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09 February 2024

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** on Monday 19 February 2024 at 6.00 pm, the following reports that were unavailable when the agenda was printed.

4 **MINUTES** (Pages 2 - 10)

To confirm the attached Minutes of the meeting of the Committee held on 22 January 2024.

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", written over a horizontal line.

Chief Executive

Minutes of the meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** held at the Council Offices, Whitfield on Monday, 22 January 2024 at 6.00 pm.

Present:

Chairman: Councillor C A Vinson

Councillors: M Bates (as substitute for Councillor M W Rose)
S B Blair
D R Friend
S Hill (as substitute for Councillor L M Wright)
R M Knight
M J Nee
D J Parks
H M Williams

Officers: Strategic Director (Place and Environment)
Strategic Director (Finance and Housing)
Head of Finance and Investment
Head of Property Assets
Community Services Manager
Transport and Parking Services Manager
Head of Corporate Services and Democracy

76 APOLOGIES

Apologies for absence were received from Councillors M W Rose and L M Wright.

77 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that in accordance with Council Procedure Rule 4, Councillors M Bates and S Hill had been appointed as substitute member for Councillor M W Rose and L M Wright respectively.

78 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

79 MINUTES

The Minutes of the meetings held on 13 November 2023 and 11 December 2023 were approved as a correct record for signing by the Chairman.

80 DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

The decisions of the Cabinet relating to recommendations made by the Overview and Scrutiny Committee at its meeting held on 15 January 2024 were noted.

81 ISSUES REFERRED TO THE COMMITTEE BY PUBLIC PETITION, COUNCIL, CABINET, OR ANOTHER COMMITTEE

The Head of Corporate Services and Democracy advised that there were no issues referred to the Committee by Council, Cabinet or another Committee.

82 NOTICE OF FORTHCOMING KEY DECISIONS

The Head of Corporate Services and Democracy presented the Notice of Forthcoming Key Decisions to the Committee for its consideration.

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

83 SCRUTINY WORK PROGRAMME

The Head of Corporate Services and Democracy presented the Overview and Scrutiny Work Programme to the Committee for its consideration.

Members identified the following items for inclusion in the work programme:

- Street Cleaning

RESOLVED: That the Work Programme be noted, subject to the inclusion of the item on Street Cleaning.

84 PUBLIC SPEAKING

The Democratic and Corporate 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 UPDATE FROM PORT OF DOVER

The Committee welcomed Doug Bannister, Chief Executive at the Port of Dover to provide an update on the Port of Dover.

In his introduction, Mr Bannister covered the following points:

- That the Port of Dover had recovered well since the covid downturn and year-on-year (2022 v 2023) overall passenger growth had increased 36%, cars by 25% and coaches by 120%. In 2021 the Port handled 4,000 coaches which by 2023 had increased to 58,000 coaches. The Port of Dover was now the primary gateway for coaches. While he didn't have the breakdown for the origin of the coaches, traditionally it was more UK originating coaches than European.
- Prior to the summer an additional four positions for checking coaches were implemented. It took 8 minutes to process the quickest of the coaches (school group of EU passport holders) and 45 – 60 minutes (multi-pick up and drop off coaches such as Flix Bus) for the slowest. All coach passengers were required to disembark and have their passports checked, so had an area set up for those that were expected to the quickest to be processed.
- In preparation for the 2023 summer season, they had been speaking to the coach sector and tourism and installed approximately 130% more capacity for coaches.
- There had been work with Kent Police, National Highways and Kent County Council on keeping junctions open and there was better traffic management

overall. Those lorries that had been coming from Jubilee Way were directed to the back of TAP to avoid congestion on the A2.

- Summer 2023 waiting times at the Port were on average 41 minutes and it only reached the 2 ½ hour waiting time on one occasion for one hour during the busiest Saturday the Port had experienced in 4 or 5 years. Prior to the summer season they had been warning travellers to expect delays of 1 ½ hours to clear border controls and 2 ½ hours on the busiest days. This had resulted in more traffic overall as people had not been put off by reporting of long delays at the Port.
- That the Port of Dover had achieved a positive outcome with the anglers on the matter of fishing at the Admiralty Pier. This had been the reason for his last attendance at the Overview and Scrutiny Committee.
- Freight volumes at the Port were up 8% year-on-year (2022 v 2023), which compared favourably to many other ports in UK that had seen a decrease in freight volume.
- 2023 saw new cruise lines interested in using Dover as a port of call. While cruise ship call numbers were down, the passenger numbers were up so the number of cruise passengers was broadly in line with expectations.
- The cargo business was doing well, with the refrigerated cargo business doing particularly well. A third of all bananas consumed in UK now arrived through Dover. The Port had also secured a Brazilian seasonal melon contract and ad-hoc shipments of South African grapes. It was exploring opportunities for new business in 2024.
- In respect of property, the Port expected the developers of the new hotel on the marina curve to start construction in late 2024. De Bradelei Wharf had been demolished and was to be used as car parking space in the short term.

