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11 March 2019

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** on Tuesday 12 March 2019 at 6.00 pm, the following reports that were unavailable when the agenda was printed.

4 **MINUTES** (Pages 2 - 12)

To confirm the Minutes of the meeting of the Committee held on 13 November 2018, 4 December 2018 and 15 January 2019.

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", written over a white, wave-like shape that matches the Dover District Council logo.

Chief Executive

Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 13 November 2018 at 6.00 pm.

Present:

Chairman: Councillor K Mills

Councillors: T A Bond
P I Carter
P D Jull
M J Ovenden
D A Sargent

Also Present: Councillor K E Morris (Leader of the Council)
Councillor S F Bannister
Councillor S J Jones (Dover Town Council)
Town Councillor V A Liotte (Sandwich Town Council)
Ms S Gleave (EU Thinking Dover and Deal)
Mr D Reid (EU Thinking Dover and Deal)
Mr C Precious (EU Thinking Dover and Deal)

Officers: Chief Executive
Director of Environment and Corporate Assets
Head of Leadership Support
Democratic Services Manager

64 APOLOGIES

Apologies for absence were received from Councillors M I Cosin, S C Manion and M Rose.

65 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute members appointed.

66 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

67 POTENTIAL IMPACT OF BRITAIN LEAVING THE EUROPEAN UNION ON THE DOVER DISTRICT

The Leader of the Council, Councillor K E Morris, presented an update to the committee on the work of the Council in preparing for the potential impact of Britain leaving the European Union (BREXIT) on the Dover District.

Members were informed that the BREXIT Task Force report was a neutral, fact based report that covered all the areas, including areas where the Council had statutory duties such as Port Health, relating to the impact on the Dover District. Due to the nature of the information being gathered the BREXIT reports published by the Task Force were only correct at the time of issue.

Members raised the following questions in respect of the BREXIT reports:

- Members were advised that the Leader was lobbying hard to protect the short straits traffic from traffic being diverted to other UK ports. The Port of Dover had also undertaken a lot of work in respect of it. In addition, the Port of Ramsgate was not viewed as a suitable alternative to Dover.
- Members were advised that the Kent Resilience Forum recognised the additional costs involved in Operation Stack and similar traffic management schemes.
- The Leader advised that the Dover and Calais had similar operational concerns in respect of BREXIT and that discussions were taking place.
- That the Kent Resilience Forum was looking into how to keep the district moving during BREXIT – i.e. school buses, delivery lorries, etc.

The Chairman, with the consent of Members, agreed to take questions from representatives of EU Thinking Dover and Deal, through the Chair as followed:

- The Leader advised that the BREXIT Task Force documents were available publicly on the Council's website. The Task Force had been careful to take a neutral position on BREXIT and its overriding concern was the potential impact on Dover.
- There had been strong efforts to raise the Task Force's concerns with Government and a succession of ministerial visits underlined that. However, as the Council was not the police, the port authority, the highways agency or the borders agency there were key issues outside of its remit and in those instances the Council's role was one of advocacy. The Council had been robust and honest in those discussions.
- The Council continued to push for additional funding and the Leader had personally supported a request from the Kent Police and Crime Commissioner for additional funding to cover policing costs.
- The Council was taking active measures to help prepare local businesses for BREXIT and defend their interests. In particular, the Council was concerned about ensuring that there was sufficient support for small businesses dealing with BREXIT technical notices and how local businesses would access the Port of Dover. The Council was seeking to bring the Local Government Association, Kent County Council, Government departments, Highways England and local businesses together in early 2019.
- That the Council had been working hard to promote the Dover District as a tourism destination and that the French and British Governments had recognised the importance of protecting Dover – Calais businesses and tourism.
- That the Council expected the Government to cover the costs arising from matters such as port health as a result of BREXIT.
- That air quality concerns (diesel particulates) around the Port of Dover generated by queuing traffic were being looked into by the Council.

The representatives present from the Town Councils indicated their willingness to work with the Council in respect of BREXIT preparations.

The Committee recognised the efforts made by the Council in respect of BREXIT preparations and acknowledged that some things were beyond the Council's control.

The Chairman, on behalf of the Committee, thanked everyone present for attending and their contributions to the discussion.

RESOLVED: That the Committee maintain a watching brief on the issue of BREXIT.

The meeting ended at 7.38 pm.

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Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 4 December 2018 at 6.00 pm.

Present:

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

Councillors: T A Bond
P I Carter
B Gardner (as substitute for Councillor J M Heron)
P J Hawkins (as substitute for Councillor K Mills)
P D Jull
M J Ovenden
D A Sargent

Officers: Director of Environment and Corporate Assets
Director of Governance
Director of Customer Services
Democratic Services Manager

68 APOLOGIES

Apologies for absence were received from Councillors J M Heron, S C Manion and K Mills.

