



Minutes of a meeting of Overview and Scrutiny Committee held on Tuesday, 13 June 2023.

Councillors present:

Gina Blomefield
Roly Hughes
Michael Vann

Gary Selwyn
Angus Jenkinson
David Cunningham

Dilys Neill
Clare Turner

Officers present:

Robert Weaver, Chief Executive
David Stanley, Deputy Chief Executive and
Chief Finance Officer

Claire Locke
Phil Shaw, Business Manager - Development
Management

Observers:

Councillor

OS.251 Apologies

Apologies were received by Councillor Tony Slater

The Committee and Officers introduced themselves

OS.252 Substitute Members

Councillor David Fowles substituted for Councillor Tony Slater.

OS.253 Declarations of Interest

There were no declarations of interest from Members or Officers.

OS.254 Minutes

The Chair stated that there were a number of actions from the previous meeting which had been assigned to the Chief Executive. The Chair invited the chief Executive to provide an update on these. The Chief Executive stated that a briefing note would be circulated after the meeting.

RESOLVED: That the Minutes of the Committee meeting held on the 21st of March were approved as a true and accurate record of the meeting.

Voting Record - For 3, Against 0, Abstentions 5*, Absent 2

*Only three of the Members were eligible to vote on the minutes, due to the change in committee membership following elections.

OS.255 Chair's Announcements

As it was a new committee with several new members, the Chair made several announcements regarding the purpose of the committee, the items on the agenda and procedural matters;

- The layout of the committee differed from the layout used for full Council meetings, and explained how this related to the webcasting system.
- If members would like to speak they should indicate to the Chair or Vice Chair.
- The purpose of the committee was to scrutinise the Cabinet, and the Council as a whole.
- A training session would be held on the 20th of July at 6pm, in the Council Chamber, which would be useful to all Committee members, and those who wish to substitute.
- Members of the Committee were encouraged to read the Cabinet papers, and attend Cabinet meetings where possible.
- The Chair referred to the Development Management Improvement Plan Agenda Item 8 and whilst recognising the interest Members may have, encouraged succinctness where possible.

The Chair also discussed outside body appointments and outlined that there were three outside bodies to which a member is appointed by Council to report back to O&S. The outside bodies were;

- HOSC (Health Overview Scrutiny Committee),- Cllr Dilys Neill, Cllr Nigel Robbins (deputy)
- Crime and Disorder – Cllr Ray Brassington
- The Economic Growth Joint Committee had a vacancy, for which the chair invited a volunteer to get in touch at a later point.

The Chair thanked their predecessor, Stephen Andrews for his exemplary level of detail and expertise in the role.

OS.256 Public Questions

Stephen Andrews, as a Councillor on Kempford Parish Council asked the committee a question relating to agenda item 8 on Development Management. Cllr Andrews stated that the role of Town and Parish Councils were not mentioned within it, which contrasted with the CEO's promises to work with Town and Parish Councils on improving the experience of dealing with planning matters. Councillor Andrews asked whether the Committee would recommend that no action is taken on this plan until after the Town and Parish Forum in mid-July?

The Chair thanked Cllr Andrews for his question, and stated that they will discuss the points raised later on in the meeting.

There were no pre-submitted member questions.

Members discussed the training and questioned why it was that members were able to sit on the committee without training. It was explained by the Chair that the purpose of the training was to encourage the committee function effectively, but that unlike quasi-judicial committees such as planning, there was less of a legal impetus associated with the training.

A question was raised as to whether the Vice-Chair of the committee should be an opposition member to encourage effective scrutiny of the administration. The vice-chair clarified that the Committee was not political and therefore, they could effectively scrutinise the committee regardless of political grouping.

OS.258 **Development Management Improvement Plan**

The Cabinet Member for Planning and Regulatory Services introduced the item.

The purpose of the item was to provide an update on progress against Phases I and II of the DM Improvement Programme and make recommendations for further improvements (Phase III), following the Planning Advisory Service (PAS) report.

The Cabinet Member outlined the report, which identified the progress made in implementing the improvements to DM that have been undertaken thus far and the improvements to performance that have been secured. This included the change in the validation process, and the utilisation in extensions of time.

The Cabinet Member also stated that there would be changes with how Ward Members were consulted, in order to open an early dialogue with officers on cases of high local interest.

The Committee discussed the report, stating that they welcomed the work that had been done on the Development Management Improvement Plan, particularly in regard to the work on expediting the validation process. However it was noted that more information was needed in regard to working with Parish and Town Council Councils, and scrutinised the new engagement process with members.

The Committee made reference to a letter sent by the Secretary of State for Levelling Up, Housing and Communities dated 12th of April which addressed the Council's performance on deciding Planning Applications. The letter stated that the performance of the Council was 69.6%, which was below the Threshold of 70% and threatened special measures. The Chief Executive stated that since the receipt of this letter, a response had been submitted to the Secretary of State, who was satisfied with the actions taken by the Council to address performance. The Chief Executive also added that performance had since improved.