Q1. What plans are there to ensure a response to climate change?

The Port of Dover had launched its sustainability agenda in 2022.

Decarbonisation

It had reduced emissions by 98% against 2017 levels and was ahead of expectations for its net carbon zero 2025 target.

The intent was to create a green shipping corridor across the short straits with the decarbonisation of ships. P&O were intending to operate two hybrid ships and DFDS were reviewing their entire fleet with a potential move to an electric fleet. However, an electric fleet would need to be charged by the Port, which currently had a capacity of 8mw.

The potential electric need for cruise ships to 'cold iron' was between 7 – 15mw per ship, with up to 3 ships alongside at any one time. The potential need for ferries to recharge and turnaround in 45 minutes, with each ferry requiring 25 – 35mw. This meant that the peak electricity demand for the Port could be 160mw.

Cruise ships already wanted to charge at the Port and ferries would need it by 2028/29.

If Port of Dover could get this right, it would lead the way and drive supply chain decarbonisation nationally.

Climate Change

The Port was potentially impacted by increasing numbers and severity of storms, rising water levels and flooding from the River Dour. There had been instances of overtopping at Admiralty Pier in storms. There was a need to build infrastructure that would protect both the Port and the town.

There was also consideration as to how climate change would impact on tourism and what opportunities were presented by it.

- Q2. How does DHB see itself working alongside DDC regarding local development/tourism? How will it link access from cruise terminal to the town making Dover a destination port rather than a town to travel to on the way to London, Leeds Castle, and Dover castle?

This was answered as part of another question.

- Q3. How will air quality be maintained with the probable proposed plans to further increase freight traffic and handling?

This was answered as part of responses to other questions.

- Q4. How does DHB see the development of cruise traffic and tourism alongside the increased parking for and management of freight?

This was answered as part of responses to other questions.

- Q5. Please could DHB provide an overview of their 'masterplan' process/timing and an update on progress and plans for the Western Docks redevelopment, including the Marina curve hotel, De Bradelei wharf site and future of Wellington Dock and adjacent Marina.

The Port 2050 Masterplan Project was opened to the public and stakeholders, including Dover District Council. Have been considering the strategic response from the Port to a range of scenarios and developed a headline strategy. The Port was identifying the infrastructure and processes needed to deal with the needs of the Port in 2050.

Looking at engagement through more modern electronic methods to incrementally build ideas and engagement at the same time. In February or March 2023 will look at further public engagement.

For the Eastern Docks, the intention was to make it the most efficient and effective terminal it could be due to its impact on Dover and the wider East Kent area. This would need an improved layout, more berths and improved processing and capacity.

For the Western Docks, there were a range of options. There were opportunities for public realm improvements around the marina curve and clock tower square to benefit locals and visitors. For cargo, the new land would be created through the infilling of the Granville Dock had opportunities for logistic warehousing and cold storage. The masterplan and specific cruise programme was looking at what investment in infrastructure was required to facilitate more and larger cruise ships calling at Dover. However, if both cargo and cruise business continues to grow there were dangers that in the future, they could constrain each other.

There had been a lot of feedback on connecting the cruise terminal to the town which was being considered and which would improve access for cruise passengers.

Q6. Could DHB provide an update on the introduction of the electronic entry/exit system and associated infrastructure that might be required

Members were advised that it was expected that the new biometric checks to be brought in by the EU's Entry Exit System (EES) would come into effect in October 2024. It was stated that sub-optimal implementation of these measures would have a significant adverse impact on the town, with very long queues at the Port, and it was the highest risk in the Port's risk register.

The Government needed to urgently order the infrastructure to implement this due to the lead in time for it. It was hoped that ESS would be implemented gradually to mitigate the impact.

