

Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 10 October 2017 at 6.00 pm.

Present:

Chairman: Councillor K Mills

Councillors: T A Bond
M I Cosin
R J Frost
B J Glayzer
P J Hawkins (as substitute for Councillor J M Heron)
S C Manion
M J Ovenden (as substitute for Councillor M J Holloway)
D A Sargent

Also Present: Councillor P M Beresford

Officers: Chief Executive
Director of Environment and Corporate Assets
Director of Finance, Housing and Community
Director of Governance
Director of Shared Services
Director of Customer Services
Democratic Services Manager

63 APOLOGIES

Apologies for absence were received from Councillors J M Heron, M J Holloway and M Rose.

64 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillors P J Hawkins and M J Ovenden had been appointed as substitute members for Councillors J M Heron and M J Holloway respectively.

65 DECLARATIONS OF INTEREST

Councillor B J Glayzer declared a Disclosable Pecuniary Interest (DPI) in the item Petition for Additional Parking at Aycliffe (Minute No. 73) by reason of his renting a garage and advised that he would be withdrawing from the meeting when that item of business was considered.

66 MINUTES

The Minutes of the meetings held on 11 July 2017, 3 August 2017 and 12 September 2017 were approved as a correct record and signed by the Chairman.

67 PUBLIC SPEAKING

The Team Leader – Democratic Support advised that no members of the public had registered to speak on items on the agenda to which the public speaking protocol applied.

68 DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE

Members received the decisions of the Cabinet relating to recommendations made by the Committee.

RESOLVED: That the Cabinet decisions relating to recommendations from the Scrutiny (Policy and Performance) Committee be noted.

69 ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE OR ANOTHER COMMITTEE

There were no items for consideration.

70 ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION

There were no items for consideration.

71 NOTICE OF FORTHCOMING KEY DECISIONS

The Democratic Services Manager presented the Notice of Forthcoming Key Decisions to the Committee for its consideration.

RESOLVED: That the Notice of Forthcoming Key Decisions be noted.

72 SCRUTINY WORK PROGRAMME

The Democratic Services Manager presented the Scrutiny Work Programme to the Committee for its consideration.

RESOLVED: That the Work Programme be noted.

73 PETITION FOR ADDITIONAL PARKING AT AYCLIFFE

The Director of Environment and Corporate Assets presented the report in respect of the petition calling for additional parking spaces at Aycliffe.

The petition, which had been signed by 42 people, had been presented to the Committee by Mr G Dodd and called for the creation of more parking spaces at Aycliffe through the widening of roads where there was the space. The growth in the number of vehicles per household in Aycliffe meant that the original parking capacity had now been exceeded.

The Committee at its meeting held on 13 June 2017 had requested that a report be provided covering the issues of land ownership, potential solutions for creating additional parking spaces, and the cost and feasibility of implementing the solutions for additional parking spaces.

The Director of Environment and Corporate Assets advised that the majority of soft landscaped areas around the estate fall within the Council's ownership through Housing Revenue Account land, but these were also included within the areas designated as 'public highway' which meant either Kent County Council or Dover District Council could with the consent of the other undertake the works.

Members were advised that there were locations where there was the potential for creating additional parking spaces but many of the locations suggested by the Petition Organiser involved cutting into grass banks to some degree which would significantly add to the costs in comparison to areas where the ground was more level or where grasscrete strips could be used to allow vehicles to park partly on the verge.

The proposed costings were based on the specification used at the Council Offices, Whitfield where additional parking spaces were created in grass islands and verges, similar to the situation in some areas of Aycliffe.

Members suggested that more parking spaces could also be generated through the use of diagonal parking bays. It was the consensus view of Members that the creation of an initial 20-30 bays at a cost of approximately £45,000 in targeted locations where it was not necessary to cut into grass banks would deliver the quickest solution to the immediate problems. For the remaining parking bays required it was proposed that these be funded by Kent County Council.

RESOLVED: That it be recommended to Cabinet:

- (a) That the Cabinet be requested to identify funding for an additional 20 – 30 parking bays in Aycliffe, estimated to be approximately £45,000.
- (b) That the petitioner organiser, Mr Dodd, be invited to work with officers in identifying possible key locations where the 20–30 additional parking bays could be easily added in Aycliffe.
- (c) That the Cabinet be requested to contact Kent County Council in order to identify further funding for the creation of parking bays beyond the initial 20-30 additional parking spaces.

(Councillor B J Glayzer declared a Disclosable Pecuniary Interest (DPI) by reason of his renting a garage and withdrew from the meeting for the consideration of this item of business.)

PETITION SEEKING ADDITIONAL SPEED CONTROLS IN BEACONSFIELD AVENUE & SURROUNDING AREA

The Director of Environment and Corporate Assets presented the report in respect of the petition, signed by 118 people, called for speed controls in Beaconsfield Avenue, Dover and the Surrounding Area.

