

Public Document Pack



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2 October 2020

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** will be held as a Remote Meeting - Teams Live Event on Monday 12 October 2020 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, Democratic Services Manager on 01304 872304 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

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

Chief Executive

Overview and Scrutiny Committee Membership:

C D Zosseder (Chairman)
S H Beer (Vice-Chairman)
M Bates
T A Bond
S C Manion
J Rose
M Rose
R S Walkden
P Walker
H M Williams

AGENDA

1 **APOLOGIES** (Page 4)

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS** (Page 5)

To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 6)

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

4 **MINUTES** (Pages 7 - 11)

To confirm the attached Minutes of the meeting of the Committee held on 14 September 2020.

5 **DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE** (Page 12)

To receive the Cabinet decisions in respect of recommendations of the Overview and Scrutiny Committee.

6 **ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, OR ANOTHER COMMITTEE** (Page 13)

There are no items for consideration.

7 **NOTICE OF FORTHCOMING KEY DECISIONS** (Pages 14 - 16)

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.

8 **SCRUTINY WORK PROGRAMME** (Pages 17 - 20)

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

9 **PUBLIC SPEAKING** (Page 21)

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, 12 and 13.

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

For remote meetings, public speaking will take the form of a statement of up to 500 words that will be read out by a member of the Democratic Services team.

10 **FOOD POVERTY REVIEW** (Page 22)

To consider the briefing paper of the Democratic Services Manager (to follow).

11 **EU TRANSITION - DOVER PORT HEALTH AUTHORITY** (Pages 23 - 41)

To consider the attached report of the Head of Regulatory Services.

12 **APPOINTMENT OF LOCAL PLAN PROJECT ADVISORY GROUP** (Pages 42 - 44)

To scrutinise decision CAB10 (APPOINTMENT OF PROJECT ADVISORY GROUPS 2020/21) in relation to the Local Plan PAG membership.

This item was added at the request of the Chairman, Councillor C D Zosseder, due to changes in the membership relating to external appointees.

13 **SANDWICH GUILDHALL FORECOURT IMPROVEMENT WORKS** (Pages 45 - 48)

To consider the attached report of the Strategic Director (Operations and Commercial).

14 **HOUSING STOCK COMPLIANCE** (Pages 49 - 51)

To consider the attached report of the Strategic Director (Operations and Commercial).

Access to Meetings and Information

- The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 have changed the basis of the public's legal right to attend meetings. This means the public now has the right to hear Councillors attending the remote committee meeting that would normally be open to the public to attend in person. It is the intention of Dover District Council to also offer the opportunity for members of the public to view, as well as hear, remote meetings where possible. You may remain present throughout them except during the consideration of exempt or confidential information.
- 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 will be published on our website as soon as practicably possible after 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, democraticservices@dover.gov.uk, telephone: 01304 872304 or email: democraticservices@dover.gov.uk for details.

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

APOLOGIES

To receive any apologies for absence.

APPOINTMENT OF SUBSTITUTE MEMBERS

To note appointments of Substitute Members.

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 **OVERVIEW AND SCRUTINY COMMITTEE** held as a Teams Live Events remote meeting on Monday, 14 September 2020 at 6.00 pm

Present:

Chairman: Councillor C D Zosseder

Councillors: M Bates
S H Beer
T A Bond
S C Manion (Minute No. 10-12 only)
J Rose
M Rose
R S Walkden
H M Williams

Also Present: Councillor C A Vinson, Portfolio Holder for Finance, Governance and Digital

Officers: Strategic Director (Corporate Resources)
Strategic Director (Operations and Commercial)
Head of Leadership Support
Asset Manager
Housing Development Manager
Democratic Services Manager
Democratic Services Officer

1 APOLOGIES

There were no apologies for absence received.

The Democratic Services Manager advised that Councillor D P Murphy, although not a member of the committee, had sent his apologies as he had been unable to attend the meeting at the invitation of the Chairman due to a prior commitment with residents.

Councillor S C Manion had advised that he would arrive late to the meeting.

2 APPOINTMENT OF SUBSTITUTE MEMBERS

The Democratic Services Manager advised that no notice had been received for the appointment of substitute members.

3 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

4 MINUTES

The Minutes of the meeting held on 8 June 2020 and 13 July 2020 were approved as a correct record and signed by the Chairman.

5 ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, OR ANOTHER COMMITTEE

The Democratic Services Manager advised that there were no issues referred to the Committee by Council, Cabinet or another Committee.

6 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.