Q7. Could DHB provide an overview of how ferry traffic/usage has recovered following the pandemic, including information on the impact of Irish Ferries introducing services and the arrival of new, modern ferries by P&O

This had been answered as part of another question.

Q8. Could DHB provide an update on the Levelling Up Fund grant award to improve roads and infrastructure around the eastern docks.

The Kent County Council Levelling-Up Fund (LU2) project bid had been successful in obtaining a grant of £45 million that would go towards the outbound controls project that in total would cost more than £80 million. It would push the controls in an expanded border control plaza deeper into the Port and reorder and speed up the process of checking-in and passing through border controls. It was estimated that the additional 40% holding capacity it would create would equate to the capacity generated through the use of TAP.

Members also raised the following points:

- To express support for how traffic had been handled over the summer.
- The question the impact of the move away from Dover District Council managing the Port's car parking space. It was stated that the Port would be utilising Ring-Go for public parking.

86 FEES AND CHARGES 2024/25

The Strategic Director (Finance and Housing) and the Strategic Director (Place and Environment) were present to answer Members questions on the proposed Fees and Charges for 2024/25.

Q1. More detail on the forecast increase in subscriber numbers for the garden waste service

The Council was not forecasting an increase in subscriber numbers. It was expected that there would be a reduction in existing subscribers as part of the transition to containerisation.

- Q5. On page 59 the list assumes that there will be an increase of 500 subscribers for 2023/24 but on page 50 item 231 predicts a reduction in 2023/24 of 156 subscribers from the previous year. How do you explain the contradiction?

The Council anticipated a slight reduction in subscriber numbers as some 700 current subscribers would not be able to use the new service. The figure of 500 was an estimate of those who may join the service after the end of February or subscribe for an additional container who would need to purchase it.

- Q2. Impact of the changes agreed at Cabinet yesterday on the £200K additional income figure that was in the parking report.

This would be answered as part of the next agenda item.

- Q3. Overall change in forecast income that will result from the fees and charges changes agreed by Cabinet yesterday (i.e. what will be included in the Budget)

The starting point was, as in previous years, that the Council had an extremely challenging financial situation and needed to maximise income while continuing to set reasonable fees and charges.

The total income from fees & charges (excluding parking income) in the 2023/24 budget was c.£5.2 million. The forecast level for 2024/25 was £5.6 million. The total increase was approximately £400,000.

- Q4. On page 51 of the list of fees and charges for Environmental Health it does not indicate whether they are statutory or not. Are we meant to assume that they are all statutory?

These all related to statutory functions. The fees listed on this page all related to fixed penalties. They were a power rather than a duty and local authorities may issue a Fixed Penalty Notice (FPN) offering the alleged offender the opportunity to discharge their liability to conviction. A parameter for the level of the FPN is usually set by legislation which then allows the authority to set it within that parameter.

There needed to be a balance when setting the amount of the fine to encourage payment to be made and therefore avoided the costs of taking a prosecution should the payment not be made. If a fine was unpaid within the requisite period, the alleged offender became liable to prosecution through the Courts, which could then become more costly for the authority. Fines through the Courts were retained by the Court, not the Council.

- Q6. On page 67 can finance provide data on the number of court summons and liability orders served per annum.

The Strategic Director (Finance and Housing) advised that the charges were based around cost recovery.

The details were as follows:

2021/22

Summons Council Tax 3612
Liability Order Council Tax 3219

Summons Business Rates 223
Liability Order Business Rates 170

2022/23

Summons CTAX 3755
Liability Order CTAX 2838

Summons Business Rates 246
Liability Order Business Rates 183

2023/24 (up to 31.08.23)

Summons CTAX 2656
Liability Order CTAX 842

Summons Business Rates 157
Liability Order Business Rates 133

- Q7. Do we have an estimate as to the loss of revenue from schools' museum bookings caused by KCC closing the discovery centre for refurbishment?

It was not anticipated that the Discovery Centre project would affect school activities.

- Q8. The purple bag fees are recurring vs plastic bin which is to all intents and purposes a one off. Is this equitable?

The purple sacks and/or wheeled bins were provided for to all customers. The charges set out for purple sacks were to enable residents who used either type of container to purchase sacks to provide them with additional capacity beyond that provided by the standard container provision.

- Q9. Green waste. Am I right that existing users of the scheme will get the green bin included in the annual fee for next year? New customers are charged for a bin in addition to annual fee?

