

Minutes of the **Overview and Scrutiny Committee**
of the **Test Valley Borough Council**
held in Upper Guildhall, High Street, Andover, Hampshire SP10 1NT
on 19 April 2023 at 5.30 pm

Attendance:

Councillor N Lodge (Chairman)

Councillor G Bailey

Councillor D Baverstock

Councillor Z Brooks

Councillor T Burley

Councillor G Cooper

Councillor C Donnelly

Councillor N Gwynne

Councillor K Hamilton

Councillor M Maltby

Councillor J Parker

Councillor J Sangster

Councillor T Swain

Councillor A Warnes

Also in attendance

Councillor M Flood

Councillor A Johnston

564

Apologies

Apologies were received from Councillors Borg-Neal, Coole and Neal.

The Chairman welcomed everyone to the meeting and acknowledged that this was the last meeting of the Overview and Scrutiny Committee of the four-year term. He thanked Councillors for all their work and support in respect of Overview and Scrutiny over the last four years and in particular expressed his thanks to Councillor Baverstock who would be standing down as a Borough Councillor at the Election on 4 May. The Committee commended Councillor Baverstock for her 20 years of service to the Council and for her work as part of the Overview and Scrutiny Committee.

565

Public Participation

Mr Flippance had registered to speak on Agenda Item 8 – Enforcement Panel Final Report.

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Declarations of Interest

There was no declarations of interest.

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Urgent Items

There were no urgent items.

568

Minutes

Resolved:

That the minutes of the meeting held on 1 March 2023 be confirmed and signed as a true record.

569

Call in Items

There were no call in items.

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Urgent decisions taken since last meeting

There were no urgent decisions.

571

Enforcement Panel final report

Councillor Burley, Lead Member for the Enforcement Panel thanked the members of the panel for a comprehensive and collaborative review of how Test Valley Borough Council delivers its planning enforcement service. Councillor Burley expressed his thanks to officers for their guidance and support during the review.

The panel had met on six occasions to look at the matters included within the scope including the legislative and policy framework, understanding the application of local interest/ expediency tests, performance and resourcing. During its review, the panel considered a substantial amount of information relating to how the Council provides services locally and how this compared to the wider context.

The review also considered feedback provided by parish and town councils and agents which was used to inform the panel's recommendations.

Councillor Burley commended the recommendations to the Committee and emphasised in particular the importance of the recommendations in relation to training and development for councillors as well as the recommendations relating to communicating with all parties involved in an investigation as well as local councillors.

The Chairman invited Mr Flippance, who had registered to speak for this item, to address the Committee for up to three minutes in accordance with the Council's Public Participation Scheme.

Mr Flippance addressed the Committee outlining his experience in the industry as an architect and expressed his views about what he considered to be a lack of transparency and consistency from the Council in its response to enforcement cases.

Councillor Burley thanked Mr Flippance for sharing his views with the Committee and noted that he had responded to the panel's questionnaire on enforcement and that his feedback had been taken into account when the recommendations had been developed.

The Head of Planning and Building thanked members for their time and work considering the planning enforcement service which had been a constructive and helpful exercise. It was noted that planning enforcement was a challenging service to provide and rarely were two cases the same. He welcomed the panel's feedback and the recommendations included in the report.

Members of the committee made a number of comments on the work of the Panel and the final report and reiterated the importance of members attending training to raise awareness and understanding of planning processes as well as proposed improvements to the communications associated with planning enforcement cases.

Resolved:

That Overview and Scrutiny Committee note and endorse the findings of the Enforcement Panel and including the actions recommended as set out below:

- **A new panel is appointed in the new corporate year to oversee a review of the Council's Local Enforcement Plan 2019 with a view to new Plan being put in place by the end of 2023.**
- **The Head of Planning & Building arranges a report for members relating to current enforcement cases or, as an alternative, will explore the possibility and appropriateness of providing on-line access for members to see enforcement cases.**
- **Head of Planning & Building considers what information it might be possible to share with parish councils regarding enforcement activity in their areas.**
- **Members are informed in advance of enforcement cases in their wards where the Council intends to take formal enforcement action.**
- **Settings on the Council's website be changed so details remain accessible to the public once planning appeals have been determined.**
- **Head of Planning & Building arrange for enforcement to be included in new member induction training.**
- **Head of Planning & Building arrange for parish/town council training on planning enforcement in 2023.**
- **Planning Enforcement Manager to up-date the standard non-expediency report to include all relevant case dates and to ensure interested parties are informed when an enforcement investigation is closed.**

- **Enforcement Officers, when communicating with parties responsible for alleged breaches of planning control, will consider the individual circumstances of a case and adopt a balanced, proportionate and consistent approach explaining why an investigation is being undertaken in the first instance and enforcement action is being considered where appropriate. This accords with the approach recommended for other TVBC official communications by the OSCOM Communications Panel.**
- **Head of Planning & Building to look at reintroducing quarterly enforcement monitoring reports.**

572

Rural Sustainability

Councillor Johnston, Climate Emergency and Countryside Portfolio Holder presented details of the work being undertaken by the Council in relation to rural sustainability.