7 SCRUTINY WORK PROGRAMME

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

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

- Tenant Evictions – once the current government moratorium on evictions due to the Covid-19 crisis had ended to discuss what the council's plans were and what could be done to mitigate evictions
- Community Engagement Arrangements

RESOLVED: That the Work Programme be noted, subject to the inclusion of the items on tenant evictions and community engagement arrangements.

8 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.

9 PERFORMANCE REPORT – FIRST QUARTER 2020/21

The Head of Leadership Support presented the Performance Report Quarter 1, 2020-21. Members were advised that due to the Covid-19 pandemic the Council had not produced Quarter 4, 2019-20 figures and the last comparable figures were for Quarter 3, 2019-20.

There were 22 Green Status Performance Indicators (67%), 5 Amber (15%) and 6 Red (18%) for Quarter 1, 2020-21.

Members raised concerns over what they viewed as the low targets of 60% and 80% respectively for performance indicators EKS02d.1 (percentage of incidents resolved within 1 working day) and EKS02d.2 (percentage of incidents resolved within 3 working days). It was pointed out that Q3 performance outturn had exceed both targets and the point of whether a stretch target for 2020-21 would have been a better target to encourage improvements in performance was raised. It was suggested that performance improvements did not necessarily require increased funding but could potentially be achieved through training or smarter working. The importance of remote working to the Council in the current Covid-19 pandemic was emphasized by Members.

CIVICA

Members were advised that Civica had provided resources to support the Council during the Covid-19 pandemic and this would have impacted on their performance in some areas.

In response to a question about the absence of a RAG status and direction of travel indicator for KPI03-d (the percentage of council taxes due for the financial year which were received in year by the authority), Members were advised that this would be investigated further.

East Kent Housing

In response to a question about the absence of RAG statuses and direction of travel indicators for EKHD1 (Total current tenant arrears (including court costs)) and EKHD2 (Average current tenant arrears per rented unit), it was stated that this was be investigated further.

The Chairman stated that once the housing service was back in-house after 1 October 2020 the committee would be better able to monitor compliance matters.

Corporate Resources

Members were advised that performance in relation to indicators ENH012 (Number of Fixed Penalty Notices issued for litter) and ENH015 (Number of Fixed Penalty Notices issued for dog fouling) had been affected by the diverting of resources to support other areas of activity related to the Covid-19 pandemic.

Performance Summary – General Fund, HRA and Capital

It was stated that the while the government had made a significant payment towards costs relating to homelessness it was not 100% of the costs incurred.

RESOLVED: That it be recommended to Cabinet that the Performance Report Quarter 1, 2020-21 be noted subject to:

- (a) That the Cabinet be asked to note the concerns of the Overview and Scrutiny Committee in respect of the low levels set as targets for performance indicators EKS02d.1 (percentage of incidents resolved within 1 working day) and EKS02d.2 (percentage of incidents resolved within 3 working days) and that these be reviewed. As part of this, a comparison with the targets for other local authorities was proposed.
- (b) That the appropriate Portfolio Holder and officers be requested to work with East Kent Services to improve performance in respect of EKS02d.1 and EKS02d.2 through smarter working practices.
- (c) That performance indicator KPI03-d (the percentage of council taxes due for the financial year which were received in year by the authority) have a trend and RAG status indicator added for future editions of the Performance Report.

10 AFFORDABLE HOUSING DELIVERY

The Affordable Housing Delivery report was presented by the Housing Development Manager.

Members requested that a definition of affordable housing be circulated as it was felt this would be useful in understanding what type of housing was to be delivered.

A view was expressed that the council could make substantial savings using local contractors rather than larger companies who would often sub-contract to local companies to do the work for less than the value of the original contract. Members were advised that the council tried to reduce bureaucracy wherever possible to help local businesses apply for contracts with the council. It was suggested that the committee receive a report to a future meeting on local business usage by the Council.

The Strategic Director (Corporate Resources) advised that different definitions of a 'local business' would include/exclude different businesses. The example was cited of a national business with a local billing address and whether this should be defined as a 'local business'.

RESOLVED: That it be recommended to the Cabinet that the recommendations as set out in the report, and in Cabinet Decision CAB4, be agreed as follows:

That the Strategic Director (Corporate Resources), in consultation with the Portfolio Holder for Housing and Health, be authorised to take all necessary actions to develop and deliver an increased programme of affordable housing by Dover District Council, both by direct delivery and via registered providers and community organisations.

(Cllr S C Manion joined the meeting at the start of this item of business)

11 COUNCIL TAX PREMIUM FOR LONG-TERM EMPTY PROPERTIES DIRECTLY IMPACTED BY COVID-19

The Strategic Director (Corporate Resources) presented the report on Council Tax Premium for Long-Term Empty Properties Directly Impacted by COVID-19.

