

Public Document Pack



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25 May 2018

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 Tuesday 5 June 2018 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
P I Carter
R J Frost
J M Heron
S C Manion
M J Ovenden
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**

To confirm the Minutes of the meeting of the Committee held on 24 April 2018 and 15 May 2018 (to follow).

5 **PUBLIC SPEAKING**

Please note that in accordance with the agreed Protocol for Public Speaking at Overview and Scrutiny, the right to speak only applies to agenda items 11.

The right of the public to speak does not apply to the following agenda items: Apologies, Appointment of Substitute Members, Declarations of Interest, Minutes, the Forward Plan, the Scrutiny Work Programme, any agenda item that is not accompanied by a written report and items that are exempt business.

Members of the public wishing to speak must register to do so by no later than 2.00 pm on the second working day before the meeting.

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

There were no decisions taken by the Cabinet at its meeting held on 4 June 2018 in respect of recommendations from the Scrutiny (Policy and Performance) Committee.

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

There are no items 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**

(a) Items placed on the agenda by a Member of the Committee or any individual Non-Executive Member

Any individual Councillor may request that a matter is placed on the agenda of one of the Council's Overview and Scrutiny Committees by providing Democratic Support with notice of the matter prior to the agenda being published.

There are no items for consideration.

(b) Items the subject of Call-In

Executive Decisions may be called-in by the Chairman or Spokesperson of the Scrutiny (Policy and Performance) Committee or any three non-executive members.

There are no items for consideration.

(c) Public Petition

There are no items for consideration.

9 **NOTICE OF FORTHCOMING KEY DECISIONS** (Pages 5 - 7)

It is intended that Members should use the Notice of Forthcoming Key Decisions to identify topics within the remit of the Committee for future scrutiny.

10 **SCRUTINY WORK PROGRAMME** (Pages 8 - 11)

It is intended that the Committee monitor and prioritise its rolling work programme.

11 **GENERAL REPAIRS TO PARKS, GARDENS AND CHURCHYARDS REPORT**
(Pages 12 - 15)

To consider the attached report of the Director of Environment and Corporate Assets.

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, Democratic Services Manager, 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.



Notice of Forthcoming Key Decisions

[This updated version of the Notice supersedes all other versions issued in previous months]

Publication Date: 4 May 2018

Notice of Forthcoming Key Decisions which will be made on behalf of the Council

Key Decisions 2018/19	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
1	Neighbourhood Plans	June 2013 and ongoing (see entry)
2	Review of Tenancy Strategy and Tenancy Policy	To be confirmed
3	Review of Local Plan	(i) 1 March 2017; (ii) 1 October 2018; and (iii) October 2019
4	Property Acquisitions	Ongoing (decisions to be taken by Portfolio Holder for Corporate Resources and Performance)
5	To consider an options appraisal and feasibility study for Tides Leisure & Indoor Tennis Centre and seek approval to progress to the detailed design phase	2 July 2018
6	Dover Waterfront Masterplan Area Action Plan	To be confirmed
7	Planning Enforcement Plan	4 June/2 July 2018 (to be confirmed)
8	Representations on the Thanet District Council Local Plan	To be confirmed
9	To seek approval for public consultation on the draft Sandwich Walled Town Conservation Area Appraisal	1 October 2018 and date to be confirmed
10	Hackney Carriage and Private Hire vehicles - access for wheelchair users	4 June/2 July 2018
11	Development of a social lettings agency	2 July 2018
12	Approval of project to develop housing to be occupied on an interim basis by homeless households	14 May 2018
13	To seek Cabinet approval for public consultation on draft Upper Deal Conservation Area Character Appraisal	2 July 2018 and date to be confirmed
14	Letting of the café/restaurant on Deal Pier	4 June 2018
15	Aylesham Village Expansion – Acquisition of Third-Party Land	10 September/1 October 2018 (to be confirmed)
16	Statement of Community Involvement	14 May and 10 September 2018
17	Dover District Council Local Development Scheme	14 May 2018
18	Kent Environment Strategy	14 May 2018
19	Transfer of Freehold of Sandwich Guildhall	4 June 2018

Key Decisions 2018/19	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
20	Sandwich Historical Boatyard	4 June 2018
21	To decide on requirements for a new Public Spaces Protection Order following public consultation	2 July 2018
22	To consider the cessation of cash and cheque transactions at Council Offices	2 July 2018
23	Creation of a local property company	2 July 2018

- Note: (1) Key Decisions which are shaded have already been taken and do not appear in this updated version of the Notice of Forthcoming Key Decisions.
- (2) The Council's Corporate Management Team reserves the right to vary the dates set for consultation deadline(s) and for the submission of reports to Cabinet and Council in respect of Key Decisions included within this version of the notice. Members of the public can find out whether any alterations have been made by looking at the Council's website (www.dover.gov.uk).