The Petition Organisers, Mr D Overall and Ms K Blackstock, suggested to the Committee at the meeting at which the petition was presented that for Beaconsfield Avenue possible speed controls could include:

- 2 x 20mph signs (either end) and the introduction of a 20mph limit
- Speed cushions
- Speed table at River Side Walk

Members were advised that Kent County Council (KCC) was the responsible body for these matters but under Dover District Council's petition scheme it was possible for the Committee to refer the matter to KCC.

The Director of Environment and Corporate Assets advised Members on the criteria applied by KCC for speed controls such as 20 mph zones and the potential costs involved. It was noted that the implementation of some of the proposed traffic calming measures would reduce the amount of on-street parking available.

Mr D Overall advised Members that he had gathered letters of support for traffic calming measures in the area from St Edmunds School, St Richards School and Dover Girls Grammar School.

In respect of the issue of a lack of serious crash history in the area, Mr Overall informed members not all accidents were reported and that there were regular instances of near misses that were evidence of the inherent dangers in the area. He expressed concern that he did not want to wait for a serious accident to occur before something was done.

Councillor S C Manion, who was also the KCC Member for the Dover North Division, advised that in his capacity as Chairman of the Dover Joint Transportation Board he would be willing to receive the petition at the next meeting of the Board on behalf of KCC. He advised Members that he had used his KCC Members Fund to co-fund 20 mph zones in conjunction with Parish Councils in his division, emphasising that enforcement by Kent Police was important for any speed controls to work.

Members agreed that while 20mph zones made little difference to journey times they saved lives and suggested that more 20mph zones were needed in urban areas.

- RESOLVED:
- (a) That the petition be referred to the Dover Joint Transportation Board for consideration under the Kent County Council petition scheme.
 - (b) That the Dover Joint Transportation Board be requested to note the support of the Scrutiny (Policy and Performance) Committee for the petition and the introduction of speed controls in Beaconsfield Avenue.

75 UNIVERSAL CREDIT UPDATE - EAST KENT HOUSING

The Director of Customer Services (East Kent Housing) presented an update on the impact of Universal Credit on Dover District Council tenants.

Universal Credit was a monthly benefit that replaced six existing benefits:

- Child Tax Credit
- Housing Benefit
- Income Support
- income-based Jobseeker's Allowance (JSA)
- income-related Employment and Support Allowance (ESA)
- Working Tax Credit

Implementation of Universal Credit commenced in the Dover district in February 2016 and consisted of three phases. The initial phase affected new claims relating to single people on low income or unemployed ('simple singles'). The second phase was implemented in May 2017 which included new claims made by couples, families and those whose claim was subject to revision because of a change in their circumstances. The final phase was expected to take place in 2019 when all current claimants not on Universal Credit would be switched over.

Universal Credit was administered by the Department for Work and Pensions and not Dover District Council and those on Universal Credit were required to access services on-line.

It took 5 – 6 weeks for a new claim to be assessed and the first payment of Universal Credit to be made. While the switch from weekly payments in advance to monthly payments had increased the level of arrears for tenants this had evened out over time for most people and East Kent Housing continued to monitor the situation.

The first two phases of Universal Credit had seen a rise in the level of arrears for those tenants affected and there were currently 173 cases of tenants in arrears resulting from the switch to Universal Credit.

East Kent Housing had seen an increase in customer contacts over Universal Credit and was working with partners to try and mitigate its impact, though its scope to do so was limited. However, there were cases where it had been difficult to engage with tenants in order to assist them in undertaking the necessary action to address their situations.

East Kent Housing had implemented a Welfare Reform Strategy to manage the impact of Universal Credit on both itself and tenants. This included:

- The administration required for Universal Credit accounts was greater than for Housing Benefit claims, and included an increased need for case revision and amendment to payments, along with additional support and advice for tenants for these arrangements.
- There would be an increased need for budgeting advice and assistance particularly for the increasing number of vulnerable tenants. East Kent Housing had sent information to affected tenants to raise awareness of the changes.
- East Kent Housing had relaxed its formal rent collection regime triggers where arrears were due solely to the delay in first Universal Credit payment.
- An increased level of customer contact from those seeking advice, clarification and assistance. An 0300 number had been set-up to provide advice and East Kent Housing was also working with the Citizens Advice Bureau.

East Kent Housing had also expressed its concerns over the impact of the Universal Credit rollout to the Department for Work and Pensions.

Members were advised that while at this stage East Kent Housing were unable to provide information on the cost of managing the impact of Universal Credit on its finances it was currently dealing with the matter within its existing resources. There had however been a number of one off costs in learning the Universal Credit system.

In addition to East Kent Housing tenants, the change to Universal Credit also affected tenants of private landlords.

Members agreed to maintain a watching brief on the impact of Universal Credit.

