

17 March 2016	
<i>Progressing reviews identified in 2015/16</i>	
Report author:	Bob Pullen – Policy and Performance Officer
<p>Recommendations</p> <p>That the Committee:</p> <p>(1) note the review activity undertaken this year (para 2.1 and Appendix I);</p> <p>(2) agrees to establish a Task and Finish Group to review Development Management and make considerable progress on this in the next few months (paras 3.1 – 3.4 and Appendix II); and</p> <p>(3) agrees to establish Task and Finish Groups for the Leisure and Tourism and Housing Services reviews, but only start work in these areas once the Development Management review is clearly under way (para 3.5).</p>	

1 Purpose of report

1.1 As we approach the end of the current Municipal Year, the Committee needs to consider how it can progress the three main reviews it identified at the start of the year.

2 Background

2.1 Each year, the Committee decides which topics it should review and in what priority order. The Committee has completed a number of reviews, albeit these were mainly one-off items which were considered at a single Committee meeting. The schedule at Appendix I lists all of the topics the Committee has reviewed this year, including the current status of each one. This Appendix will form the centre-piece of the Committee’s Annual Report to Council later this year.

2.2 This report invites the Committee to consider proposals for progressing those in-depth reviews for which review plans have been agreed but the detail of how the reviews are to be taken forward has not yet been decided.

3 Discussion

3.1 The Committee approved review plans for the following three reviews earlier this year:

- development management;
- leisure and tourism; and
- housing services.

- 3.2 Since the review plans were agreed, the Committee has held initial discussions with the relevant Cabinet Members and lead officers to 'set the scene' for each of these three reviews. It has also indicated that the priority order for the three reviews should be development management first, followed by leisure and tourism and finally housing services.

Development Management review

- 3.3 It is recommended that the Committee uses the period between now and the next scheduled meeting which is on [22] June to establish a Task and Finish Group to undertake much of the review work for the Development Management review. It has already been agreed that the Chairman of the Scrutiny Committee would lead this review. Two or three other Members of the Committee would need to be identified to form the Task and Finish Group.
- 3.4 An outline of a review programme, based on the review plan already agreed by the Committee, is at Appendix II. There are numerous gaps in this which the Task and Finish Group would need to complete and the dates of the various evidence sessions and other activities would need to be set. But would Members be content to proceed on this basis?

Leisure and Tourism and Housing Services Reviews

- 3.5 The Committee agreed that these reviews should be ranked second and third in order of priority. In view of that, it is recommended that the Committee identify Members to form two separate Task and Finish Groups to formulate detailed review programmes (again based on the review plans which the Committee has already agreed), but hold off beginning any detailed review work until the Development Management review has begun in earnest. Would Members be content to proceed on that basis?

4 Conclusion

- 4.1 That the Committee considers the way forward on outstanding reviews.

5 Officer contacts

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Appendix i

Scrutiny Committee work programme 2015/16			
Title	Frequency	Focus of discussion	Status
Performance and financial monitoring	Ongoing – reviewed periodically throughout the year	<ul style="list-style-type: none"> Indicators not achieving target Significant budget variances 	Complete
Council budget	Annual review	<ul style="list-style-type: none"> The Cabinet’s annual budget proposals are scrutinised before these are ratified by the Council 	Complete – Budget Scrutiny undertaken on 28 January 2016
Fees and charges	Annual review	<ul style="list-style-type: none"> The Cabinet’s proposals for setting fees and charges for the forthcoming year are scrutinised before they are ratified by Council 	Complete – Proposals for Fees and Charges scrutinised at an extraordinary meeting of the Committee on 9 December 2015
Council Tax support scheme	One-off	<ul style="list-style-type: none"> Pre-decision scrutiny of the Council’s proposed Council Tax Support Scheme for 2016/17 	Complete – considered on 14 October 2015
Update on Sittingbourne Town Centre regeneration	Occasional	<ul style="list-style-type: none"> To hear from the Cabinet Member and Director of Regeneration about the latest state of play on this major project 	Complete for 2015/16 – update considered on 14 October 2015. Committee indicated they should scrutinise plans for Phase 2 of the project at a later date
Elections 2015	One-off	<ul style="list-style-type: none"> To review the 	Complete. The Committee

Scrutiny Committee work programme 2015/16			
Title	Frequency	Focus of discussion	Status
		arrangements for the combined Parliamentary, Local and Parish Council elections held in May 2015	discussed the 2015 elections with the Returning Officer and Democratic and Electoral Services Manager on 11 November 2015
Development Management	As required	<ul style="list-style-type: none"> In-depth scrutiny of issues identified in the review plan 	Review plan agreed []. Initial discussion with Cabinet Member and Head of Planning held on 13 January 2016. Decisions on how to take the review forward were scheduled to be discussed at meeting on 10 February 2016 but item postponed due to lack of time.
Leisure and Tourism	As required	<ul style="list-style-type: none"> In-depth scrutiny of issues identified in the review plan 	Review plan agreed. Initial discussion with Cabinet Member and Economy and Community Services Manager held on 10 February 2016. Need to decide how to take forward the review.
Housing Services	As required	<ul style="list-style-type: none"> In-depth scrutiny of issues identified in the review plan 	Review plan agreed. Initial discussion with Cabinet Member and Head of Resident Services held on 14 October 2015.