OVERVIEW AND SCRUTINY WORK PROGRAMME 2018/19

SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE

Month	Issue	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
5 June 2018	Repairs to Parks, Gardens and Churchyards	Single Meeting	Director of Environment & Corporate Assets	£0		To consider the report.
tbc June 2018	Dover Leisure Centre Update and site visit (4.30pm)	Single Meeting	Director of Environment & Corporate Assets	£0		To receive an update and conduct a site visit.
3 July 2018	To consider an options appraisal and feasibility study for Tides Leisure & Indoor Tennis Centre and seek approval to progress to the detailed design phase	Single Meeting	Director of Environment & Corporate Assets	£0		To consider the report. [Identified from Forward Plan for scrutiny]
	To decide on requirements for a new Public Spaces Protection Order following public consultation	Single Meeting	Director of Environment & Corporate Assets	£0		To consider the report. [Identified from Forward Plan for scrutiny]
	Creation of a Local Property Company	Single Meeting	Director of Environment & Corporate Assets	£0		To consider the report. [Identified from Forward Plan for scrutiny]
	Planning Enforcement Plan	Single Meeting	Director of Environment & Corporate Assets	£0		To consider the report. [Identified from Forward Plan for scrutiny]
August 2018	No Scheduled Meeting					

Month	Issue	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
11 September 2018	Performance Report Q1	Single Meeting	Director of Governance	£0		To consider the report.
	Accommodation Charter Update	Single Meeting	Director of Governance	£0		To consider the report.(tbc)
2 October 2018	Update on Universal Credit	On-going	East Kent Housing	£0		To receive an update. (tbc)
6 November 2018						
4 December 2018	Performance Report Q2	Single Meeting	Director of Governance	£0		To consider the report.
15 January 2019						
12 February 2019	Performance Report Q3	Single Meeting	Director of Governance	£0		To consider the report.
	Scrutiny of the Council's budget	Single Meeting	Corporate Management Team	£0	£0	To scrutinise the Council's budget for 2019/20.
	Fees and Charges	Single Meeting	Corporate Management Team	£0	£0	To be considered as part of the budget scrutiny process.

Month	Issue	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
12 March 2019						
2 April 2019	Performance Report Targets 2018-19	Single Meeting	Director of Governance	£0	£0	To consider the report

Please note items beyond the current month are subject to change depending on Forward Plan, etc.

Municipal Year 2018/19

Agreed for Inclusion?	Subject	Resource Implications				Action
Yes	Property Investment Strategy	Single Meeting	Director of Finance, Housing and Community	£		To receive an update
Yes	Dover Town Centre Regeneration	Meeting of both scrutiny committees	Corporate Management Team	£		To hold a meeting of both scrutiny committees to consider the proposals for the regeneration of the wider town centre.
Yes	Dover Leisure Centre	On-going	Director of Environment and Corporate Assets	£0		To consider reports at each relevant stage in the process.
Yes	Digital Strategy	Single Meeting	Head of Community Services	£		To receive an update on the Council's digital strategy.
Yes	Lorry Parking in the Dover District	On-going	Various	£		To consider issues of illegal and anti-social lorry parking in the wider District.

Yes	Open Championship	Golf	On-going	Corporate Management Team	£		To receive updates at appropriate milestones.
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Subject:	GENERAL REPAIRS TO PARKS, GARDENS AND CHURCHYARDS
Meeting and Date:	Cabinet – 4 June 2018
Report of:	Roger Walton, Director of Environment and Corporate Assets
Portfolio Holder:	Councillor Trevor Bartlett, Portfolio Holder for Property Management and Environmental Health
Decision Type:	Non-Key
Classification:	Unrestricted

Purpose of the report: (a) To seek approval for the allocation of £60,000 from the Special Project Reserve provision included in the Medium Term Financial Plan to:

1. Contribute towards the cost of preparing updated open space strategies for the district.
2. Carry out urgent repairs to structural features within Parks, Cemeteries and Closed Churchyards; and

(b) To authorise the Head of Parks and Open Spaces, in conjunction with the Portfolio Holder for Property Management and Environmental Health, to procure the structural works.

Recommendation: That Cabinet:

1. Approves the allocation of £24,392 of the £60,000 from the Special Project Reserve provision included in the Medium Term Financial Plan to contribute towards the cost of preparing updated open space strategies for the District.
2. Approves the allocation of £35,608 of the £60,000 from the Special Project Reserve provision included in the Medium Term Financial Plan to carry out urgent repairs to structural features within Parks, Cemeteries and Closed Churchyards.
3. Authorises the Head of Parks and Open Spaces, in consultation with the Portfolio Holder for Property Management and Environmental Health, to procure necessary repair works.

1. Summary

The Council has successfully delivered a number of priority projects identified within its current open space strategies. For example, £3.3 m has been secured from the Heritage Lottery Fund to restore Kearsney Abbey and Russell Gardens. In addition, since these strategies were adopted the grounds maintenance service has been transferred in-house, meaning that the Council is in a strong position to deliver smaller scale projects such as repairs to uneven footpath surfaces at the Council's strategic parks.

2. It is now necessary to review the open space strategies, to ensure that the identified priorities are up-to-date and reflect the Council's current capabilities. The purpose of this report is to allocate £60,000 identified within the Medium Term Financial Plan towards the cost of updating the strategies, and addressing the most urgent repairs to structural features within the Council's parks, cemeteries and churchyards.