69 APPOINTMENT OF SUBSTITUTE MEMBERS

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

70 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

71 MINUTES

The consideration of the Minutes were deferred.

72 PUBLIC SPEAKING

The Democratic Services Manager advised that no members of the public had registered to speak on items on the agenda to which the public speaking protocol applied.

73 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.

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

There were no items of business for consideration.

75 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 of business for consideration.

76 NOTICE OF FORTHCOMING KEY DECISIONS

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

Councillor B Gardner requested that the committee receive an update in respect of the granting an easement at Matthews Close, Deal.

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

(b) That the Director of Environment and Corporate Assets be requested to provide a report to a future meeting updating the committee on the granting of an easement at Matthews Close, Deal.

77 SCRUTINY WORK PROGRAMME

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

Councillor M I Cosin requested that a meeting be held to look at the academisation of schools in Deal to which representatives of Kent County Council and the appropriate head teachers be invited.

RESOLVED: That the Work Programme be noted, subject to the inclusion of an item on the academisation of schools in Deal.

78 CIVIC CUSTOMER SERVICE KEY PERFORMANCE INDICATORS

This item had been withdrawn to be rescheduled for a future date.

79 UNIVERSAL CREDIT UPDATE

The Director of Customer Service (East Kent Housing) presented an update on Universal Credit. In addition, the committee welcomed Mrs Lee representing the local Citizens Advice Bureau (CAB).

The Committee was advised that the Council provided the CAB with some financial support to assist people dealing with Universal Credit claims. The CAB used this support to assist the claimant send off the claim and provide help until they received their first payment. As Universal Credit consolidated a number of benefits, this was time consuming work and it was more complex when dealing with the claims of non-UK nationals.

In respect of a question concerning benefit claimants moving into the area from outside the district, it was stated that this was one of the triggers for Universal Credit eligibility.

Mrs Lee advised that in April 2019 the CAB would be starting some social policy work that would provide for more accurate figures on the impact of Universal Credit. However, she was aware that the Dover foodbank had seen a 10% rise in use and a 65% rise in food vouchers. In response to a question it was stated that the transition to Universal Credit was having an impact on the wellbeing and mental health of some claimants.

In response to a question over the profile of tenants, the Director of Customer Services advised that more EKH tenants were on legacy benefits than private sector housing tenants.

RESOLVED: (a) That the update be noted.

(b) That a further update be received in three months.

The meeting ended at 6.37 pm.

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Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 15 January 2019 at 6.00 pm.

Present:

Chairman: Councillor M I Cosin

Councillors: P J Hawkins
T A Bond
M R Eddy
R J Frost
B Gardner (as substitute for Councillor J M Heron)
P D Jull
S C Manion (as substitute for Councillor M Rose)
M J Ovenden
D A Sargent

Officers: Strategic Director (Corporate Resources)
Strategic Director (Operations and Commercial)
Head of Commercial Services
Housing Options Manager
Democratic Services Manager

80 APOLOGIES

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

81 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that in accordance with Council Procedure Rule 4, Councillors B Gardner and S C Manion had been appointed as substitute members for Councillors J M Heron and M Rose respectively.

82 DECLARATIONS OF INTEREST

Councillor P D Jull declared an Other Significant Interest in Minute No. 92 by reason of being a business owner in Deal.

Councillor T A Bond declared a Voluntary Announcement of Other Interest in Minute No. 92 by reason of his wife's employment at Tides.

83 MINUTES

The Minutes of the meetings held on 3 July 2018, 11 September 2018 and 2 October 2018 were approved as a correct record and signed by the Chairman.

84 PUBLIC SPEAKING

The Democratic Services Manager advised that no members of the public had registered to speak on items on the agenda to which the public speaking protocol applied.

85 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.

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

There were no items of business.

87 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 of business.

88 NOTICE OF FORTHCOMING KEY DECISIONS

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

Councillor B Gardner requested an update to the next meeting in respect of where the money generated from the granting of the easement at Matthews Close, Deal would be allocated.

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

89 SCRUTINY WORK PROGRAMME

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

Members reiterated the need to continue monitoring the roll out of Universal Credit and town centre regeneration.

RESOLVED: That the Work Programme be noted.

90 SCRUTINY APPOINTMENTS TO EXECUTIVE COMMITTEES AND POLICY ADVISORY GROUP

It was moved by Councillor B Gardner, and duly seconded, that Councillor M I Cosin be nominated as the scrutiny representative to replace Councillor K Mills on the Local Plan Project Advisory Group.

RESOLVED: That it be recommended to Cabinet that Councillor M I Cosin be nominated to replace Councillor K Mills as the scrutiny representative on the Local Plan Project Advisory Group.