The Portfolio Holder for Finance, Governance and Digital, Councillor C A Vinson, explained the policy intent behind the report and acknowledged that Councillor T A Bond's raising of this issue on behalf of one of his constituents had caused the Council to look further into this matter. Councillor C A Vinson thanked officers and Civica for their assistance in finding a way in which this support could be delivered.

Members welcomed the proposal as a way of bringing long term empty properties back into occupancy.

RESOLVED: That it be recommended to the Cabinet that the recommendations as set out in the report, and in Cabinet Decision CAB5, be agreed as follows:

That, using powers of discretion afforded by Section 13A 1(c) of the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012), a reduction in the additional Council Tax premium charged on properties empty for over 5 years, from 200% to 100%, for the period from 1 April to 30 June 2020, be approved. This is provided the property is occupied by 30 September 2020, and subject to individual Council Tax-payers meeting the eligibility and qualification criteria set out in paragraphs 9 and 10 of the report and complying with the application process, evidential requirements and award conditions set out in paragraphs 8, 11 and 12 of the report.

12 EXCLUSION OF THE PRESS AND PUBLIC

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

(Councillor S C Manion declared a Disclosable Pecuniary Interest (DPI) in Minute No. 13 (Cleaning of Communal Areas in Housing Blocks) on the grounds that he lived in a communal block and stated that he would withdraw from the meeting for the consideration of that item of business.)

13 CLEANING OF COMMUNAL AREAS IN HOUSING BLOCKS

The Strategic Director (Operations and Commercial) and the Assets Manager presented the report on the Cleaning of Communal Areas in Housing Blocks.

Members discussed the tender evaluation document and the performance of the current contract. The Chairman enquired as to the consequences of using her call-in powers in respect of the report.

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

RESOLVED: (a) That the Cabinet be asked to note the concerns of the Overview and Scrutiny Committee in respect of the contract.
(b) That a monitoring report on the contract be brought back to a future meeting of the Overview and Scrutiny Committee.

The meeting ended at 8.45 pm.

Decisions of the Cabinet Relating to Recommendations from the Overview and Scrutiny Committee

The Cabinet at its most recent meeting considered the following recommendations from the Overview and Scrutiny Committee:





- Performance Report – Quarter 1 2020/21
- Affordable Housing Delivery
- Council Tax Premium for Long-Term Empty Properties Directly Affected by COVID-19
- Cleaning of Communal Areas in Housing Blocks



The Record of Decision for the Cabinet meeting will contain the decisions of the Cabinet in respect of the recommendations from the Overview and Scrutiny Committee.

**ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET OR ANOTHER
COMMITTEE**

There are no items for consideration.

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

Key Decisions 2019/20	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)	Summary of Item	Agreed for inclusion in the Work Programme
1	Property Acquisitions	Ongoing (decisions to be taken by Portfolio Holder for Finance and Governance or Strategic Director (Corporate Resources))	On 30 November 2016 the Council approved an Investment Property Strategy. This notice relates to decisions to be taken to acquire properties in pursuance of the adopted Strategy.	 14/10/19
2	Inter-Authority Agreement with Kent County Council for recycling and waste	9 November 2020	To agree the Inter-Authority Agreement between Kent County Council and Dover District Council for recycling and waste collections.	To be confirmed
3	To consider a proposed increase in Hackney Carriage fares	Cabinet (date to be confirmed)	To consider a variation to the Hackney Carriage tariff proposed by the licensed trade	 20/01/20
6	Provision of new museum store	October/November 2020	Currently a proportion of the Council's museum collection is stored on the lower ground level of the Maison Dieu building in central Dover. If the second stage bid to the National Heritage Lottery Fund, currently being evaluated by the NHLF, is successful, the Maison Dieu will be the subject of a grant in the region of £5 million. The Maison Dieu project, as well as restoring and preserving the original Burgess design and decorations, will include a new entrance at the lower ground floor which is needed to increase accessibility to the building. The new entrance and toilet facilities will occupy the space which is currently the museum store and the store will therefore need to be relocated.	 14/09/20
8	Authority to enter into and sign a voluntary undertaking with the Social Housing Regulator	9 November 2020	As a consequence of failures in service delivery at East Kent Housing, the Council completed a self-referral to the Regulator for Social Housing (RSH). Following investigation, the RSH concluded that the Council was non-compliant	