3. **Introduction and Background**

- 3.1 The Council has adopted a suite of open space strategies: the Parks and Amenity Open Spaces Strategy in October 2013, the Playing Pitch and Outdoor Sports Facilities Strategy in February 2015 and Review of Play Area Provision 2012-2026. These strategies are equally important to both the Property Services and Planning Departments. For example, maintaining up-to-date strategies helps the Council to plan expenditure at its open spaces and also supports funding applications for special projects. In addition, the strategies provide evidence for policies and standards within the Local Plan, which in turn underpin negotiations with developers regarding open space contributions.
- 3.2 Since the current strategies were adopted the Council has successfully delivered a number of priority projects. For example, £3.3 m has been secured from the Heritage Lottery Fund to restore Kearsney Abbey and Russell Gardens. Most of the investment projects identified within the play area strategy have been delivered and the Council has secured a number of development contributions that will be used to achieve objectives set out in the pitch strategy. In addition, the grounds maintenance service has recently been transferred in-house, meaning that the Council is in a strong position to deliver smaller scale projects such as repairs to uneven footpath surfaces at its strategic parks.
- 3.3 It is now necessary to review the open space strategies. This will ensure the identified priorities are up-to-date, reflect the Council's current capabilities and that the strategies continue to provide a sound evidence base for the planning process. The Parks and Open Spaces and Regeneration Delivery teams worked together to develop a project brief that fully encompasses the priorities of the two departments. The project was tendered by the Head of Regeneration and Development as part of the evidence base review for the Local Plan Review (as authorised by Cab 157, 9th March 2017).
- 3.4 Five companies responded to the invitation to quote and, following interviews, the proposal from Knight, Kavanagh & Page was identified as best meeting the Council's objectives. The cost of KK&P's proposal is £48,785. This will be met from the allocation included in the current Medium Term Financial Plan for general repairs in parks and gardens and the remainder from the Local Plan Review budget.
- 3.5 The remaining portion of the allocation of £60,000 (£35,608) is for general repairs in parks and will be used to address high priority repairs. The Council's Health and Safety Officer has worked with the Parks and Open Spaces team to develop a priority list of the most urgent works. This includes issues such as uneven surfaces on footpaths. It is proposed that the Head of Parks and Open Spaces be authorised, in consultation with the Portfolio Holder, to procure any necessary repair works within this budget so that necessary works can be undertaken quickly.
- 3.6 The requested allocation will be sufficient to address current priority issues, unless unforeseen circumstances arise. In the longer term strategy development will support the Parks and Open Spaces Team in developing a comprehensive programme of repairs to maintain safe and welcoming public services, which may

include seeking external funding for key projects. It is anticipated that draft open space strategies will be available by the end of 2018 and, subject to Elected Member approval, they will be put out to public consultation early in 2019. These emerging strategies will inform proposals for the Parks and Open Spaces team 2019/20 budget.

4. Identification of Options

- 4.1 Option 1: To authorise allocation of £60,000 from Special Project Reserve provision included in the Medium Term Financial Plan to contribute £24,392.50 towards updated open space strategies for the district and £35,608 for necessary repairs within parks, cemeteries and churchyards and to authorise the Head of Parks & Open Spaces, in conjunction with the Portfolio Holder, to procure the necessary repair works
- 4.2 Option 2: Not to authorise allocation of £60,000 from Special Project Reserve provision included in the Medium Term Financial Plan to contribute £24,392.50 towards updated open space strategies for the district and £35,608 for necessary repairs within parks, cemeteries and churchyards and not to authorise the Head of Parks & Open Spaces, in conjunction with the Portfolio Holder, to procure the necessary repair works.

5. Evaluation of Options

- 5.1 Option 1: This is the preferred option as it will promote cross departmental working on strategy development, thus allowing the Authority to plan its long term management of open spaces in a holistic manner. In addition, it will secure the necessary repairs, which have been identified as necessary. The delegation of the procurement exercise to the Head of Parks and Open Spaces will ensure the works are carried out in a timely way.
- 5.2 Option 2: This is not recommended because of the pressure that would be placed on the Local Plan Review budget. Furthermore, the repair works have been identified as necessary and need to be undertaken quickly to ensure safety within its parks, cemeteries and churchyards. There may be delays should a further report to Cabinet be necessary.

6. Resource Implications

- 6.1 It is proposed to finance the works from the £60k Special Project Reserve provision included in the current Medium Term Financial Plan for general repairs to parks and gardens.

7. Corporate Implications

- 7.1 Comment from the Section 151 Officer: Accountancy has been consulted and has no further comment to add. (KW)
- 7.2 Comment from the Solicitor to the Council: The Head of Legal Services has been consulted during the preparation of this report and has no further comment to make.
- 7.3 Comment from the Equalities Officer: 'This report does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>'
- 7.4 Other Officers (as appropriate):

8. **Background Papers**

Local Plan Review - Cabinet 1 March 2017

Contact Officer: Darran Solley - Ext. 42436 and Emma-Jane Allen - Ext 42120