

Minutes of the meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 6 August 2019 at 6.00 pm.

Present:

Chairman: Councillor L A Keen

Councillors: S H Beer
O C de R Richardson
M Rose
C A Vinson
P Walker
C D Zosseder

Officers: Chief Executive
Strategic Director (Corporate Resources)
Chief Executive (East Kent Housing)
Director of Customer Services (East Kent Housing)
Head of Finance and Housing
Strategic Housing Manager
Democratic Services Manager
Democratic Services Officer

1 APOLOGIES

Apologies for absence were received from Councillors T A Bond and D P Murphy.

2 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute members appointed.

3 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

4 NOTICE OF FORTHCOMING KEY DECISIONS

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

Members were reminded that as the first meeting of the new Overview and Scrutiny Committee the decisions of the previous scrutiny committees would not be carried over unless the new Overview and Scrutiny Committee reconfirmed them.

The Chairman proposed the following items for inclusion in the work programme:

- Item 8 - To approve the use of Building Foundations for Growth Funding and to authorise the completion of an appropriate legal agreement;
- Item 9 - Approval of project to purchase land adjacent to The Ark, Noah's Ark Road, Dover for affordable interim housing
- Item 13 – Approval for public consultation on draft Dover – Dour Street Conservation Area Character Appraisal
- Item 14 - Review of catering provision at Kearsney Parks

The Democratic Services Manager suggested that to assist Members in identifying items for inclusion in the work programme that a summary line for each item be added.

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

(b) That the items identified above be included within the work programme.

(c) That a summary line explaining the reason for the decision be included for each entry in the Notice of Forthcoming Key Decisions to assist Members in identifying suitable topics for inclusion within the work programme.

5 SCRUTINY WORK PROGRAMME

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

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

- Policy for housing (including the development of an executive housing policy)
- Housing performance indicators
- Waste and recycling rates
- Business Rate Retention Pilot
- DDC Engagement and consultation policy
- Major Capital Expenditure update (including the leisure centre and St James)

The scheduling of the items into the work programme was delegated to the Democratic Services Manager.

RESOLVED: That the Work Programme be agreed with the inclusion of the items identified as follows:

- (i) Policy for housing (including the development of an executive housing policy)
- (ii) Housing performance indicators
- (iii) Waste and recycling rates
- (iv) Business Rate Retention Pilot
- (v) DDC Engagement and consultation policy
- (vi) Major Capital Expenditure update (including the leisure centre and St James)

6 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.

7 EAST KENT HOUSING UPDATE ON PERFORMANCE INDICATORS

The Chief Executive (East Kent Housing) provided an update to the committee on the following areas:

Gas Safety

Members were advised that, subject to one outstanding property where the LGSR had fallen due over the weekend, all properties in the district now had a valid LGSR and for the last 10 days performance was at 100%. It had been made clear that in future all weekend LGSRs must be undertaken early to ensure 100% compliance.

Fire Safety

Members were advised that all blocks in Dover (a total of 222 blocks) had a current Type 3 Fire Risk Assessment. There were 9 blocks identified as a substantial risk, with 210 as moderate risk. There were 1,490 actions identified in the fire risk assessments and following the approval of a contract for these works by Dover District Council's Cabinet on 5 August 2019, the contractor was preparing a programme of works. East Kent Housing (EKH) had put in place a number of extra measures to ensure the safety of residents, such as visits every day (including weekends) in the sheltered blocks until these works were completed.

Electrical Safety

Members were advised that 63.8% of the EICRs required in domestic dwellings were in place and options for completing the remainder were being explored. All communal areas in blocks had a current EICR, and there were no outstanding Category 1 actions although a number of blocks had Category 2 actions, which would be undertaken alongside the fire prevention contract works. It was a requirement to have a new EICR every 10 years but good practice was to work to a target of every 5 years. The expected completion for these works was four months.

An internal audit had also identified a large number of emergency lights which needed to be replaced and these works had now been completed.

Legionella

Members were advised that there were 275 high and 240 medium risk legionella actions that need to be undertaken, across a total of 29 blocks. Although this work had originally been included in the heating and hot water contract, arrangements were now being made to provide this work separately and the work was being priced up for completion. The new contractor anticipated being in a position to complete the work by the end of the year and additional water sampling and testing was being undertaken until the works were completed.

Asbestos

Members were advised that EKH did not historically hold asbestos data as it was held by the contractor. As a consequence, EKH were waiting for the data to be migrated from the previous contractor into the new contractor's system, following a change in contractor earlier in the year. However, EKH were able to access asbestos data through the contractor's portal and arrangements were being put in place to ensure that in future the data would be held by EKH as well.

Members emphasised the need for robust data integrity and ensuring compliance with contract standards.

The Chief Executive (Dover District Council) informed the Committee that a further report would be prepared on the options going forward and that this would come back to the Overview and Scrutiny Committee.

RESOLVED: (a) That East Kent Housing be requested to provide an update to the next meeting the following:

- (i) An update on new systems progress.
- (ii) The targets and progress in respect of gas, fire and electrical safety and legionella inspections.
- (iii) The schedule of inspections and spot checks.

8 CONSULTATION ON COUNCIL TAX SUPPORT SCHEME 2020/21

The Strategic Director (Corporate Resources) presented the report on consultation on the Council Tax Support Scheme 2020/21.

