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9 December 2016

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** will be held in the HMS Brave Room at these Offices on Monday 19 December 2016 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Rebecca Brough on (01304) 872304 or by e-mail at rebeccabrough@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over a white background.

Chief Executive

Scrutiny (Policy and Performance) Committee Membership:

K Mills (Chairman)
M I Cosin (Vice-Chairman)
T A Bond
R J Frost
B J Glayzer
J M Heron
M J Holloway
S C Manion
M Rose
D A Sargent

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 4)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES** (Pages 5 - 9)

To confirm the Minutes of the meeting of the Committee held on 15 November 2016 (to follow) and 22 November 2016 (attached).

5 **PUBLIC SPEAKING**

Please note that in accordance with the agreed Protocol for Public Speaking at Overview and Scrutiny, the right to speak does not apply to any items on the agenda.

6 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 10)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

7 **DOVER LEISURE CENTRE - SPA FEASIBILITY STUDY**

To consider the report of the Director of Environment and Corporate Assets (to follow).

8 **DOVER LEISURE CENTRE - BUILDING CONTRACTOR PROCUREMENT**

To consider the report of the Director of Environment and Corporate Assets (to follow).

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from

our website www.dover.gov.uk. Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.

- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Rebecca Brough, Team Leader - Democratic Support, telephone: (01304) 872304 or email: rebeccabrough@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 22 November 2016 at 6.00 pm.

Present:

Chairman: Councillor K Mills

Councillors: S F Bannister (as substitute for Councillor J M Heron)
R J Frost
B J Glayzer
P J Hawkins (as substitute for Councillor M I Cosin)
M J Holloway
S C Manion
M Rose
D A Sargent

Also Present: Acting Head of Customer Delivery (East Kent Services)

Officers: Chief Executive
Head of Corporate Services
Director of Finance, Housing and Community
Head of Finance
Team Leader – Democratic Support

94 APOLOGIES

Apologies for absence were received from Councillors T A Bond, M I Cosin and J M Heron.

95 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that in accordance with Council Procedure Rule 4, Councillors S F Bannister and P J Hawkins had been appointed as substitute members for Councillors J M Heron and M I Cosin respectively.

96 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

97 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.

98 COUNCIL TAX REDUCTION SCHEME 2017/18 REPORT

The Director of Finance, Housing and Community presented the report on the Council Tax Reduction Scheme (CTRS) 2017/18.

Members were advised that the existing scheme, which had been in place since 1 April 2013, had a funding shortfall due to reductions in the Revenue Support Grant and a new more affordable scheme had needed to be developed. As the scheme was funded through the Revenue Support Grant once that was removed the scheme would eventually become unfunded.

The main changes in the scheme were:

- Increase the minimum contribution to 10% and limit savings to £6,000 (saving the scheme £259,000);
- Assuming that the self-employed had a minimum income equivalent to the National Living Wage after 12 months (saving the scheme £230,000); and
- Restricting the scheme to the equivalent of a Band D property (saving the scheme £35,000).

Additional changes were made to ensure the scheme was consistent with Housing Benefit rules while maintaining the original schemes principles of protecting the most vulnerable wherever possible.

It was acknowledged that the scheme was dependent on the level of unemployment and predictions were made on the basis of no significant change to the current level.

All working age CTRS claimants and 5% of households not claiming CTRS were consulted on the options for the scheme. A total of 634 responses (7.8%) were received to the consultation undertaken with existing recipients of the CTRS accounting for 86% of the responses.

The proposed scheme (10%) was the joint lowest in Kent with many other authorities proposing schemes set at 20%. The Council was also working to develop a hardship scheme and trying to minimise the impact of the changes.

RESOLVED: (a) That it be recommend to the Cabinet that decision CAB84 be reaffirmed as follows:

(b) That it be recommended to the Council:

- (i) That the current minimum contribution towards their Council Tax made by recipients of Council Tax Support is increased from 6.0% to 10.0%.
- (ii) That the maximum savings that a Council Tax payer liable to pay Council Tax can have and still claim Council Tax Support is reduced from £16,000 to £6,000.
- (iii) That a minimum income is used within the calculation for self-employed Council Tax payers after twelve months of self-employment.
- (iv) That the maximum level of Council Tax support is restricted to the equivalent of a Band D property charge.