Around 38,000 people live in rural areas in Test Valley which represents 28% of the borough's population. During the Council's recent consultation on developing its priorities for the next four years, extensive consultation was undertaken with communities including those living in rural communities across the borough. Feedback from those living in rural areas highlighted the importance of highways and public transport, as well as broader connectivity to rural communities.

Councillor Johnston presented details of the demographics of rural areas as well as information on the rural economy, housing needs and support available to communities in rural areas from the Council. It was noted that rural communities now features as a place in the new Corporate Plan and that the Council championed community-led placed based working through a range of support including its work with partners, its community councillor model, community engagement officers, neighbourhood planning, a range of grant funding options and dedicated projects such as the UK Shared Prosperity Fund and Rural Prosperity Fund.

Members asked a number of questions and commented on a range of aspects in particular on the difficulty in securing affordable housing in rural areas. The Committee was advised that there were a variety of avenues to support affordable housing including developing neighbourhood plans for communities to identify and evidence need which could then be taken into account when considering local development proposals. Much of the Council's approach was determined by government guidance and policy and the thresholds developments needed to meet in order for the Council to work with developers to ensure appropriate affordable housing was included within schemes.

The Chairman thanked the Climate Emergency and Countryside Portfolio Holder for her presentation.

573

Climate Emergency Action Plan Update

Consideration was given to a report of the Head of Planning Policy and Economic Development which provided an update on the delivery of the Climate Emergency Action Plan (CEAP) following the previous update to Overview and Scrutiny at its meeting in November 2022.

The Principal Planning Officer (Environment) advised that the Council's new Corporate Plan had been adopted by Council at its meeting on 5 April and contained five strategic priorities, one of which was the environment. The priority reflects on the importance people place on the natural environment and tackling climate change. It was noted that the corporate plan would provide the framework for ensuring that the Climate Emergency Action Plan was embedded in service delivery and decision making.

The Committee noted that the greenhouse gas emissions from the Council's fleet fuel use is a significant component of the reported figures for the organisation. At its meeting on 12 April, Cabinet had approved additional funds to switch to using hydrotreated vegetable oil (HVO) fuel to run fleet vehicles that currently use diesel. This was anticipated to reduce the Council's direct reported emissions for the fleet fuel use in the order of 95% and have a substantial impact on the overall reported emissions for the organisations.

Members of the committee asked a number of questions about progress against actions contained within the CEAP and the scale and speed of work that had been undertaken against actions recommended by the Overview and Scrutiny Panel on the Climate Emergency. It was noted that work to update and refresh the Climate Emergency Action Plan is underway.

Members discussed electric vehicle charging point across the borough. It was noted that the installation of electric vehicle charging points at Council offices was kept under review.

Resolved:

That the update and progress on the implementation of the Climate Emergency Action Plan is noted.

574

Chairman's Annual Report

The Chairman presented the Annual Report of the Overview and Scrutiny Committee which covered the work undertaken by the committee for the period May 2022 to May 2023. It was noted that the Annual Report would be updated to reflect the outcomes of items considered at this meeting.

The document presented a summary of the strategic activities undertaken by the Committee in its role as scrutiniser of Council operations and practices and as a developer of policies and initiatives which seek to enhance the lives of those who live in Test Valley.

Members of Overview and Scrutiny had participated in an away day, seven committee meetings, six round table discussions, hosted five workshops for councillors, reviewed a number of Portfolios and been involved with six panel reviews.

It was noted that the annual report would be presented to a future meeting of Council for consideration.

Resolved:

That the Annual Report of the Overview and Scrutiny Committee be approved.

575

Updates on Panels

Budget Panel

No update to report.

Enforcement Panel

Final report and recommendations presented a part of the agenda for the current meeting.

Overview and Scrutiny Handbook

There had not been time to establish a member panel to review the handbook ahead of 4 May however work was being undertaken by officers to refresh the handbook with a revised version being presented to members as part of the induction programme after the elections.

576 **Programme of Work for the Overview and Scrutiny Committee**

The Committee discussed and endorsed the Work Programme.

Resolved:

That the outcomes on the work programme and recommendations be endorsed and the future work programme be agreed.

(The meeting terminated at 7.27 pm)