

# Public Document Pack



Democratic Services  
White Cliffs Business Park  
Dover  
Kent CT16 3PJ

Telephone: (01304) 821199  
Fax: (01304) 872452  
DX: 6312  
Minicom: (01304) 820115  
Website: [www.dover.gov.uk](http://www.dover.gov.uk)  
e-mail: [democraticservices@dover.gov.uk](mailto:democraticservices@dover.gov.uk)

15 January 2019

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** on Tuesday 15 January 2019 at 6.00 pm, the following reports that were unavailable when the agenda was printed.

4 **MINUTES** (Pages 2 - 11)

To confirm the Minutes of the meeting of the Committee held on 3 July 2018, 11 September 2018 and 2 October 2018.

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", written over a white background. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Chief Executive

Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 3 July 2018 at 6.00 pm.

Present:

Chairman: Councillor K Mills

Councillors: M I Cosin  
P I Carter  
B Gardner (as substitute for Councillor D A Sargent)  
P J Hawkins (as substitute for Councillor J M Heron)

Officers: Director of Environment and Corporate Assets  
Director of Finance, Housing and Community  
Head of Regulatory Services  
Environmental Protection Manager  
Principal Community and Leisure Officer  
Principal Infrastructure and Delivery Officer  
Democratic Services Manager

11 APOLOGIES

Apologies for absence were received from Councillors T A Bond, R J Frost, J M Heron, M J Ovenden and D A Sargent.

12 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 members for Councillors D A Sargent and J M Heron respectively.

13 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

14 MINUTES

The consideration of the Minutes was deferred.

15 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.

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

There were no items of business for consideration.

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

There were no items of business for consideration.

18 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.

19 NOTICE OF FORTHCOMING KEY DECISIONS

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

Members enquired about when the Planning Enforcement Plan would be coming forward for consideration.

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

20 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.

21 PUBLIC SPACES PROTECTION ORDER

The Head of Regulatory Services presented the report on the Public Spaces Protection Order.

Members were advised that following the consultation relating to dog control orders authorised by Cabinet in March 2018, the Council had received 179 responses, the majority of which were supportive, especially of the continued exclusion of dogs from children's play areas.

The main area of objection was in respect of the proposal to exclude dogs from the sports pitches behind Tides Leisure Centre in Deal. This area was included because it was believed regular football matches were played there but a number of responses pointed out that the area was rarely used for football and that it provided for a safe enclosed area to walk dogs in middle Deal and was very popular with dog walkers. As a consequence, the proposal to exclude dogs from this area was therefore withdrawn.

The consultation had also received a number of responses relating to the times that dogs were permitted on beaches. It was felt that the current times struck a balance between dog walkers and beach users.

RESOLVED: That the report be noted.

22 TIDES LEISURE CENTRE

The Director of Environment and Corporate Assets presented the report on Tides Leisure Centre.

Members were advised that Tides Leisure Pool was opened in 1987 and due to its age was likely to require significant capital investment over the coming years. If the

required investment was not made then there was an increased risk of frequent or permanent pool closure because a number of essential plant items were reaching end of life.

The Cabinet had agreed to approve £710,000 from the Tides Leisure Centre Refurbishment Project included in the Medium-Term Financial Plan as followed:

- £600,000 for urgent plant refurbishment works to address essential maintenance issues at Tides;
- £10,000 to support the next stage of project development through further investigation of preferred options for wet and dry leisure facilities; and
- £100,000 provision to meet the cost of any emergency works that arose while the preferred options were being investigated.
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In respect of the new Dover District Leisure Centre, it was stated that this would complement the offer at Tides not compete with it.

Members discussed the car parking arrangements for Tides, including the need to protect it for users of Tides and avoid people parking there to avoid paying for parking elsewhere. The Director of Environment and Corporate Assets advised Members that this issue was being looked at by officers.

RESOLVED: That the report be noted.

23 SHORT-TERM PROPOSAL FOR THE FORMER CO-OP BUILDING, CASTLE STREET, DOVER

The Director of Finance, Housing and Community presented the report on the Short Term Proposal for the Former Co-Op Building, Castle Street, Dover.

Members were advised that it was the intention to use the former Co-Op building as a temporary 'Mean-While' space to provide an area to enable entrepreneurs and new businesses to market test their products/services. This would also enhance the Council's strategic support for the High Street and Regeneration of the area while ensuring that the Council secured the future ownership of a strategic site.