RESOLVED: That the update be noted.

(Councillor S C Manion declared a Disclosable Pecuniary Interest (DPI) in the matter by reason of his being a private landlord and withdrew from the meeting for the consideration of the remainder of the item of business.)

76 EK SERVICES STRATEGIC SERVICE DELIVERY OPTIONS AND POTENTIAL FOR CONTRACTING OUT OF CERTAIN FUNCTIONS

The Director of Shared Services made a presentation to Members on the proposals for the contracting out of certain functions provided by East Kent Services.

Members were advised that for East Kent Services (EKS) was required to deliver annual savings of £300,000 - £500,000 to maintain the current situation in addition to absorbing growth items such as salary and inflation. For the period 2017/18, EKS was required to realise £832,000 of savings to ensure the 2017/18 budget was balanced.

EKS had historically achieved its savings through a combination of economies of scale, the deletion of posts using natural staff turnover to avoid redundancies and the reduction in operating costs from the rationalisation of systems. However, it was no longer possible to use these methods to achieve the required level of savings. The following options had therefore been considered:

- (a) EKS could increase its current management fees (resulting in £2m of growth over the next seven years) to the three Councils to ensure viability of the current operation. This would be to the detriment of other council services as they would have less money available to them; or
- (b) EKS could reduce costs by a similar amount within EKS which would require significant staff reductions (c.15 posts in 2018/19 and a total of c.70 posts over the next seven years) which introduced a major risk to services and required significant redundancies; or
- (c) EKS could consider the likelihood of delivering income of similar quantity through expansion or exploitation of shared services; or
- (d) EKS could enter into a strategic partnership with a commercial provider for the delivery of Revenues, Benefits and Customer Services in order to significantly reduce operating costs, avoid redundancies (and possibly

generate new jobs) whilst also providing a revenue stream through a combination of profit share from the hub and rental of desk space within Council buildings.

The option of entering into a strategic partnership was the preferred option as it had a number of potential benefits for EKS and the three Councils over the other options:

- It could deliver immediate savings via a reduction in the cost of EKS operations on Day 1;
- There would be guaranteed performance levels;
- It would safeguard existing jobs, provide TUPE protection to transferring staff and prevent redundancy costs;
- There was a high likelihood of additional one-off savings in Year 1;
- It would deliver an income stream from a profit share arrangement that provided services to the public sector from current District Council locations; and
- It would generate new jobs growth in East Kent if the South East hub expanded (as had happened elsewhere).

EKS and the three East Kent Councils had contacted authorities that had entered into a similar arrangement and had received very positive feedback on the arrangement from the client councils, trade unions and staff.

Members were advised that any agreement would include the provision for exit arrangements should the Council wish to exit the arrangement in the future.

RESOLVED: That the report be noted.

77 ACCESS TO INFORMATION PROCEDURE RULES

The Director of Governance made a presentation on the Access to Information Procedure Rules.

The Council amended its Access to Information Procedure Rules in November 2014 to reflect changes in legislation through the Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meeting and Access to Information) Regulations 2012.

The changes resulting from these affected:

- The rules on the recording of Council meetings;
- The Council's Publication Scheme; and
- The recording of Officer and Member Decisions

The Council was required to record the following officer and member decisions as soon as it was reasonably practicable to do so after the decision had been taken:

- (a) Decisions of the Meeting of Executive
- (b) Record of individual decisions by a Cabinet Member

- Delegated to them
 - Between meetings
- (c) Record of individual decisions by an Officer
- Express authorisation – Cabinet delegation
 - General authorisation - scheme of delegations
- (d) Record of Non-Executive Decision

The decision recorded the reason for the decision and any alternative options considered in making the decision.

The Secretary of State for the Department for Communities and Local Government at the time indicated that he did not envisage every decision being recorded, although this was not properly reflected in the legislation.

The Council agreed therefore to record all key decisions (decisions affecting expenditure or savings of over £200,000 or that were significant in terms of effects on our communities) or any decisions that in the opinion of the Monitoring Office or Democratic Services Manager should be published.

The Council was required to give 28 days notice of a Key Decision, which it did through the Notice of Forthcoming Key Decisions. Where it was impracticable to give this notice a decision could still be taken through the use of a General Exception Notice as long as at least 5 days notice could be given and the Chairman of the Scrutiny (Policy and Performance) Committee was informed. If it was impracticable to use the General Exception process, then a decision could still be taken using the Special Urgency process as long as the Chairman of the Scrutiny (Policy and Performance) Committee gave his consent that the decision could not reasonably be deferred.

The Director of Governance advised Members that the process was intended to be as transparent as possible.

RESOLVED: (a) That the briefing from the Director of Governance be noted.

- (b) That a copy of the decision-making flow chart be circulated to Members.

The meeting ended at 8.53 pm.