Scrutiny Committee work programme 2015/16			
Title	Frequency	Focus of discussion	Status
			Discussion with representatives of AmicusHorizon held on 11 November 2015. Need to decide how to take forward the review.
Call-ins	Occasional	<ul style="list-style-type: none"> To scrutinise a decision taken either by Cabinet, a Cabinet Member or an officer acting under delegated authority of the Cabinet 	Complete – Call-ins held on 9 September 2015 to consider Cabinet decisions on allocations of grant to (a) purchase Section 106/CIL software and (b) allocate underspend of Members' grant with recommendation back to Cabinet to reconsider (b). Further call-in considered at an extraordinary meeting of the Committee on 5 January 2016 regarding a proposed consultation on the citing of CCTV cameras. The decision was referred back to the Cabinet Member.

Scrutiny Committee - Development Management Review Task and Finish Group

1. Aim of the review

- To review the effectiveness of Swale Borough Council's development management function;
- as necessary, to make recommendations to Cabinet; and
- to contribute towards the Development Management Service Improvement Plan 2016-18.

2. Why has this review been selected?

The purpose of this review is to review a range of elements within the development management function which has concerned Members. These include:

- the usefulness of reports received from statutory consultees (eg. Kent County Council Highways; Highways England; Environment Agency);
- the role of parish and town councils in the development management process;
- the proportion of decisions before the Planning Committee, delegated decisions and impact on cost and performance;
- Member involvement in planning applications and Section 106 agreements – including the online tools available to help Members gain information on specific applications in their Wards;
- adoption of parcels of land on developments; and
- defending planning appeals.

3. Evidence and information to be gathered

The following evidence and information will be sought:

- the protocols statutory partners operate when submitting representations on planning applications;

- what tools are available to Members to gain information on planning applications in their Wards, and to have greater input to Section 106 agreements;
- how Swale BC's system of deciding whether planning applications come before the Planning Committee or are delegated to officers compares with neighbouring councils – and what the implications are for cost and performance;
- the role of parish and town councils in the development management process and how this role can be further developed;
- the role of officers, Planning Committee Members and statutory consultees in the defence of planning appeals against the Council; and
- case studies on instances where small parcels of land on housing developments had created problems in relation to adoption and ongoing maintenance.

4. Who will carry out the review?

The review will be carried out by a Task and Finish Group including:

- Councillor Andy Booth (lead review Member);
- Councillors x, y and z.

5. Officer support

The main officer support will be Bob Pullen, Policy and Performance Officer. Officers from Planning Services will also be called upon for information and their assistance during the course of the review.

6. How with the review be carried out?

It is suggested that the Task and Finish Group takes a number of steps to work through the evidence and reach some conclusions. It is recommended that the Group should undertake the following activities:

Activity 1 – Role of statutory partners [date to be set]

To examine the protocols statutory partners operate when submitting representations on planning applications and discuss with those partners any variances/non-compliance in practice.

Activity 2 – Tools available to Members to gain information on Section 106 etc

To explore with [Andy Jeffers] online resources

Activity 3 – Planning delegations [dates to be agreed]

To examine Swale's system of planning delegations compared to neighbouring authorities, including attending Maidstone BC's and Canterbury City Council Planning Committee meetings and meeting with the Chairmen of those to compare practices.

Activity 4 – Role of parish and town councils in planning [date to be agreed]

To meet with a small group of parish and town councils and discuss their concerns against the protocols the council has in place. Compare current practice with neighbouring authorities.

Issue survey to all Swale PCs/TCs?

Activity 5 – Planning appeals [date to be set]

Discussion with officers.

Activity 6 – Consider case studies on parcels of unadopted land on new developments [date to be set]

Discussion with officers.

7. Timescale

The Task and Finish Group will aim to complete a report for consideration by the Scrutiny Committee at its meeting on [22] June 2016.

8. Reporting

Following the conclusion of information and evidence gathering, the Task and Finish Group will meet to consider their conclusions and the basis of a report. The Policy and Performance Officer will assist with the production of the Groups report.

The Task and Finish Group will aim to produce a report for consideration by the Scrutiny Committee at its meeting schedule for [22] June.

Once the report has been agreed and adopted by the Scrutiny Committee, it will be submitted to Cabinet in the normal way.