Key Decisions 2019/20	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)	Summary of Item	Agreed for inclusion in the Work Programme
			with the requirements set out in the Home Standard and issued a Regulatory Notice in September 2019. The notice remains 'live' for 12 months or until full compliance is achieved. A voluntary undertaking follows the regulatory notice issued and sets out the Council's full commitment to achieving full compliance with all statutory and best practice requirements for social landlords.	14/09/20
11	Approval of unauthorised encampments procedures and processes	5 October 2020	The current process that is followed for unauthorised encampments by Dover District Council is normally undertaken by a single member of staff and, when applicable, co-ordinated with the Parking Services team. There is no information available to view online, nor are the processes visible for members of the public or staff. By the Community Services Team updating the process and making the information visible, contingencies are covered if staff are out of the office and the removal process can still be adhered to as it is not reliant on an individual.	 14/09/20
12	Approval of revised Safeguarding Policy	5 October 2020	Dover District Council, like all other local authorities, is part of the statutory safeguarding role played by the wider public sector. We all have a responsibility to children, young people and vulnerable adults. DDC has the responsibility to provide, and ensure all employees adhere to, safeguarding policies and to ensure that there are easy pathways to Kent County Council to report safeguarding concerns. By ensuring our staff uphold our own Safeguarding Policy and Procedures, we will support Kent County Council in its statutory role in making safeguarding personal, and provide them with the relevant and timely information they need to investigate concerns. The current	 14/09/20

Key Decisions 2019/20	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)	Summary of Item	Agreed for inclusion in the Work Programme
			Safeguarding Policy and Procedures are not consistent with recent changes in legislation and working practices, not least because they only relate to children and make no reference to vulnerable adults.	
13	Council's proposed response to Government's consultation on Planning White Paper	5 October 2020	To approve the Council's proposed response to the Government's consultation on the new White Paper – 'Planning for the Future'.	X 14/09/20
14	To secure option to purchase property in Dover	5 October 2020	The Council recently submitted a funding bid to the Ministry of Housing, Communities and Local Government for a suite of town centre regeneration projects. Permission is sought to secure an option agreement to purchase a property for possible use in connection with that project, subject to the Council being successful in the funding application.	X 14/09/20

Note: (1) Key Decisions which have already been taken do not appear in this extract of the Notice of Forthcoming Key Decisions.

OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2020/21

Month	Issue	Resource Implications for Scrutiny				Reason for Inclusion on the Work Programme (incl. any actions required)
		Members On-going or single item?	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
September 2020	Performance Report Q1 2020/21	Quarterly	Head of Leadership Support	£0	£0	To consider the report and make recommendations to Cabinet (if required)
	Affordable Housing Delivery	Single Item	Head of Finance & Housing	£0	£0	To consider the report and make recommendations to Cabinet (if required)
	Council Tax Premium for Long-Term Empty Properties Directly Impacted by Covid-19	Single Item	Strategic Director (Corporate Resources)	£0	£0	To consider the report and make recommendations to Cabinet (if required)
	Cleaning of Communal Areas in Housing Blocks	Single Item	Strategic Director (Operations & Commercial)	£0	£0	To consider the report and make recommendations to Cabinet (if required)
October 2020	Food Poverty	Review	Democratic Services Manager	£0	£0	To consider the review document and agree invitees
	EU Transition – Dover Port Health Authority	Single Item	Head of Regulatory Services	£0		To consider the report and make recommendations to Cabinet (if required)
	Appointment of Local Plan PAG	Single Item	Leader of the Council	£0		To scrutinise the decision of Cabinet (CAB10)
	Sandwich Guildhall Forecourt Improvement Works	Single Item	Strategic Director (Operations & Commercial)	£0		To consider the report and make recommendations to Cabinet (if required)

Month	Issue	Resource Implications for Scrutiny				Reason for Inclusion on the Work Programme (incl. any actions required)
		Members On-going or single item?	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
	Housing Stock Compliance	Single Item	Strategic Director (Operations & Commercial)	£0		To consider the report and make recommendations to Cabinet (if required)
November 2020	Food Poverty	Review	Democratic Services Manager	£0	£0	To undertake the review
	Housing Stock Compliance	Single Item	Strategic Director (Operations & Commercial)	£0		To consider the report and make recommendations to Cabinet (if required)
December 2020	Performance Report Q2	Quarterly	Head of Leadership Support	£0	£0	To consider the report and make recommendations to Cabinet (if required)
	Housing Stock Compliance	Single Item	Strategic Director (Operations & Commercial)	£0		To consider the report and make recommendations to Cabinet (if required)
	Food Poverty	Review	Democratic Services Manager	£0	£0	To undertake the review
January 2021	Food Poverty	Review	Democratic Services Manager	£0	£0	To undertake the review