The offer to existing subscribers is that they will be provided with the wheeled bin for free if they renew their subscription.

- Q10. Can I be advised how our increase in fees and allowances varies from the previous years' increases, if at all, considering inflation?

There were c.20 workbooks and there were c.600 different fees.

It was not possible to go back to past years and research them, but as a guide Heads of Service considered, with portfolio holders, the costs of the service, inflation, comparable charges and sensible price points.

- Q11. When will there be a review of memorial benches trees etc? Do we know what approx. revenue loss will be incurred whilst these are suspended?

It was hoped that this would be reviewed during the coming financial year. There was no revenue loss from this as the fees charged for memorial benches were simply covering costs incurred.

Members also raised the following points:

- That the charge for using Kearsney Park for weddings was lower than in other districts. It was stated that this was because the Council was trying to build this new business. Additionally, there was a desire not to exclude local residents from using it for weddings by setting the price to high.
- The 21% increase in charges for fishing at Deal Pier. It was stated that this would need to be looked into but it was likely that this was due to rounding the increase to the nearest pound.

87 REVIEW OF ON AND OFF-STREET PARKING CHARGES

Members considered the report on the Review of On- and Off-Street Parking Charges.

The following had been carried over the Fees and Charges questions:

Q2. Impact of the changes agreed at Cabinet yesterday on the £200K additional income figure that was in the parking report.

There was no income assumed from the new car parks in the budget for the first year as there was no way to accurately forecast usage levels. Accordingly, there was no impact from the changes to charging for rural car parks.

The same situation existed in respect of the proposed charges for disabled parking bays as this had not been included in the budget as income.

Q12. Re: parking charges, Is the use of RingGo going to be rolled out across the district? If so will this be the sole method of payment? An increase in 20p across the district for an hour will mean an hour's parking will cost £2.20 via RingGo. What will be the saving to DDC of using RingGo. How does that compare with using card payments only at machines?

RingGo was available in all DDC Off-street chargeable car parks and on-street chargeable parking. The charge was an extra flat rate 20p across all sites. That was the only charge that Ringo kept. This was on top of the Council's set charges. Currently 62% of all transactions were through RingGo (increasing 10% per annum over last 3 years). The cost of a card transaction was a 2% fee which came from DDC income.

Q13. Item 3.3 no charge car parks. Stated that poor turnover therefore parking availability is actually limited and payment will reduce congestion. Do we have figures for this? Has a full review been done on these car parks as to current usage and future impact if charges are introduced. Has an hour free approach been considered? Will there be a step wise fee as in other car parks?

This was to be factored in as part of full parking review commencing in April 2024.

The Portfolio Holder for Community and Corporate Property, Councillor C D Zosseder, stated that the first hour free approach was something that would be considered as part of the review. The review would involve consultation with the parish councils.

Q14. What would be the cost of policing the allocated disabled bays?

There would be no extra cost as it would be part of routine patrolling.

Q15. I understand parking charges had been trialled very briefly at barrow pit. What was the rationale/evidence that this was appropriate and what was the rational/evidence presented that enabled the decision to be reversed?

This had been trialled but there was insufficient evidence arising from the trial. It would be covered as part of full parking review commencing in April 2024.

In respect of the 'Free from Three' offer in the run-up to Christmas, the Portfolio Holder for Community and Corporate Property stated that this would be looked at as part of the parking review. Any feedback from businesses about it would be welcomed.

Councillor C A Vinson requested that the parking review come to scrutiny when it had been completed.

88 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor H M Williams, duly seconded by Councillor M J Nee 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 involved the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act.

89 SALE OF GUIDE HUT AT LAND ADJOINING 107 SANDWICH ROAD, WHITFIELD

The Head of Property Assets presented the report on the Sale of Guide Hut at Land Adjoining 107 Sandwich Road, Whitfield.

It was moved by Councillor C A Vinson, duly seconded by Councillor D R Friend, and

RESOLVED: That it be recommended to Cabinet that decision CAB68(b) be amended as follows to include the 2 Members for the Whitfield Ward:

“That the Strategic Director (Place & Environment) be authorised to agree detailed terms for the disposal, acting in consultation with the Portfolio Holder for Community and Corporate Property and the 2 Members for the Whitfield Ward.”

The meeting ended at 8.21 pm.