Members were advised that Dover Big Local and Red Zebra would be responsible for the project.

RESOLVED: That the report be noted.

The meeting ended at 6.48 pm.

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Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 11 September 2018 at 6.00 pm.

Present:

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

Councillors: T A Bond  
P I Carter  
P J Hawkins (as substitute for Councillor K Mills)  
J M Heron  
S C Manion  
M J Ovenden  
D A Sargent

Officers: Chief Executive  
Strategic Director (Operations and Commercial)  
Strategic Director (Corporate Resources)  
Mr A Stevens (Head of Shared Services, EK Services)  
Chief Executive - East Kent Housing  
Director of Customer Services  
Senior Policy Planner  
Democratic Services Manager

## 24 APOLOGIES

Apologies for absence were received from Councillors R J Frost and K Mills.

## 25 APPOINTMENT OF SUBSTITUTE MEMBERS

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

## 26 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

## 27 MINUTES

The Minutes of the meetings held on 24 April 2018, 15 May 2018 and 3 June 2018 were approved as a correct record and signed by the Chairman.

## 28 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.

## 29 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.

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

There were no items of business.

31 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.

32 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.

33 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.

34 PERFORMANCE REPORT – QUARTER 1, 2018/19

The Director of Finance, Housing and Community introduced the Performance Report Quarter 1 2018/19.

There were 4 red performance indicators (out of 31 total indicators) for Quarter 1 as followed:

East Kent Housing

- EKHL1 (Average time taken to re-let council dwellings)
- EKHC2 (Rent arrears as % of annual debit)
- EKHC3 (Former tenant arrears as % of annual debit)

Dover District Council

- HOU010b (Number of households in bed and breakfast – last day of the quarter)

The Chief Executive of East Kent Housing advised that in respect of indicator EKHL1, this was due to problems with the contractor turning around empty properties and it was expected that it would be back on track by Quarter 2 2018/19.

In respect of the arrears, it was stated that 7 people per day were moving onto Universal Credit in the district and according to national studies it could on average take up to 2 years for arrears arising from Universal Credit to be resolved.

In respect of amber indicator EKHM5 (percentage of properties with a valid gas safety certification) it was stated that this was down to a single property where they were having problems obtaining access.

Members were advised that the Council had purchased a number of properties to boost the amount of council owned temporary accommodation in order to get people out of bed and breakfast and was looking at other solutions.

RESOLVED: That the Performance Report Quart 1, 2018/19 be noted.

35 PLANNING ENFORCEMENT PLAN

The Chief Executive presented the Planning Enforcement Plan.

Members were advised that planning enforcement had been moved into the regulatory services section as there was a better synergy in grouping the Council's main enforcement areas together and it offered the opportunity to build a stronger enforcement culture, particularly where multiple offenses were being committed. There would also be increased transparency and accountability through the updated Planning Enforcement Plan.

Members called for improved communication and engagement with the public so that it was clear as to what the Council could and could not take enforcement action in respect of, including the use of posters and other visual material.

RESOLVED: That the report be noted.

36 STATEMENT OF COMMUNITY INVOLVEMENT

The Senior Policy Planner presented the report on the Statement of Community Involvement.

Members were advised that the Statement of Community Involvement (SCI) set out how, when and where the Council would consult with local and statutory stakeholders both during production of development plan documents, and within the development management function. The Neighbourhood Planning Act 2017 introduced a number of additional requirements for SCIs, the most significant of which was to set out the Council's policies for giving advice or assistance in relation to Neighbourhood Planning. As a result, a replacement SCI was drafted for consultation which took account these changes through an updated SCI.

Councillor S C Manion pointed out that the document made reference to the PCT (Primary Care Trust) when it should refer to the CCG (Clinical Commissioning Group) and it was agreed that this would be updated in the document.

RESOLVED: That the report be noted.

The meeting ended at 7.02 pm.

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Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 2 October 2018 at 6.00 pm.

Present:

Chairman: Councillor K Mills

Councillors: T A Bond  
M I Cosin  
R J Frost  
B Gardner (as substitute for Councillor J M Heron)  
M J Ovenden  
D A Sargent

Officers: Director of Customer Services  
Head of Community Services  
Community Development Manager  
Democratic Services Manager

## 37 APOLOGIES

Apologies for absence were received from Councillors P I Carter, J M Heron and M Rose.