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

Other Work Programme Items – To be scheduled by the Democratic Services Manager in consultation with the Chair and Controlling Group Spokesperson as the work programme permits

Agreed for Inclusion?	Subject	Action
Agreed	Neighbourhood Plans	To come forward for scrutiny in accordance with the Notice of Forthcoming Key Decisions
Agreed	To consider a proposed increase in Hackney Carriage fares	To come forward for scrutiny in accordance with the Notice of Forthcoming Key
Agreed	Tenant Evictions – once the current government moratorium on evictions due to the Covid-19 crisis had ended to discuss what the council's plans were and what could be done to mitigate evictions	To be scheduled
Agreed	Community Engagement Arrangements	To be scheduled alongside corporate consultation item
Work Programme	Crime and Disorder	To look at crime and disorder
Proposed by Chair	Disabled Facilities Grants	To be scheduled
Proposed by Chair	Climate Emergency	To be scheduled
Proposed by Chair	Public Toilet Provision	To be considered in 2021
Work programme 19/20	Corporate Consultation	To be scheduled alongside community engagement arrangements
Work programme 19/20	Update on capital expenditure relating to Digital Agenda	To be scheduled
Work programme 19/20	Dover District Leisure Centre - review of performance against targets and public transport access provision	To be scheduled
Work programme 19/20	Noise nuisance policy and performance (with particular respect to the out of hours service)	To be scheduled
Work programme 19/20	Review of DDC Response to Covid-19	To be scheduled
Work programme 19/20	Overview of Car Parking Policy	To be scheduled

Agreed for Inclusion?	Subject	Action
Work programme 19/20	Youth Services	To be scheduled

PUBLIC SPEAKING

Members of the public wishing to speak must register to do so by no later than 2.00 pm on the second working day (Thursday) before the meeting. The agenda front sheet will specify which items public speaking applies to for that meeting.

The right of the public to speak does not apply to the following agenda items: Apologies; Appointment of Substitute Members; Minutes; the Forward Plan, the Scrutiny Work Programme (and related documentation) or any agenda item that is not accompanied by a written report.

For remote meetings, public speaking will take the form of a statement of up to 500 words that will be read out by a member of the Democratic Services team.

REVIEW OF FOOD POVERTY

To consider the briefing paper of the Democratic Services Manager (to follow).

Subject:	EU TRANSITION – DOVER PORT HEALTH AUTHORITY
Meeting and Date:	Cabinet – 5 October 2020
Report of:	Diane Croucher, Head of Regulatory Services
Portfolio Holder:	Councillor Derek Murphy, Portfolio Holder for Housing and Health
Decision Type:	Executive Non-Key
Classification:	Unrestricted

Purpose of the report: To draw members' attention to the implications of the end of EU Transition on the Port Health Service; to obtain approval for additional resource to support the first phase of the EU end of transition period (until end March 2021); and to request that a letter be sent to the Rt Hon Michael Gove MP, Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, to impress the need for urgent clarity and commitment to funding.

Recommendation: That Cabinet:

a) Approves the additional resource required to support the recruitment of 3 additional Port Health staff from the 2020/21 budget to support the first phase of the EU end of transition;

AND

b) Supports a letter to the Rt Hon Michael Gove MP, Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, seeking urgent clarity and commitment to funding.

1. Summary

As a result of the phased increase in Port Health Authority (PHA) responsibilities associated with the end of the EU transition period, funding is required to recruit an additional 3 members of staff initially, for commencement in November/December 2020. Beyond this the requirements are not fully known and so cannot be reported in detail at this time. This lack of clarity, along with the scale of the changes, significantly impacts on the PHA's ability to deliver on its duties by the end of the transitional period (July 2021). There are many risks and implications of the PHA not being border ready at this time. These are highlighted in Appendix 1

2. Introduction and Background

- 2.1 Port Health Authorities (PHAs) undertake a range of health controls at the port including Sanitary and Phytosanitary (SPS) checks on imported food.
- 2.2 Dover PHA (DPHA) is responsible for enforcing port health controls at the Port of Dover and the Channel Tunnel. Further details are contained within Appendix 1.
- 2.3 DPHA is only required to enforce imported food controls on a very small number of Rest of World (RoW) foodstuffs. This is partly because no checks are required on EU origin foods but also because the majority of RoW products will have already been inspected

at the first point of entry into the EU and will not require any further checks upon arrival at Dover.

