

# Agenda for Scrutiny Committee

## Thursday, 22nd November, 2018, 6.00 pm

### Members of Scrutiny Committee

Councillors: R Giles (Chairman), C Nicholas (Vice-Chairman), B Bailey, Chapman, C Gardner, G Godbeer, S Grundy, S Hughes, D Nicholas, V Ranger, M Rixson, E Rylance, B d Saram and E Wragg

**Venue:** Council Chamber, Knowle, Sidmouth

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Tuesday, 13 November 2018



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- 1 Public speaking  
Information on [public speaking](#) is available online
- 2 Minutes of the previous meeting (Pages 5 - 12)  
To confirm the minutes of the meeting held on 4 October 2018
- 3 Apologies
- 4 Declarations of interest  
Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)
- 5 Matters of urgency  
Information on [matters of urgency](#) is available online
- 6 To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.
- 7 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview Procedure Rules. There are no items identified.

### Matters for Debate

- 8 **Resolution by Cabinet of 31 October to refer a recommendation back to Scrutiny Committee for further explanation:**

On 4 October the Scrutiny Committee made a recommendation to Cabinet on 31 October relating to Minute 26 Review of Economy & Regeneration Services and the Growth Pont team service Plans 2018/19, as follows,

“that the Council should aim to boost resilience of the economy and develop a self-sufficient economy as much as possible, whilst maintaining an international focus”.

The item is for members to consider whether further action is required.

## 9 **Update on Enforcement issues in relation to trees**

Following the Scrutiny Committee meeting on 6th September, the Chairman formally made a request for Karen Jenkins to raise at the next Senior Management Team (SMT) meeting on 19th September, in relation to issues debated by Scrutiny members.

In order to have more detail on the volumes of prosecutions relating to Tree Protection Orders (TPO) breaches which are considered by the Development Management team, and facilitate a better understanding of the numbers of potential breaches which are not considered to warrant further action, SMT were asked to consider the introduction of a Key Performance Indicator (KPI) relating to damage/removal of trees and initiation of legal proceedings.

At the last meeting on 4 October Karen Jenkins confirmed that this had been discussed and regarded as a good idea, and Service Leads were considering the wording of a KPI which the Committee would be made aware of.

In response to this, the Service Lead for Planning has provided a list of the tree related enforcement cases recorded on the system since the start of 2017 with a brief summary of the case and the outcome. From this data it can be seen that:

- EDDC has investigated 26 tree related cases since the start of the 2017.
- Only 6 cases amounted to a breach of the legislation and of them one was successfully prosecuted and fined, in 2 cases a replacement tree was secured and in the remainder there was insufficient harm or evidence to justify further action.
- There are 6 cases currently being investigated.

This data was produced by searching the system for cases referring to trees in the description of the case and then reading the officers' case notes to determine what happened with the case. This is currently the only way to produce data on tree enforcement cases as the system does not allow officers to distinguish between tree cases and the other 700 enforcement cases EDDC investigate each year and it does not facilitate an explanation of why cases were closed.

Accordingly, this is a resource intensive exercise which would make it difficult to undertake on a regular basis. However the data does provide some reassurance that EDDC deals with these matters seriously and investigates all cases that are reported in order to take appropriate action.

Members are asked to consider this information and identify whether there are any issues to be addressed and to determine what kind of information is needed going forward, and whether a KPI is still required.

**10 Update report on Street Trading**

The purpose of this report is to provide an update for the Scrutiny Committee on the implementation and delivery of Street trading since changing to a Consent designation on 2 October 2017.

**11 Review of the Planning & Planning Policy Service Plan**

At its meeting on 5 July, Scrutiny Committee agreed to review existing service plans ahead of the formal budget setting process, and specifically to receive presentations on existing service plans at its forthcoming meetings prior to February 2019. The review will continue with consideration of the current service plans for the [Planning & Planning Policy Service](#) and Streetscene inviting the Portfolio Holders for Strategic Development, Development Management and the Environment, Strategic Lead and Service Leads, to attend.

This item is the third of a series of reviews of existing Service Plans which may result in recommendations from members related to service planning and budget setting in the future.

**12 Review of the Streetscene service plan**

As item above in relation to the [Streetscene service plan](#).

**13 Quarterly monitoring of performance - 2nd quarter 2018/19 July to September 2018 (Pages 17 - 64)**

**14 Scrutiny forward plan (Pages 65 - 66)**

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