- (v) That only the first two children in a family will be included in the calculation for children born after April 2017. (Some exceptions will apply).
- (vi) That the Family Premium is not included in the calculation of Council Tax Support for all new working-age Council Tax payers.
- (vii) That the period for which a late claim can be backdated be reduced to one month.
- (viii) That the period for which a Council Tax payer can be absent from Great Britain and still claim Council Tax Support is reduced to 4 weeks (with some exclusions for certain occupations).
- (ix) That the element of the work-related component of Employment and Support Allowance is not included in the Council Tax Support Calculation.
- (x) That Dover District Council works towards making determinations pursuant to Section 17A (7) of the Local Government Finance Act 1992 of classes of cases in which the amount of Council Tax which a person is liable to pay will be reduced in accordance with Section 13A (1)(c) of the Local Government Finance Act 1992 from April 2017, in order to provide a safety net for Council Tax payers experiencing extreme difficulty paying their Council Tax.
- (xi) That Members note the Equalities Impact Assessment as detailed at Annex 4 of the report.
- (xii) That the Director of Finance, Housing and Community be authorised to approve the final details of the scheme for recommending to Council.

(Councillor S C Manion declared an Other Significant Interest by reason of his membership of Kent County Council which funded part of the Council Tax Reduction Scheme and withdrew from the meeting for the consideration of this item of business.)

99 REVISED 2016/17 TREASURY MANAGEMENT STRATEGY

The Director of Finance, Housing and Community presented the Revised 2016/17 Treasury Management Strategy report.

Members discussed the reporting route for the Council's investments, noting that Treasury Management matters were currently reported to the Governance Committee and included within the Medium Term Financial Plan.

RESOLVED: That Cabinet decision CAB85 be reaffirmed and it be recommend to Council:

(a) That the revised Treasury Management Strategy 2016/17 be approved.

(b) That a report on property investment be submitted annually to Council.

(The Chairman, with the consent of Members, varied the order of the agenda to take this item of business after Minute No. 100 (Exclusion of the Press and Public) and Minute No. 101 (Property Investment Strategy). Upon the conclusion of their consideration of the Property Investment Strategy, the Committee resolved to readmit the press and public for the remainder of the meeting.)

100 EXCLUSION OF THE PRESS AND PUBLIC

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

101 PROPERTY INVESTMENT STRATEGY

The Chief Executive presented the report on the Property Investment Strategy.

RESOLVED: (a) That it be recommended to the Cabinet that decision CAB87 be reaffirmed as follows:

(i) It was agreed, subject to Council approval of (b) (i) to (iii) below:

(1) That two Project Advisory Groups be established as follows:

- Commercial Investment Project Advisory Group
- Residential Investment Project Advisory Group

(2) That the creation of one or more residential and commercial property companies be approved.

(3) That the Leader of the Council be requested to delegate the approval of the detailed form of the companies to the Portfolio Holder for Corporate Resources and Performance, supported by advice from the Residential Investment Project Advisory Group and the Commercial Investment Project Advisory Group respectively.

(4) That the Leader of the Council be requested to delegate the approval of property investments to the Portfolio Holder for Corporate Resources and Performance, advised by the Project Advisory Groups.

(b) It was agreed to recommend to Council:

- (i) That a supplementary capital budget of £200 million, for the acquisition of commercial and residential assets for the economic regeneration and well-being of the district and for investment purposes, be approved.
- (ii) That a supplementary revenue budget of £200 million from the Regeneration Reserve, for the use of appropriate external professional support to establish a framework and assist with acquiring properties, be approved.
- (iii) That the implementation of the Investment Property Strategy, and the investment strategy criteria set out at Appendix 1 of the report, be adopted.

The meeting ended at 7.05 pm.

DOVER DISTRICT COUNCIL

SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE – 19 DECEMBER 2016

EXCLUSION OF THE PRESS AND PUBLIC

Recommendation

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting for the remainder of the business on the grounds that the item(s) to be considered involve the likely disclosure of exempt information as defined in the paragraph of Part 1 Schedule 12A of the 1972 Act set out below:

<u>Item</u>	<u>Report Title</u>	<u>Paragraphs Exempt</u>	<u>Reason Exempt</u>
7	Dover Leisure Centre - Spa Feasibility Study	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
8	Dover Leisure Centre – Building Contractor Procurement	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)