- 2.4 In addition to imported food controls, Port Health Officers are also responsible for conducting documentary checks on organic foodstuffs from outside the EU and on catch certificates accompanying non-EU fishery products.
- 2.5 Under the current regime, Dover PHA is able to meet service demand with 1.6 FTE and can complete the work within the Council's standard operating hours Monday to Friday, 09:00 – 17:00.
- 2.6 Over the past 3 years officers from the DPHA have been engaged and involved in the Brexit process and local border delivery planning. Further details can be found in Appendix 1.
- 2.7 During the initial planning stages, it was anticipated that DPHA would only see a minimal increase in imported food controls (i.e. organics and Illegal, Unreported and Unregulated (IUU) fish), as higher risk foodstuffs (that require the most stringent and time-consuming controls) would not be able to enter the UK via the two ports as they did not have the necessary Border Control Point (BCP) status. The Port of Dover and the Channel Tunnel both clearly expressed that they did not have the space required to build or facilitate BCP's within their port confines.
- 2.8 In May 2020, DPHA became aware that an Inland Border Facility (IBF) site in Ashford had been agreed which could be used to conduct Sanitary and Phytosanitary (SPS) control checks for both the Port of Dover and Channel Tunnel sites. Under the current legal framework Dover PHA has no jurisdiction outside of its area so it was not clear where the responsibility for the Port Health function would lie.
- 2.9 Subsequently Dover PHA became aware that further discussions were taking place regarding other potential IBF sites in Kent, and in particular within the Dover District Council area to facilitate SPS checks on foodstuffs entering via the Port of Dover. It was proposed that the site in Ashford would be used as a BCP for goods arriving via the Channel Tunnel only.
- 2.10 Should a full BCP be established, DPHA will be responsible for conducting all imported food controls for EU and rest of world (RoW) foodstuffs arriving via Dover Port by the end of the transition period.
- 2.11 The future legal responsibility for imported food examinations at the Ashford site remain unconfirmed.
- 2.12 Appendix 1 outlines the impact on DPHA of these changes, the implementation timescale and the potential risk.
- 2.13 Whilst the implementation timetable indicates that the full spectrum of checks will not be required until July 2021, of immediate concern is the ability of the PHA to fulfil its new duties with regards to EU Organic and EU IUU (fish) products from 1st January 2021.
- 2.14 Although no government body is able to confirm the exact figures, it is anticipated that the increase will be in the region of 3000 -10,000 per annum. This increase is not accounted for in any bidding provisions from government which currently focusses solely on Products of Animal Origin (POAO). The expectation is that the PHA will

recruit posts specifically for this income generating function before the 1st January 2021. Based on the figures supplied an additional 3 Technical officers will need to be in post by November/December to enable necessary in-house training to take place prior to implementation on 1st January.

2.15 In addition, it is clear that the magnitude of the PHA requirements beyond July 2021 will be immense and the timescale to get everything in place is short. The ability of the PHA to commence these preparations is being hindered by a significant lack of clarity with regards the following:

- The location and specification of all the relevant sites affecting DPHA (Dover, Ashford, Manston etc)
- Who will own/manage the sites and what facilities will be available for inspections and accommodating staff etc.
- Which organisation will have responsibility for undertaking the Port Health SPS checks at the relevant sites.
- The overall volume of relevant trade (not just POAO) and hence the anticipated number of checks required in relation to all functions (POAO, High Risk Foods Not of Animal Origin (HRFNAO), Organics, IUU)
- What funding will be available for start-up etc costs beyond end March 2021 (As it currently stands any financial risk falls to the PHA beyond end March).
- What the future charging mechanism will be for the service
- What contingencies will be put in place if there is a national shortage of competent staff, including Vets and Environmental Health Officers, meaning insufficient resource can be recruited within the necessary timescales.

3. Identification of Options

3.1 A) Approve the additional resource required to support the recruitment of 3 additional Port Health staff from the 20/21 budget to support the first phase of the EU end of transition. This budget has been incorporated into the in-year pressures as outlined in the report 'Approval of revised 2020/21 general fund revenue budget and project programmes'.

B) Support a letter to the Rt Hon Michael Gove MP Chancellor of the Duchy of Lancaster and Minister of Cabinet Office seeking urgent clarity and commitment to funding.

3.2 Support only one of the options or neither A) nor B)

4 Evaluation of Options

4.1 It is recommended that both options A) and B) are supported to enable the DPHA to establish the necessary resources to deliver the first phase of the EU transition, fulfilling its new duties with regards to EU Organic and EU IUU fish products from 1st January 2021 and to reinforce communications with Government to obtain clarity and funding for the on-going requirements.

4.2 By not supporting point A, it is unlikely that the PHA will be able to fulfil its duties with regards to the anticipated increase in Organic and IUU documentary checks income generating function before the 1st January 2021. In addition to the potential loss of income generation from the provision of this service, it also has the potential to negatively impact on the trade.

