

TORRIDGE DISTRICT COUNCIL

INTERNAL OVERVIEW & SCRUTINY MEETING

Town Hall, Bideford

Tuesday, 9 July 2019 - 4.00 pm

PRESENT                    Councillor P Watson (Chair)

                                  Councillor P Hames (Vice-Chair)

                                  Councillors R Boughton, C Cottle-Hunkin, J Gubb, T Inch,  
                                  S Newton and P Pennington

                                  Mr I Harper and Mr S Dengate

ALSO PRESENT            S Dorey                    - Senior Solicitor

                                  S Hearse                 - Strategic Manager (Resources)

                                  D Heyes                  - Finance Manager

                                  S Kearney                - Planning & Economy Manager

                                  J Wallace                 - Head of Paid Service

                                  M Richards              - Democratic Services Officer

                                  Councillors C Hodson, D Hurley, N Laws, C Leather,  
                                  D McGeough and L Ford

10.    APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Langford.

11.    MINUTES

It was proposed by Councillor Inch, seconded by Mr Harper and –

Resolved:

That the minutes of the meeting held on 28 May be agreed and signed as a correct record, subject to amending the list of those present to include Mr Dengate and Mr Harper who had indeed attended the meeting.

(Vote: For - unanimous)

12.    ACTION LIST

The action list was reviewed and updates were provided as follows:

Minute 69 Budget 2019/2020 Medium Term

Local Housing Allowance - still no response from Kit Malthouse.

Local Authority Settlements – the indication was that the consultation papers will be available in summer 2020

13. PUBLIC CONTRIBUTIONS

It was proposed by the Chair that Item 4, Public Contributions, be moved down the agenda to precede Item 8, Call-in Westward Ho! Park.

The Committee voted unanimously in favour.

14. DECLARATION OF INTERESTS

Members were reminded that declarations of interest should be made as and when the specific agenda item to which they related was under discussion.

Councillor Manley declared an interest – dual hatted – she sits on Northam Town Council.

Councillor Hames declared an interest – dual hatted – he sits on Northam Town Council.

15. URGENT MATTERS BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIR

The Chair reminded the Committee that, when considering Item 8 – Call-in Westward Ho! Park, only the information presented at the Community & Resources committee meeting should be taken into consideration. Any information subsequently received should not be taken into account.

16. AGREEMENT OF AGENDA ITEMS PART I AND II

There were no Part II items.

17. PUBLIC CONTRIBUTIONS

Averill Jewell, Assistant Principal of Bideford College, spoke in her capacity as designated safeguarding lead and head of pastoral support. Mrs Jewell told the Committee about a series of lessons on democracy delivered to Year 8 students. Students were asked to investigate what the local council did for them and the community. Common ideas had been recycling, collecting rubbish and the sale of Westward Ho! Park to developers. Students were aware of the petition to save the park and that the Council had been asked to give the park to another council. They knew the proposal was that a group of volunteers would look after the park. Other students could not understand how the Council could continue to pursue the idea of selling the park.

Mrs Jewell suggested the recent election in May had reflected that the people of Torrridge wanted change, transparency and to be represented by a group of people who would act in the best interests of the community. She commented that

Torrige was a financially sound council and did not need the money from the sale of the park.

In conclusion, Mrs Jewell implored the Council to inspire the young people in the community and to prove to them we live in a democratic society.

Mr Hodson addressed the Committee on the Council's decision making structure. He spoke about the decision made by the Community & Resources Committee on 4 March; the lack of information surrounding the reasons for calling in the decision; and the petition. He hoped that the new Council would have a more open and enlightened approach. Mr Hodson concluded that Westward Ho! Park was an asset not only to the people of Westward Ho! but to the wider district of Torrige. It was an asset to be enjoyed, not sold off to the highest bidder.

18. CALL-IN WESTWARD HO! PARK

The Chair took the report attached to the agenda as read.

It was proposed by Councillor Watson and seconded by Councillor Cottle-Hunkin –

That:

The Internal Overview & Scrutiny Committee endorse the Community & Resources Committee resolution of 4 March.

