SCRUTINITY COMMITTEE

Minutes of a meeting of the Scrutiny Committee of South Norfolk District Council held at South Norfolk House, Long Stratton on 21 November 2014 at 9.30 am.

Committee Members Present: Councillors: M Dewsbury (Chairman), L Hornby, T Lewis, B McClennning, A Pond, K Tilcock (for part of the meeting), G Watt, K Weeks and J Wilby

Apologies: Councillors S Thomson

Cabinet Members in Attendance: Councillors K Kiddie and G Wheatley

Officers in Attendance: The Director of Growth & Localism (T Horspole), the Communities Officer – Sport and Wellbeing (M Heazle) and the Scrutiny Officer (E Goddard)

1124 MINUTES

The minutes of the meeting of the Scrutiny Committee held on 1 October 2014, were confirmed as a correct record and signed by the Chairman.

1125 WHITLINGHAM CHARITABLE TRUST FUNDING ARRANGEMENT

The Communities Officer – Sport and Wellbeing presented his report which sought to update members on the discussions held between the Council and the Whitlingham Charitable Trust following the recommendations and comments made during the meeting of the Scrutiny Committee held on 2 July 2014.

The Committee was advised that negotiations were underway for the Trust to adopt a performance management framework and it was hoped that this would be approved at a meeting of the Trust in early December 2014. The Communities Officer summarised the salient points in his report, advising members that improvements had already been implemented by the Trust, including the installation of 46 new signs across its car parks to address the most common misunderstandings for visitors using the park. He was also pleased to inform the Committee that the Trust had decided not to introduce 24 hour parking as had been previously planned, and that a system of daily cash collections from parking machines had been implemented to prevent theft.

In response to a member’s query, officers confirmed that, subject to the Trust’s adoption of the proposed performance management framework, a new Service Level Agreement would be drawn up for the Trust.

Members were pleased that the Trust had addressed concerns raised by the Council and following a brief discussion, it was
RESOLVED to:

note the contents of the update on the Whitlingham Charitable Trust Funding Agreement.

1126  NPLAW REVIEW 2014

Cllr Wheatley provided members with a brief update on the efficiency of service and the ongoing expansion of nplaw. The Scrutiny Officer summarised the salient points in the report, advising members that it was the third review undertaken by the Scrutiny Committee since the transfer of the Council's legal service to nplaw in April 2012. The Committee was pleased to note that nplaw was continuing to deliver a high standard of service and had worked with the Council to ensure that all key Section 106 Agreements had been successfully completed prior to the introduction of the Community Infrastructure Levy (CIL). Members were also advised that the service had achieved an 'adequate' audit opinion, with just one medium priority recommendation given, at its audit in the first quarter of 2014.

The Scrutiny Officer advised members of an amendment to paragraph 3.2 in the report, explaining that a third planning inquiry had taken place in addition to those mentioned. This had resulted in the costs, detailed in paragraph 3.3, rising from £66,000 to £111,000. Members were informed that these costs were unavoidable as the Council had had no option but to defend planning decisions made by the Development Management Committee. It was stressed that for two of the three cases, the Secretary of State had upheld the Council’s decision and officers were still awaiting the result of the third enquiry, but that legal costs incurred by the Council were not recoverable. Cllr Wheatley reassured the Committee that planning decisions should be defended by the Council and that members of the Development Management Committee should continue to reach their decisions based on their expertise and planning law and to not let their decisions be influenced by the possibility of incurring inquiry costs.

In response to a member’s concern that the Council no longer required a legal representative to be present during meetings of the Development Management Committee, except where there were exceptional circumstances, the Director of Growth & Localism reassured members that planners had extensive knowledge of town planning law and were fully able to advise the Committee where necessary on planning matters.

Members queried whether the figures quoted in the report for the year-on-year costs incurred by the Council for the provision of legal services had taken inflation into account. Cllr Wheatley agreed that he would look into this and feed back to the Committee.

The Chairman noted the effectiveness of the arrangements between the Council and nplaw and, it was

RESOLVED to:

note the contents of the update on the review of nplaw and agree that this matter would not require any further examination by the Scrutiny Committee, unless circumstances changed in the future.
SCRUTINY WORK PROGRAMME AND THE CABINET CORE AGENDA

Members noted the Scrutiny Committee Work Programme, particularly the additional item regarding outside bodies.

(The meeting concluded at 10.10 am)

Chairman