4.3 By not supporting Point B it will increase the risk of Dover PHA failing to redesign and implement an appropriate port health service within the necessary timescales. There

are many risks and implications of the PHA not being border ready as outlined in Appendix 1.

5 Resource Implications

- 5.1 The total costs of three Port Health Support Officers for a 5 month period, including training and ancillary costs are estimated to be approximately £50k. this pressure has been included in the report 'Approval of revised 2020/21 general fund revenue budget and project programmes' included separately on the Cabinet agenda.
- 5.2 Costs beyond 1 April 2021 will be included within 2021/22 Budget setting process.

6. Climate Change and Environmental Implications

- 6.1 None.

7. Corporate Implications

- 7.1 Comment from the Director of Finance (linked to the MTFP): The Head of Finance & Investment has been consulted on this report and has no further comments to add.
- 7.2 Comment from the Solicitor to the Council: The legal provisions relating to the Dover PHA going forward are as yet unknown. However, at the present time, the Head of Governance has been involved in the preparation of this report and has no further comment.
- 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 <https://www.legislation.gov.uk/ukpga/2010/15/section/149>.
- 7.4 Other Officers (as appropriate):

8. Appendices

Appendix 1 – EU Transition – Dover Port Health Authority Position Report

9. Background Papers

None.

Contact Officer: Diane Croucher 2208

Appendix 1

Dover Port Health Authority Position Report 16th September 2020

1. Role of Port Health Authorities

1.1. Port Health Authorities (PHAs) undertake a range of health controls at the port including Sanitary and Phytosanitary (SPS) checks on imported food, inspecting ships for infectious disease control and food safety, as well as general public and environmental health checks. Port health officers (PHOs) (specialist environmental health officers) and official veterinarians (OVs) are employed by the local authority or port health authority to undertake this work.

2. Current role of Dover PHA

2.1. Dover PHA is responsible for enforcing port health controls at the Port of Dover and the Channel Tunnel. SPS checks on high risk foods can take place at a port with a Border Control Point (BCP). There is currently a BCP within the Port of Dover which handles a limited number of high-risk foods not of animal origin (HRFNAO) imported via RoRo. There is no BCP at the Channel Tunnel and therefore high-risk foodstuffs from outside EU, commonly known as 'rest of world' (RoW), must not enter via this port unless checks have been undertaken at a BCP in the EU prior to arriving in the UK.

2.2. Despite the huge volumes of trade which arrive at the Port of Dover daily (10,000+ lorries), DPHA is only required to enforce imported food controls on a very small number of Rest of World (RoW) foodstuffs. This is partly because no checks are required on EU origin foods but also because the majority of RoW products will have already been inspected at the first point of entry into the EU and will not require any further checks upon arrival at Dover. There remains a small number of RoW high-risk foods not of animal origin which are permitted to travel onwards to Dover for their checks to be completed, and it is these goods on which DPHA will undertake food controls. Specifically, these products include pistachios from Iran and figs, hazelnuts and pistachios from Turkey.

2.3. In addition to imported food controls, Port Health Officers are also responsible for conducting documentary checks on organic foodstuffs from outside the EU and on catch certificates accompanying non-EU fishery products.

2.4. Under the current regime, Dover PHA is able to meet service demand with 1.6 FTE, and can complete the work within the Council's standard operating hours Monday to Friday, 09:00 – 17:00.

