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Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 17 January 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
M J Holloway
D A Sargent

Also Present: Councillor T J Bartlett
Mr M Cunningham (East Kent Waste Partnership)
Mr M Razzell (East Kent Waste Partnership)

Officers: Director of Environment and Corporate Assets
Director of Governance
Head of Inward Investment
Head of Legal Services
Waste Services Manager
Contentious and Regulatory Lawyer
Principal Heritage Officer
Team Leader – Democratic Support

126 APOLOGIES

An apology for absence was received from Councillor J M Heron.

127 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillor P J Hawkins had been appointed as substitute for Councillor J M Heron.

128 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

129 MINUTES

The Minutes of the meetings held on 13 December 2016 and 19 December 2016 were approved as a correct record and signed by the Chairman.

130 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.

131 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 decisions be noted.

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

There were no items of business for consideration.

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

The Team Leader – Democratic Support advised that the petition ‘No more protest marches in Dover’ had been withdrawn at the request of the petition organiser.

RESOLVED: That the withdrawal of the petition be noted.

134 NOTICE OF FORTHCOMING KEY DECISIONS

The Team Leader – Democratic Support presented the Notice of Forthcoming Key Decisions to the Committee for its consideration.

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

135 SCRUTINY WORK PROGRAMME

The Team Leader – Democratic Support presented the Scrutiny Work Programme to the Committee for its consideration.

Members were advised that the Council’s budget would be scrutinised at the meeting to be held on 14 February 2017 and agreed that a briefing from the Head of Finance, Housing and Community prior to the date of the meeting would assist them in identifying key questions.

RESOLVED: That the Work Programme be noted subject to the inclusion of a budget briefing session.

136 DOVER SOUP KITCHEN

Councillor K Mills welcomed representatives from Dover Soup Kitchen and the Portfolio Holder for Property Management and Public Protection, Councillor T J Bartlett, to the meeting.

Councillor T J Bartlett advised the Committee that the selection of the Adrian Street car park site for the Dover Soup Kitchen to replace its previous location in the Pencester Gardens car park had been determined following a scoring exercise conducted by the Council. Prior to that the Dover Soup Kitchen had operated out of the Russell Street car park but this was no longer available due to the redevelopment of the site.

The scoring exercise had been attended by representatives of the Dover Soup Kitchen, Councillor T J Bartlett, Councillor P Walker and officers. Councillor T J Bartlett advised that the district councillor for the Town and Pier Ward, Councillor G Rapley, had not been consulted during the initial stages of the process and that he had apologised to her for it.

The Dover Soup Kitchen had now applied for planning permission to use its hut in the Adrian Street car park site for 18 months. In the meantime, the Dover Soup Kitchen was currently operating out of the back of cars in the Bench Street car park. Councillor T J Bartlett expressed a desire to see the Dover Soup Kitchen operate from a more permanent location, such as a building, in the longer term.

It was suggested by the Director of Environment and Corporate Assets that a possible longer term solution could involve local churches in the town.

Ms J Shilling of the Dover Soup Kitchen advised that their preference would be for a permanent location in the Maison Dieu car park. However, this wasn't support by the Council due to a number of reasons including the impact on shoppers, tourism and the perception of the guest houses in the surrounding area.

The Committee was advised that the Dover Soup Kitchen operated at 6.00pm for 30 minutes and its users did not tend to congregate for long before or after the operating hours. At Bench Street car park its users were gone by 6.40pm on average.

There was concern expressed by Members that the Council had not adequately communicated to Dover Soup Kitchen why its preferred site, Maison Dieu car park, was not suitable for its use and that this should be addressed.

RESOLVED: That it be recommended to the Cabinet:

- (a) That the Scrutiny (Policy and Performance) Committee be provided with the details of the scoring exercise used to determine Adrian Street as the most suitable site for the Dover Soup Kitchen.
- (b) That the Scrutiny (Policy and Performance) Committee be provided with the reasons why Maison Dieu Car Park was not considered a suitable site for the Dover Soup Kitchen.
- (c) That the Portfolio Holder for Property Management and Public Protection, Councillor T J Bartlett, be requested to facilitate dialogue on finding a permanent solution for Dover Soup Kitchen and that Councillor P Walker be involved in any such dialogue.

(d) That in future District Councillors should be consulted at an early stage on matters such as this involving their wards.

(e) That the Scrutiny (Policy and Performance) Committee continue to receive regular updates on Dover Soup Kitchen.

137 VEOLIA WASTE

Mr M Cunningham (Partnership Manager – East Kent Waste Partnership) and Mr M Razzell (Operations Manager – East Kent Waste Partnership) were present to answer questions from Members.

Q1. What is the frequency of dog waste bin collection in the district?

The Committee was advised that there were a minimum of three collections per week with busier bins emptied up to twice daily. The target was empty each bin when it reached $\frac{3}{4}$ full.

Members expressed concern that this was not the case based on their experience and identified the following areas where dog waste bins were often found to be overflowing:

- Deal (Victoria Park, Hamilton Road and Telegraph Road);
- Walmer (Walmer Green); and
- Sandwich

It was also reported that the overflowing dog waste bins led to normal waste bins being used for that purpose.

Mr M Cunningham urged Members to report instances such as these to the helpline so that action could be taken to clear the waste and if necessary adjust the frequency or location of specific dog waste bin emptying. In addition, the waste operatives had a system to log instances of overflowing bins that they witnessed as part of their end of day debrief.

It was acknowledged that Deal was a challenge due to the footfall involved and the lack of vehicle access to the promenade requiring operatives to empty the bins on foot.

The Director of Environment and Corporate Assets advised that the Council was bidding for additional bins in the budget.

Members requested a copy of the dog bin emptying schedule.

Q2. What is the schedule of street cleaning and what is covered as part of the daily routine?

The district was divided into zones which determined the frequency of street cleansing. The zones were cleaned either daily, weekly, monthly or in response to reports. Litter levels were assessed by Dover District Council and Veolia in accordance with government guidelines.

Q3. What are the arrangements for clearing up spilt rubbish after the weekly collection?

The waste crews had brushes to clean up split rubbish and street cleansing vehicles also followed the waste collection vehicles routes to clean up after waste collection. At the end of day debrief waste crews identified areas of concern so this could be responded to. Households were also encouraged not to put their waste out too early as seagulls were known to rip open waste bags to access their contents.

Members were advised that there had been a trial of seagull proof waste bags in Aycliffe and Athol Terrace, Dover and the results of the trial were to be reported to the Portfolio Holder for Environment, Waste and Planning. The provision of seagull proof bags, which were non-disposable large hessian bags with a lid into which waste could be placed, were not part of the current waste contract arrangements. If the decision was taken to implement seagull proof bags on a permanent basis it was not envisaged that seagull proof bags would be rolled out to every house in the district but rather targeted on need.

The Committee welcomed the news of the trial of seagull proof bags and requested that the results of the trial and the cost of implementing it be provided to it.

Councillor M J Holloway suggested that areas, such as in Sandwich, where purple sacks were used be considered a priority in the event that seagull proof bags were implemented.

Q4. Are there any plans to increase the waste collection service for traders in the towns?

This was not a matter for the waste partnership as commercial waste was dealt with separately as residential and commercial waste could not be mixed by law. Members were advised that commercial waste collection could operate a daily collection service if paid for by a business.

- RESOLVED:
- (a) That Mr M Cunningham and Mr M Razzell be thanked for attending the meeting.
 - (b) That the Scrutiny (Policy and Performance) Committee be provided with a copy of the schedule for dog waste bin emptying.
 - (c) That the Scrutiny (Policy and Performance) Committee be provided with the results of the seagull proof bag trial and the cost of implementing seagull proof bags permanently in the district.
 - (d) That the Director of Environment and Corporate Assets be requested to confirm that food waste bins had been implemented in Sandwich.

138 ST JAMES' SITE UPDATE

The Head of Inward Investment presented an update to the Committee on the progress of the St James' Development following the site visit held for Members on Monday 16 January 2017.

The Committee was advised that it was a very complex site below ground due to the historic use of the site and significant remediation work had been necessary to deal with contaminated land. The service utility work had completed with a new electricity substation connected to replace the old one, which had now been removed from the site.

Prior to the commencement of the piling work there had been some pre-drilling work to check for unexploded bombs. The piling work had completed in the last week with 750 piles now in place, a third of which would support Retail Block A and building work had started on the cinema.

The development had achieved the 80% mark in respect of pre-lets and the development was expected to be substantially complete by year end. The opening of date for the site would be down to when the key tenants wanted to open.

The next stage following the St James' development was the development of the Bench Street/Waterfront area and the linking of it to St James' and looking at the linkage to the Town Hall. The site had also provided 26,000 tonnes of material for use in the Dover Western Docks development.

Members requested that more work be done to communicate the progress of the development to the public to build confidence in the development, even if it was to advise when there were problems. The Head of Inward Investment advised that announcements couldn't be made without the agreement of the partners but that they would try and publicise what they could.

Councillor R J Frost requested that at the end of the project Members be provided with the details of the total cost of the development and the income the Council was receiving from it.

RESOLVED: That the update be noted.

139 ADOPTION OF THE NELSON STREET, DEAL CONSERVATION AREA CHARACTER APPRAISAL

The Principal Heritage Officer presented the report on the Adoption of the Nelson Street, Deal Conservation Area Character Appraisal.

Members were advised that the consultation has now been completed and minor modifications were proposed in light of the representations received. There were three key recommendations in the Appraisal as followed:

- Three extensions to the existing Conservation Area boundary;
- Making a Tree Preservation Order; and
- Introduction of an Article 4 Direction which would remove certain permitted development rights in the Conservation Area.

There would be further public consultation on these areas as part of the formal processes for implementing the recommendations.

RESOLVED: (a) That it be recommended to the Cabinet that decision CAB123 be endorsed as follows:

- (i) That the proposed responses to the representations received and the resulting modifications to the Nelson Street, Deal Conservation Area Character Appraisal, as set out in Appendix 1 to the report, be approved.
 - (ii) That the Nelson Street, Deal Conservation Area Character Appraisal as a material consideration for planning purposes, as set out in Appendix 2 to the report, be adopted.
 - (iii) That further work be undertaken to extend the Conservation Area boundary and to introduce an Article 4 Direction in response to the recommendations in the Nelson Street, Deal Conservation Area Character Appraisal.
 - (iv) That the Head of Regeneration and Development, in consultation with the Portfolio Holder for Environment, Waste and Planning, be authorised to make any necessary editorial changes to the Nelson Street, Deal Conservation Area Appraisal to assist with clarity, consistency, explanation and presentation.
- (b) That the Scrutiny (Policy and Performance) Committee be provided at the end of the process with an overall cost for the Nelson Street, Deal Conservation Area Character Appraisal.

140 INFORMATION SECURITY, RISK AND GOVERNANCE FRAMEWORK AND POLICIES

The Director of Governance presented the report on the Information Security, Risk and Governance Framework and Policies.

The policies had been developed by the East Kent Corporate Information Governance Group, which was composed of representatives from Canterbury, Dover and Thanet together with key staff from EK Services (ICT), East Kent Human Resources and East Kent Audit Partnership.

Members were advised that appropriate training and development would be delivered to staff with the intention of affecting positive behavioural change.

RESOLVED: That it be recommended to the Cabinet that decision CAB125 be endorsed as follows:

- (a) That the Information Security and Governance Framework and the associated suite of Information Governance Policies at Appendix 3 to the report be approved for implementation from 9 January 2017.
- (b) That the Director of Governance be authorised to make any future minor changes or amendments to the Framework and

associated policies, providing that these changes do not change the substance of any of the policies.

- (c) That the Director of Governance be appointed as the Senior Information and Risk Officer for the Council, and be authorised to discharge the functions and responsibilities of that role, and the Head of Corporate Services be appointed as his deputy.

141 GUIDANCE ON SUSPECT DEVICES, PACKAGES AND CALLS

The Director of Governance presented the Guidance on Suspect Devices, Packages and Calls.

RESOLVED: That Cabinet decision CAB126 be endorsed and the Guidance on Suspect Devices, Packages and Calls be adopted as a Health and Safety Policy of the Council.

142 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor T A Bond, duly seconded and

RESOLVED: That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involve the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act.

143 DEAL PIER

The Director of Environment and Corporate Assets and the Director of Governance presented an update to the Committee on Deal Pier.

RESOLVED: That the update be noted and a further update be presented to the Committee at an appropriate time.

The meeting ended at 8.34 pm.