## 38 APPOINTMENT OF SUBSTITUTE MEMBERS

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

## 39 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 40 MINUTES

The consideration of the Minutes was deferred.

## 41 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.

## 42 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.

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

There were no items of business to consider.

44 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 to consider.

45 NOTICE OF FORTHCOMING KEY DECISIONS

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

Members requested an updated on homelessness be included within the work programme.

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

46 SCRUTINY WORK PROGRAMME

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

Members were advised that the Chairman had requested that BREXIT be added to the work programme.

RESOLVED: That the Work Programme be noted.

47 UNIVERSAL CREDIT UPDATE

The Director of Customer Services (East Kent Housing) provided an update on the impact of the roll out of Universal Credit in the district.

Members were advised that Universal Credit brought together six separate benefits together, including housing benefit, and it was paid direct to households not to the rent account. The process of changing to Universal Credit took 5 – 6 weeks and East Kent Housing (EKH) were notified 4 – 6 weeks after the change by the Department for Work and Pensions (DWP). The Head of Community Services advised that he would speak to representatives of the DWP to ask them to advise EKH as soon as possible of any tenants due to switchover to Universal Credit.

EKH then wrote to tenants who had made the switch to reassure them that they wouldn't be evicted as a result of arrears arising from the change to Universal Credit and to date no one had been evicted for this reason. It was expected by 2019/20 that the majority of housing benefit claimants would have switched over to Universal Credit.

EKH was working to understand the full financial impact of the switch to Universal Credit on its resources but the extent of the impact was dependent on how quickly the full roll out of Universal Credit took place in the district. It was estimated that approximately 700 housing benefit claimants had switched over with a further 4000 still to switch over.

The Head of Community Services advised that the Council had been working with the Citizens Advice Bureau over the provision of general financial advice on the issue and the Council was helping people in respect of digital access as Universal Credit was an online service. In addition, EKH provided more specialist assistance on the matter and had 3 officers allocated to dealing with Universal Credit issues across the whole of EKH, which equated to 1 FTE for the district. There were also two income officers working on the more technical side for Universal Credit in Dover. In respect of legal action in relation to Universal Credit arrears it was stated that this was a decision for each Council to take on a case-by-case basis.

Members expressed concern that private landlords would be less tolerant on arrears caused by Universal Credit and the potential impact that this would have on the Council in respect of homelessness presentations.

RESOLVED: (a) That the update be noted.

(b) That a further update on Universal Credit be scheduled as part of the work programme.

#### 48 LAUNCH OF A LOCAL AUTHORITY LOTTERY

The Head of Community Services presented the report on the Launch of a Local Authority Lottery.

The proposed Dover District Lottery would raise new funds for participating local good causes, and would help to fund an increase in the DDC Community Grants programme. The good causes would receive 50p in every £1 which would provide for a regular income stream to support their work in the community at no cost to them.

The players would have the option to specify which participating good causes they wanted to support, as well as making a 10p contribution to a Central Fund which would increase the amount of funding available to community groups and projects via the DDC Community Grants programme. Where players opted not to support specific good causes, 60p in the £1 was apportioned to the Central Fund.

It was emphasised to Members that while this was a lottery it wasn't about gambling but rather providing an additional income stream to support the local voluntary sector and building social capital. The Council would also provide support to help the voluntary sector meet the governance arrangements needed to be eligible for the lottery scheme.

In response to strong concerns expressed by Members that this would promote and normalise gambling, the Head of Community Services advised that there were robust safeguards in place and the nature of the registration process prevented any of the 'instant gratification' associated with gambling.

Members also expressed concern about the lottery being run by an external company and the use of Council funds to 'pump prime' the lottery.

RESOLVED: That it be recommended to Cabinet that it not proceed further with plans to launch a local authority lottery for the Dover District (as per Option 2 of the report) until clarity can be provided to answer the concerns of the Scrutiny (Policy and Performance) Committee as follows:

- (a) What would happen to any monies in the prize fund should the lottery be wound up.
- (b) What limit, if any, is proposed for the number of tickets that an individual can purchase.
- (c) That further information be provided in respect of safeguarding arrangements for individuals signing-up to the lottery. For example, whether registrations will be monitored, what arrangements, if any, are in place for spot checks to be undertaken to ensure people can afford the contribution and what consideration has been given to how operating a lottery affects the Council's health and wellbeing responsibilities.

The meeting ended at 7.53 pm.