Councillor Inch proposed an amendment to the recommendation –

That the park be transferred to The Westward Ho! Group for a peppercorn rent with the provision that the group fund raise and bring the park to a standard acceptable to TDC and which met Health & Safety regulations by May 2022.

The Chair clarified that the park would not be given away but that the market value would be sought.

There was no seconder.

A vote was taken on the substantive motion –

That:

The Internal Overview & Scrutiny Committee endorse the Community & Resources Committee resolution of 4 March.

Clarification was given by the Head of Paid Service that Members were voting to revisit the application from Northam Town Council and start the discussion.

(Vote: For 10, Abstentions 1)

Councillor Laws thanked the Committee for their decision. Members of the public left the meeting.

Mr Harper raised 2 concerns about protocol:

- That the 4 people who had called in the decision had not given a reason
- That the business plan submitted by Northam Town Council and the review thereof by the independent person should have been presented to the Community & Resources Committee and then to the Internal Overview & Scrutiny Committee.

The Head of Paid Service explained that at the Community & Resources meeting it was not the application from Northam Town Council that was being considered but approval of the principle of the original decision which was to proceed with development. Mr Dengate referred to the minutes of the Internal Overview & Scrutiny meeting held on 28 May where it said the business plan will be addressed when the call-in is examined. The Head of Paid Service reiterated that the call-in process required that the Committee look at the decision and no new information.

Councillor Hames claimed it was undemocratic that the reason for a call-in did not have to be made known and asked if this could be reviewed. The Head of Paid Service responded that the constitution was going to be reviewed and that there would be a Constitution Working Group as well as experts from the LGA being brought in.

Councillor Laws asked that the independent person's report on the business plan be made available for the negotiations with Northam Town Council together with a report on the state of the building on the site which is a state of disrepair. However, if this were not going to be made available, Northam Town Council should be told so that they can have their own surveyors look at it.

The Head of Paid Service replied that the application should have been returned to Northam Town Council with the comment that TDC Members had resolved to continue with the plans to develop the site. However, because of the petition and representations made, this had not happened. To ask for an independent evaluation was not the usual procedure. Going forward, it was felt it was better to start negotiations afresh and to talk to Northam Town Council about the business plan, raising any issues which had become apparent.

Councillor Pennington voiced his concern that the meeting continued to discuss the matter after the public had left.

The Chair confirmed that no further debate would take place.

## 19. END OF FINANCIAL YEAR QBR

The QBR was the end of year report for 2018/2019. The intention was not to go into the details in the report but to answer any questions. The Strategic Manager (Resources) drew attention to the main highlights of the year and the financial position at the close of the year.

A report will be presented to the Community & Resources Committee on 15 July showing the draft 2018-19 outturn with recommendations of how to allocate the

surplus achieved. The accounts remained in draft as they had not yet been audited due to significant resourcing issues nationally being experienced by auditing firms. It was anticipated that the audit will start in August. There will be a delay in publishing the accounts but they can be published unaudited by 31 July 2019 as long as reasons for the lack of audit are stated.

The Strategic Manager answered questions raised and gave clarification, where required, on answers provided in the supplement document "QBR4 Responses".

Members discussed:

#### Northam Leisure Centre – cleanliness, management and cashless payment

The Planning & Economy Manager advised that:

- The 1610 contract expires February 2022.
- A TDC employee was regularly inspecting the leisure centres
- The issue of cashless payment was difficult to enforce as TDC no longer took cash either. However 1610 did offer the facility of a payment card, which could be topped up.
- Poolside safety was a very high priority for 1610. Any incidents of lifeguards not carrying out their duties properly should be immediately reported.

#### Farmers Burying Plastic

In response to Councillor Hames' call for farmers to be more informed about recycling plastics, Councillor Boughton advised the Committee that the practice of burying plastics was illegal and all farmers had to have a waste management plan in place.

External Overview & Scrutiny have a presentation from the NFU scheduled for the meeting 17 July.

