Overview and Scrutiny Committee made various comments about the scoping document and asked that Councillor Brookes, a member of the Group, take these to the Task and Finish Group before the final scoping document was published. The Committee informed Councillor Brookes that it was not necessary to delay the progress of the Group by re-submitting the document at the meeting of the Overview and Scrutiny Committee in February 2013.

RESOLVED that the Group be given approval to proceed subject to the scoping document being amended with the comments made to Councillor Brookes.

92. **SCRUTINY OF PARTNERSHIPS**

The Overview and Scrutiny Committee deferred discussion of this report until February 2013 when an officer from Housing Services would be present.

93. **PUBLIC & PRESS**

RESOLVED that under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item, by reason of the likely disclosure of exempt information within paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

94. **EXECUTIVE AGENDA (CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 9 JANUARY 2013**

No items on this part of the Executive agenda were discussed.

(The meeting finished at 7.30 pm)