The Committee discussed the new process of engagement with ward members which had been mentioned in the Cabinet Member's introduction. The Committee asked for further detail on the PAS report, which referenced that consultation with members at the end of the application process added delay, and wanted to know how this functioned. The Business Manager stated that it undermined the ability of the Officer to negotiate with the applicant, and lengthened the application process. Members also raised concerns over deciding to refer an application to Committee before the Case Officer made their final assessment. It was also stated that the previous process had led members to engaging with the Case Officers early the

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process. It was outlined that expressing an intention to call a report in early could feel like pressure on the officer, regardless of intention. Officers also reassured members stating that Members would know whether an application needs to be referred to Committee early in the process from community correspondence.

The Business Manager stated that the process over referrals to Planning Committee would ultimately be made by the Constitution Working Group, to make recommendations to Council. The Business Manager stated that the improvements in efficiency as detailed in the report would allow room for more engagement with Parish and Town Councils, and that ultimately the Working Group would need to decide on how to balance efficiency with good engagement.

The Committee requested that further detail on the following matters be provided, which the Business Manager and Cabinet Member addressed during the meeting;

- The Government target for Officer delegated decisions was 90%, and the Council's actual figures were between 95% and 93%. The Business Manager stated that the accurate figure would be distributed to members after the meeting, including figures on what percentage of applications went to Committee.
- Where the delays on applications were due to awaiting statutory consultees, the PAS advice was that the Case Officer delay the application only where it would make a difference to the outcome of the application due to sensitivity over the topic (eg. protected species or dangerous highway impact).

The Committee stated that some Town and Parish Councils have a longer interval between their meetings than the 21 day consultation period on applications, and in this case they could apply for an extension of time to allow them to respond. The Committee discussed that improvements to Town and Parish Council engagement were being made through other aspects of the Council's work, but that further work needed to be done on involving Town and Parish Councils early in the Planning Application process.

The 'alert' system for residents to automatically be notified on planning applications, as used at West Oxfordshire District Council was mentioned. The Business Manager stated that the possibility of doing this within the existing system was still being looked at.

The Committee noted a change in how site notices were managed, which was mentioned in the report. The change would mean that the applicant would be relied on to putting out the notification and the committee expressed that there were concerns over the reliability of this. It was addressed that this system was used at West Oxfordshire, where it was considered successful, and that the notifications are a legal requirement, for 14 days of 21 day consultation period. The Business Manager stated that planning officers would be enforcing this.. It was also stated that this could be something Town and Parishes could be asked to help with.

The Committee discussed costings within the department, and stated that there are largely four types of applications, those that are rejected, accepted, need tweaks, or massive changes, which would all have different resource intensities. Separately, the committee discussed a consultation that the Government was undertaking on ongoing funding issues for Local Planning Authorities.

Councillors David Fowles and Dilys Neill left the meeting at this point due to needing to attend Parish Council meetings.

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Members asked whether there was an error in Annex E in regard to the charges, where officer time was costed at £50, everywhere but in one instance. Members also asked how the figure of £163.50 was calculated. The Business Manager said that a full response would be circulate after the meeting, but that this was likely due to inflation.

Whilst the Committee welcomed the improvements, there were comments raised at the resourcing available to deliver against the ecology and sustainability agenda as referenced in the report.

On a separate point, it was noted that a new Assistant Director for Planning was now in post, with a permanent Development Manager to be appointed soon. A 'roles and responsibilities' document was also in train, and was going to be shared with Parish and Town Councils.

Cllr Michael Vann left the meeting at this point.

RESOLVED: The Committee NOTED the report and its recommendations.

OS.259 Update from Employment Policies Working Group

The purpose of the item was to receive a verbal update on the work of the Employment Policies Task and Finish group.

The Chair of the Task and Finish Group provided the update.

The purpose of the working group was to review employment policies and recommend any changes to Full Council. The original date for reporting back to Council was shifted from the original March deadline to broaden the scope to all employment policies.

The Task and Finish Group Chair explained that the policies had been completed and an external HR consultant had reviewed the work. Once feedback from the consultant was been incorporated, the retained Council Officers and Publica and Ubico management teams would review the policies, and finally they will be taken to Trade Unions. The work was scheduled to be complete in October due to Trade Union delays.

RESOLVED: The Committee NOTED the update.

OS.260 Review of Work plan proposed by 2022/23 Committee

The Assistant Director for Properties and Regeneration, as the lead Assistant Director for the Overview and Scrutiny Committee, introduced the work, and provided background on what had been achieved to date.

The Assistant Director explained that the previous committee had carried out a review of the plan and provided topic recommendations.

It was stated that several items on the work plan were regular update items, such as Crime and Disorder and the Publica Business plan items, but that the Committee also had the ability to include Cabinet items for pre-decision Scrutiny. The Committee were reminded that the work plan was a complete plan, and any additional items would require some existing items to be removed.

The Committee were invited to also agree the subsequent agendas for the July and September meetings.

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Although the Committee welcomed the work plan and stated that there were no gaps on it, members requested that an update on Processes and Council Governance be included. The Chief Executive stated that the purpose of the Committee was to focus on scrutinising and adding value, but that this could be dealt with in a future members briefing, carried out by the Assistant Director.

The Chair encouraged members to read the Rural England Prosperity Fund item once the Cabinet agenda for the following month would be published.

RESOLVED: To note the work plan and the Agenda items for July and September's meetings.

OS.261 **Cabinet Forward Plan**

The committee noted the Forward plan.

The Meeting commenced at 5.00 pm and closed at 7.24 pm

Chair

(END)