91 HOMELESSNESS ACT UPDATE

The Housing Options Manager presented an update on the Homelessness Reduction Act 2017 (the 'Act').

The Act was a response to issues identified by a House of Commons report into how local authorities dealt with homelessness presentations. The key changes of the Act were

- an extension of the period ‘threatened with homelessness’ from 28 to 56 days;
- a new duty to prevent homelessness for all eligible applicants threatened with homelessness;
- a new duty to relieve homelessness for all eligible homeless applicants; and
- a new ‘duty to refer’ where public services would need to notify a local authority if they come into contact with someone they thought might be homeless or at risk of becoming homeless.

The guidance also changed the definition of vulnerable from the ‘Pereira Test’ to one in keeping with the Supreme Court’s view, which had defined the comparator of vulnerable in relation to homelessness as ‘an ordinary person made homeless, not an ordinary homeless person’. However, the local authority still retained discretion in assessing who was or was not considered to be vulnerable.

The Council had also taken steps to purchase additional properties to increase its range of temporary accommodation.

In response to questions from Members it was stated:

- That the change from 28 days to 56 days had very little impact on the Council as much of this was done anyway.
- That the Council followed the duties of the Act in dealing with homelessness and as a result was working longer with people to help them find potential solutions. Those individuals at risk of homelessness were encouraged to contact the Council as early as possible and not wait until they were evicted.
- That the duty to refer had been widely promoted by the Government to public sector bodies and the Department for Work and Pensions (DWP) had made referrals to the Council. Dover District Council had also contacted the relevant public bodies to make them aware of the duty to refer.
- The Council worked with relevant bodies to assist those individuals leaving accommodation due to the risk of violence.
- It was acknowledged that complex housing cases concerning vulnerable individuals could be hard to place with landlords. A ‘task and finish’ group was doing what it could to protect vulnerable people from exploitation.
- That there was a challenge in managing ‘hidden homeless households’ (staying with family, etc.) compared to those visibly homeless households.
- That the Council had limited powers in respect of dealing with individuals with mental health concerns. Porchlight operated a scheme for mental health discharges to temporary accommodation and the Council was keen to work more with mental health teams.

RESOLVED: That the Homelessness Act Update be noted.

The Head of Parks and Open Spaces presented the report on the review of On and Off-Street Parking Charges.

In response to a questions from Members it was stated:

- That as the St James development had not yet introduced Sunday parking charges there were no plans for the Council to alter its proposals for Sunday parking.
- That the arrangements for 4 hour free parking at Tides would continue to be monitored to ensure that it was not being abused by people not using Tides (such as commuters). The current thinking was for a ticket that would be displayed to show length of stay.
- The Council was monitoring the impact of the previous free parking at St James and whether the change to paid parking had affected usage of the Council's car parks.

RESOLVED: That the report be noted.

(Councillor P D Jull declared an Other Significant Interest in this item by reason of being a business owner in Deal and withdrew from the meeting for the consideration of the matter.)

93 RESTORATION OF MAISON DIEU (TOWN HALL), DOVER

The Strategic Director (Operations and Commercial) presented the report on the Restoration of Maison Dieu (Town Hall) Dover. The report sought agreement to delegate authority to officers from Cabinet to appoint the consultant appointments required to progress the project.

RESOLVED: That the report be noted.

94 COMMUNITY FACILITY: MAISON DIEU CAR PARK

The Strategic Director (Operations and Commercial) presented the report on the proposed Community Facility at Maison Dieu Car Park.

Members were advised that Dover Town Council had been working with the Dover Community Association on proposals to provide a community facility, including new public conveniences, within Maison Dieu car park. The report sought agreement to the Council making the necessary land available and providing a financial contribution of £90,000 in support of the project.

In response to questions from Members it was stated that the Council would retain the freehold on the land due to interests in the surrounding land.

The concerns raised by the Environment Agency in respect of the land had been addressed.

RESOLVED: That the report be noted.

95 AWARD OF GRANT FUNDING – TRIANGLES COMMUNITY CENTRE

The Strategic Director (Corporate Resources) presented the report on the award of grant funding to Triangles Community Centre. The report sought agreement to provide a grant, subject to conditions, to the St Radigund's Community Centre Company of £150,000 to help fund repairs to the community centre building.

The grant would provide long term assistance to Triangles as the building had not been well maintained and was not in a good condition. As a result of the grant, repairs could be undertaken and the Council would look to provide support to Triangles in bidding for other funding (including a letter of support). The grant would be drawn down as needed following a survey of the buildings condition and on planning permission being granted. As an immediate measure the Council had agreed to advance £10,000 to repair the boilers and keep the community centre operating.

RESOLVED: That the report be noted.

The meeting ended at 7.52 pm.