Members were advised that the report set out the progress made on the review of the Council Tax Support Scheme and the proposed consultation on a new scheme for 2020/21. The impact of the introduction of Universal Credit, with its frequent adjustments due to changes in claimant income, was to make the existing scheme increasingly complex for claimants as well as complex and expensive to administer for the Council. The proposed simplified banded scheme was cost-neutral, administratively simpler and intended to maintain take up by those eligible to receive support.

Members discussed the impact of the proposals and what the impact would be in developing a scheme where no one suffered any losses as a result of the new banding. In particular, reference was made to the 107 claimants who would lose more than £10 a month under the proposed changes. In response it was stated that a nil impact scheme would be significantly more complex and costly to administer. As part of the consultation 100% of the people affected would be consulted and as part of the consultation they would be provided with examples of the impact of the proposed new scheme. In addition to this the current arrangements for exceptional hardship would remain in place.

Members asked for the outcome of the consultation to come back to the committee.

It was moved by Councillor P Walker, duly seconded, and

RESOLVED: That it be recommended to Cabinet:

- (a) That the consultation on the introduction of the proposed new Council Tax Support Scheme for 2020/21 as set out in Section 6 of this report be approved.
- (b) That approval of the consultation material be delegated to the Strategic Director (Corporate Resources), in consultation with the Portfolio Holder for Finance and Governance.

9 NOMINATIONS TO PROJECT ADVISORY GROUPS AND EXECUTIVE COMMITTEES

The Democratic Services Manager advised that following the dissolution of the previous scrutiny committees, the Overview and Scrutiny Committees needed to make nominations to Cabinet in respect of the Investment Advisory Group and the Local Plan Project Advisory Group.

It was moved by Councillor S H Beer and duly seconded by Councillor L A Keen that Councillor C D Zosseder be nominated for the Local Plan Project Advisory Group and Councillor L A Keen be nominated for the Investment Advisory Group. The scrutiny nominee for the Investment Advisory Group had previously been a positioned reserved for the Chairman of the Scrutiny (Policy and Performance) Committee.

RESOLVED: That to replace the positions previously held by the Scrutiny (Policy and Performance) Committee on Project Advisory Groups the following nominations be recommended to the Cabinet:

- (a) Councillor L A Keen be nominated for the Investment Advisory Group in her capacity as Chairman of the Overview and Scrutiny Committee to replace the position previously allocated to the Chairman of the Scrutiny (Policy and Performance) Committee.
- (b) Councillor C D Zosseder be nominated for the Local Plan Project Advisory Group in her capacity as a member of the Overview and Scrutiny Committee to replace the position previously allocated to a member of the Scrutiny (Policy and Performance) Committee.

10 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor C A Vinson, duly seconded by Councillor C D Zosseder 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.

11 FIRE PRECAUTION WORKS - AWARD OF CONTRACT

The Strategic Director (Corporate Resources) presented the report on the Fire Precaution Work – Award of Contract.

It was moved by Councillor C D Zosseder, duly seconded, and

RESOLVED: That it be recommended to Cabinet:

- (a) That the award of a three-year contract (with the provision to extend for one further year) to Allied Protection Ltd to provide identified fire precaution works to Dover District Council's housing stock, subject to the 30-day notice period required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003, be approved.

- (b) That the functions of having regard to observations in relation to proposals to award a long-term agreement as required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003, and confirming the award of the contract (or reporting further to Cabinet, as she considers appropriate), be delegated to the Head of Finance and Housing.

12 GAS SERVICING AND HEATING INSTALLATIONS - INTERIM ARRANGEMENTS

The Strategic Director (Corporate Resources) presented the report on the Gas Servicing and Heating Installations – Interim Arrangements.

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

RESOLVED: That it be recommended to Cabinet:

- (a) That the award of an interim heating contract to Swale Heating Ltd for a period of four months, with the option of extending the contract on a month-by-month basis until 31 March 2020, subject to the 30-day notice period required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003, be approved.
- (b) That the functions of having regard to observations in relation to proposals to award a long-term agreement as required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003, and confirming the award of the contract (or reporting further to Cabinet, as she considers appropriate), be delegated to the Head of Finance and Housing.

13 GAS SERVICING AND HEATING INSTALLATIONS - EFFICIENCY CONTRACT 2019-2022

The Strategic Director (Corporate Resources) presented the report on the Gas Servicing and Heating Installations – Interim Arrangements.

It was moved by Councillor P Walker, duly seconded, and

RESOLVED: That it be recommended to Cabinet:

- (a) That the award of the new heating contract to Gas Call Services Ltd, subject to the 30-day notice period required by Section 20 of the Landlord and Tenant Act 1985, the Service Charges (Consultation Requirements) (England) Regulations 2003 and the completion of a mandatory standstill period as required by the Public Contract Regulations, be approved.
- (b) That the functions of having regard to observations in relation to proposals to award a long-term agreement as required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003, and confirming the award of the contract (or reporting

further to Cabinet, as she considers appropriate), be delegated to the Head of Finance and Housing.

- (c) That the Head of Finance and Housing, in consultation with the Portfolio Holders for Housing & Health and Finance & Governance, be authorised to provide additional resource to East Kent Housing (EKH) for the management of this contract. Any increase in resource will be subject to EKH providing a sound business case for this and an established need for such robust contract management.

The meeting ended at 7.45 pm.