#### Housing Benefit Shortfall - Homelessness

Councillor Pennington spoke about the link between debt and homelessness and felt this should be examined by the Lead Member for Homelessness and Housing Need. It was noted that this probably fell more within the remit of the Lead Member for Customer Services and Internal Resources.

The Strategic Manager (Resources) said that TDC was looking to acquire a range of properties to address homelessness. He also spoke about the Local Housing Allowance and the fact that if this were increased it would involve further significant costs nationally; could result in landlords increasing rents and therefore was unlikely to be implemented due to current national finances

#### Bideford Harbour / Harbour Income

The Planning and Economy Manager told the Committee that the deficit was due to the lack of shipping activity in the harbour. The port no longer met the needs of the

bigger shipping companies – the drafts were not big enough and the tidal range hindered access. The Harbour Master had been working very hard to seek business. Consideration was now being given to a change of activity centred on leisure.

The Planning and Economy Manager suggested any new ideas be brought to the Harbour Board.

The Strategic Manager (Resources) explained that the harbour costs (£90,000) were for support services and capital charges. If there were no harbour, these costs would still have to be distributed across other services.

Councillor Newton initiated a debate on the viability of the harbour and the following points were made:

- The Community & Resources Committee was ultimately responsible for challenging the viability
- In commercial terms, the harbour was struggling
- The harbour performed more than just a financial function – there was a cultural link to the town and it was part of the heritage tourism asset
- At the Member visioning day it had been suggested that small heritage vessels could be linked in with Bideford's heritage and other cultural activities in the town.
- Bideford's association with the slave trade could be a heritage link

#### Burton Art Gallery & Museum

It was noted that the contract was coming up for review. There had been little indication that the Burton would be self sufficient at the end of the 5 year period. The Planning & Economy Manager reported that this was never envisaged and it was unlikely such a position would be achieved, although in-roads into fundraising should have been made. The discussion about the next service funding agreement had commenced and heads of terms were being drawn up.

The Head of Paid Service reminded Members of the invitation to go along to the Burton to meet the new principal.

There were plans to take exhibits out to the wider Torridge area and there was an opportunity to acquire the James Ravillious collection.

Appreciation for the asset was expressed.

#### Investments

There was a recommendation that alternative areas for investment be revisited. To be added to the Forward Plan.

#### Empty Properties

Councillor Hodson suggested a dedicated officer be employed to address this.

The Strategic Manager (Resources) responded that, whilst there had been resource issues within the Environmental Health and Community Safety Team, these were partly driven by the continued increase in cash resources allocated through the Better Care Fund, which the team have been striving to utilise as they are clawed back if not used. Recently, more resource had been assigned to the team and a review will be carried out of how that impacts on the overall capacity of the team in the first instance. There had previously been a group of officers who had been tasked with looking at the strategy for empty properties and this could be reconvened.

Councillor Hodson added that there were funding streams from government for projects relating to homelessness reduction. Could additional funding for a specific post be sought from these streams? Councillor Manley confirmed that she had forwarded this information to Jon Walter and would resend to the Strategic Manager (Resources).

The Strategic Manager (Resources) added that this was a wider subject matter encompassing both empty properties and homelessness, which Community & Resources had already considered and resources had been allocated. A team of officers was already looking at a variety of options. It was also stressed that, whilst empty properties brought back into use might help, the actual financial incentive in terms of Council Tax was not significant for TDC.

#### Affordable housing

The Planning and Economy Manager told the Committee that TDC dealt with low numbers. Developers were not building houses.

## 20. CONSIDERATION OF THE FORWARD PLAN

The Forward Plan was reviewed and additional items put forward by Members for consideration included:

- Investment – September
- Peer review
- Bideford harbour update on new ideas – invitation to Members in Members' Bulletin to put ideas forward
- Presentation of the estuary strategy. Document to be circulated to Committee Members
- The fishdock
- Empty homes – more specifically about funding a post. The Head of Paid Service added that this is an operational matter and not for the Committee to determine. Additional posts were only considered where a viable business case existed.

The meeting commenced at 4.00 pm and closed at 5.52 pm

Chair:

Date: