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Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 23 May 2017 at 6.00 pm.

Present:

Chairman: Councillor M I Cosin (Vice-Chairman in the Chair)

Councillors: M I Cosin  
T A Bond  
R J Frost  
B Gardner (as substitute for Councillor J M Heron)  
B J Glayzer  
P J Hawkins (as substitute for Councillor K Mills)  
M J Ovenden (as substitute for Councillor M J Holloway)  
M Rose

Officers: Chief Executive  
Director of Environment and Corporate Assets  
Director of Finance, Housing and Community  
Director of Governance  
Director of Customer Services (East Kent Housing)  
Principal Community and Leisure Officer  
Principal Heritage Officer  
Team Leader – Democratic Support

## 1 APOLOGIES

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

## 2 APPOINTMENT OF SUBSTITUTE MEMBERS

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

## 3 DECLARATIONS OF INTEREST

Councillor T A Bond declared a Disclosable Pecuniary Interest (DPI) in Minute No. 6 (Decisions of the Cabinet Relating to Recommendations from the Scrutiny (Policy and Performance) Committee) by reason of his wife's employment by Your Leisure and withdrew from the meeting for the consideration of the matter.

Councillor T A Bond declared a Disclosable Pecuniary Interest (DPI) in Minute No. 12 (Adoption of Waterloo Crescent, Dover, Conservation Area Character Appraisal) by reason of a hotel in the area being managed by his employer and withdrew from the meeting for the consideration of the matter.

4 MINUTES

The Minutes of the meeting held on 18 April 2017 were approved as a correct record and signed by the Chairman.

5 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.

6 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.

(Councillor T A Bond declared a Disclosable Pecuniary Interest (DPI) in Minute No. 6 (Decisions of the Cabinet Relating to Recommendations from the Scrutiny (Policy and Performance) Committee) by reason of his wife's employment by Your Leisure and withdrew from the meeting for the consideration of the matter.)

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

There were no items of business for consideration.

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

Petition - More Parking Spaces at Aycliffe

The Team Leader – Democratic Support advised that the petition in respect of parking at Aycliffe had been deferred to the next meeting at the request of the Petition Organiser.

RESOLVED: That the update on the petition be noted.

9 APPOINTMENTS TO EXECUTIVE PROJECT AND POLICY ADVISORY GROUPS

Councillor M I Cosin proposed that the appointments from the previous municipal year be continued. It was moved, duly seconded and

RESOLVED: That it be recommended to Cabinet that Councillor K Mills be appointed as the representative for the Scrutiny (Policy and Performance) Committee on the Policy Advisory Group (Local Plan).

10 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.

11 SCRUTINY WORK PROGRAMME

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

Members requested that updates on Deal Pier and the Tower Hamlets scaffolding item be provided to future meetings.

RESOLVED: That the Work Programme be noted subject to the inclusions of the items on Deal Pier and Tower Hamlets.

12 ADOPTION OF WATERLOO CRESCENT, DOVER CONSERVATION AREA CHARACTER APPRAISAL

The Chairman with the consent of the meeting announced that the order of business would be varied to take the Performance Report – Quarter 4 2016/17 after the items on Waterloo Crescent and Nelson Street.

The Principal Heritage Officer presented the report advising that following the public consultation on the Draft Waterloo Crescent Conservation Area Appraisal a number of modifications were proposed in light of the representation received.

Members were reminded that the draft appraisal recognised that it was the quality of the buildings, their homogeneity in design, materials and scale, in addition to their setting and their direct relationship to the coast which had a significant and defining influence on the character and appearance of the Conservation Area. To that end the buildings were considered as being central to the character of the Conservation Area rather than the open spaces and although the draft appraisal had considered extending the Conservation Area to include Granville Gardens, the garden to the seaward side of the Gateway flats and the esplanade and beach in front of Waterloo Mansions, it had been decided not to proceed with extending the Conservation Area. In addition, existing policies meant that these areas were already considered

to be protected open space and subject to policy DM25 in respect of any proposed development.

In respect of consultation responses that had suggested the extension of the Conservation Area to include De Bradelei Wharf, this had been rejected on the grounds that it lacked the homogenous architectural and historic character of the buildings currently within the Conservation Area.

Members considered the consultation responses and discussed how and by what means the Council communicated with the public during and after the consultation. The issue of 'digital exclusion' was raised and it was agreed to add an item to the work programme on digital consultation.

RESOLVED: That it be recommended to Cabinet, in accordance with Decision CAB190:

- (a) That the proposed responses to the representations received and the resulting modifications to the Waterloo Crescent Conservation Area Character Appraisal as set out in Appendix 1 to the report be approved.
- (b) That the Waterloo Crescent Conservation Area Character Appraisal as a Local Development Document as set out in Appendix 2 be adopted.
- (c) That the Head of Regeneration and Development, in conjunction with the Portfolio Holder, be authorised to make any necessary editorial changes to the Waterloo Crescent Conservation Area Appraisal to assist with clarity, consistency, explanation and presentation.

(Councillor T A Bond declared a Disclosable Pecuniary Interest (DPI) in Minute No. 12 (Adoption of Waterloo Crescent, Dover, Conservation Area Character Appraisal) by reason of a hotel in the area being managed by his employer and withdrew from the meeting for the consideration of the matter.)

### 13 EXTENSIONS TO THE NELSON STREET, DEAL CONSERVATION AREA

The Principal Heritage Officer presented the report on the three proposed extensions to the Nelson Street, Deal Conservation Area.

Members were advised that the owners/occupiers of the thirteen affected properties had been consulted and two responses had been received, both supporting the proposals.

In response to a question on the delay in consulting on the proposed Article 4 Direction, restricting the permitted development rights of the properties in the Conservation Area, it was stated that the extensions to the Conservation Area had to be completed prior to the consultation on the Article 4 Directions being undertaken.

RESOLVED: That it be recommended to Cabinet that, in accordance with Decision CAB191, the three proposed extensions of the Nelson

Street, Deal Conservation Area boundary, as set out at Appendix 1 of the report, be approved.

#### 14 PERFORMANCE REPORT - QUARTER 4 2016/17

The Director of Governance introduced the Performance Report – Quarter 4 2016/17.

There were 23 Green, 5 Amber and 6 Red Performance Indicators for Quarter 4, 2016/17, which represented an improvement on Quarter 3 (23 Green, 3 Amber and 8 Red). In total, 80% of the indicators were either Green or Red.

The red performance indicators for Quarter 4, 2016/17 were as follows:

- HOU010a (Number of households living in Temporary Accommodation including B&B)
- HOU010b (Number of households in bed and breakfast)
- PSH007 (Number of DFG applications completed)
- WAS010 (Residential household waste per household)
- PLA002 (Percentage of major planning applications determined in 13 weeks (exc. section 106 agreements) or within an agreed extension of time or Planning Performance Agreement)
- PLA001 (The percentage of appeals against planning decisions which were successful for the applicant)

The focus of the Performance Report for Quarter 4 was Environmental Health.

In response to a question, Members were advised that indicators HOU010a and HOU010b were not affected by any London overspill but rather reflected a rising national trend in respect of homelessness. In addition, the duty to house remained with the authority that placed tenants so the Council's housing allocation wouldn't be affected by London overspill and local connection was one of the criteria for allocating housing.

The rise in the number of children in B&B and temporary accommodation over the course of the year was noted and the Director of Finance, Housing and Community advised Members that the Council was trying to acquire additional property to house families on a temporary basis and keep them out of B&B accommodation.

In respect of indicator EKHL1 (Average time taken to re-let council dwellings) the Director of Customer Services (East Kent Housing) stated that the re-letting time had improved from 14.37 days in Quarter 1 to 7.23 days in Quarter 4. It was acknowledged that in instances where the Council had to go to court to repossess an abandoned property there could be a longer delay in re-letting.

The Chief Executive stated that in respect of indicator PLA001, there was a need for the Planning Committee and officers to better understand the direction of national policy in order to ensure a consistency in decision making and a reduced number of successful appeals.

RESOLVED: That it be recommended to Cabinet, in accordance with Decision CAB193, that the Council's Performance Report and Actions for the 4th Quarter 2016/17 be noted.

15 APPROPRIATION OF LAND FOR PLAY AREAS

The Director of Environment and Corporate Assets presented the report on the Appropriation of Land for Play Areas.

Members welcomed the proposed appropriations of land at Barwick Road, Dover and Cowdrey Square, Deal.

RESOLVED: That it be recommended to Cabinet, in accordance with Decision CAB192:

- (a) That appropriate land at Barwick Road, Dover (as shown on the map at Appendix 1 to the report) to be held for the purpose of Part II of the Housing Act 1985.
- (b) That the Director of Environment and Corporate Assets be authorised to give statutory notice of the Council's intention to appropriate land at Cowdray Square, Deal (as shown on the map at Appendix 2 to the report) to be held for the purposes of Part II of the Housing Act 1985, to consider any objections received in response to that notice and to make the appropriation/or not as he considers appropriate.

16 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor R J Frost, 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.

17 ST RADIGUND'S PLAY AREA PROJECT

The Principal Leisure Officer presented the report on the St Radigund's Play Area Project.

RESOLVED: That it be recommended to Cabinet, in accordance with Decision CAB199, that a new play area facility be provided at St Radigund's, and the contract for the development be awarded to Wicksteed Leisure Ltd for the consideration set out in the report, subject to satisfying planning conditions.

18 CHAIRMAN'S ANNOUNCEMENT

The Chairman expressed the Committee's condolences to all those affected by the Manchester Arena bombing of 22 May 2017.

The meeting ended at 7.13 pm.