3. How the Brexit situation has evolved with regards to Port Health

- 3.1. Over the past 3 years officers from the Dover Port Health Authority (DPHA) have been engaged and involved in the Brexit process and local border delivery planning. There has been regular attendance and additional communications with representatives from ministerial departments and non-ministerial agencies, including the Food Standards Agency (FSA), DEFRA, DfT, BPDG, Border Force, HMRC, Port of Dover, Channel Tunnel, trade groups and local agents. Officers from DPHA have repeatedly expressed and documented their concerns that the generic controls that were originally planned were not practical at the Port of Dover or the Channel Tunnel. This was due to the specific location, logistics and sheer quantity of traffic and movement of goods through the two sites. This was widely acknowledged by government agencies, traders and local agents.
- 3.2. During the initial planning stages, DPHA were advised that trade which could not be accommodated through Dover, by virtue of the fact that it required importing via a Border Control Point (BCP) with the relevant status, would be redirected to an alternative port with the necessary facilities. Dover Port and the Channel Tunnel both clearly expressed that they did not have the space required and would not be able to build or facilitate BCP's within their port confines. Currently, due to biosecurity risks, legislation precludes the relevant checks from being undertaken outside of the Port confines. To date this remains the situation.
- 3.3. In practice this meant that Dover PHA would most likely see a minimal increase in imported food controls (i.e. organics and IUU fish), as higher risk foodstuffs (that require the most stringent and time-consuming controls) would not be able to enter the UK via the two ports. This remained the communicated position, until approximately May 2020, when it was expressed during a Border Delivery Group meeting that a site in Ashford had been agreed and it would be used to conduct Sanitary and Phytosanitary (SPS) control checks for both the Port of Dover and Channel Tunnel sites. Again, under current legal framework Dover PHA has no jurisdiction outside of its area and hence the responsibility for the Port Health function would fall to Ashford Borough Council (ABC).
- 3.4. In late June Dover PHA became indirectly aware that there were further discussions taking place regarding a second site to be located within Dover District to facilitate SPS checks foodstuffs entering via the Port of Dover. It was proposed that the site in Ashford would be used for goods arriving via the Channel Tunnel only.
- 3.5. In order to enable Dover PHA to commence preparations for this proposed new facility, we have repeatedly requested confirmation from DEFRA regarding:
- Where the Dover site will be, who will own/manage it and what facilities will be available for inspections and accommodating staff etc.
 - Who will have responsibility for undertaking the Port Health SPS checks at this site,
 - Who will have responsibility for undertaking the Port Health SPS checks at the Ashford site,
 - What the required checks will consist of (documentary, physical, sampling)
 - The anticipated amount of trade and hence number of checks required at each site.
 - What funding will be available for the start up costs.

However, to date very little information has been forthcoming on many of these points.

3.6 What we do now know, following very recent DEFRA advice, is that the new Dover facility will be built as a Border Control Point, although the exact location of the site has yet to be confirmed. As a BCP, Dover PHA will be responsible for conducting all imported food controls for EU and rest of world (RoW) foodstuffs arriving via Dover Port by the end of the transition period.

3.7 Legal responsibility for imported food examinations at the Ashford site remain unconfirmed.

4 Implementation timescales

4.1 The Border Operating Model was published in late July which outlines a staged approach to the new requirements. The impact on Dover PHA is as follows:

Imp. Date	EU POAO & HRFNAO	RoW POAO & HRFNAO	EU & RoW Organics	EU & RoW IUU (Fish)	EU Export Health Certs
1 Jan 21	No new requirements.	No change anticipated as BCP not in place, subject to DEFRA confirmation.	Assumed doc. checks on EU products in addition to existing RoW (Awaiting DEFRA confirmation)	Assumed doc. checks on EU products in addition to existing RoW (Awaiting MMO confirmation)	Unknown – awaiting confirmation from DEFRA
1 April 21	Remote documentary checks (away from port).	As above	As above	As above	As above
1 July 21	Documentary, identity, physical & sampling checks at BCP	Assumed doc, identity, physical & sampling checks	As above	As above	As above

POAO – Products of Animal Origin

HRFNAO – High Risk Food Not of Animal Origin

RoW – Rest of World

MMO – Marine Management Organisation

5 Scale of new requirements

5.1 The scale of the impact is still relatively unknown. Dover PHA, along with all other UK Ports have, over the last 3 years, consistently been requesting data from relevant government departments and agencies on current trading levels. As there is no legal requirements for EU manifest details to be provided at UK ports this information simply is not available. As such, full details of the total number of

imports arriving via Dover and the Channel Tunnel requiring examination is not known.

5.2 However, on 24th July 2020 all PHA's were contacted by DEFRA and provided with anticipated import figures of EU POAO requiring checks from PHA. The extent of the requirements can be demonstrated when comparing DEFRA estimates with the number of import checks undertaken by Dover PHA in 2019/2020. It is important to acknowledge that the data provided by DEFRA does not include high-risk foods not of animal origin, transits, organics, IUU fish and export health certificates, for which data remains unavailable.

	2019/20 Dover Import Controls Conducted	Dover Predicted Import Controls required	2019/20 Channel Tunnel Import Controls Conducted	Channel Tunnel Predicted Import Controls required
EU POAO	0	94,041	0	124,212
RoW POAO	0	Unknown (Insufficient data available)	0	Unknown (Insufficient data available)
EU HRFNAO	0	Unknown (Insufficient data available)	0	Unknown (Insufficient data available)
RoW HRFNAO	71	Unknown (Insufficient data available)	0	Unknown (Insufficient data available)
Organics and IUU (Fish)	1031	Estimated 3,000 – 10,000	0	Unknown (Insufficient data available)
Export Health Certificates	0	Unknown (Insufficient data available)	0	Unknown (Insufficient data available)

6. Required Staffing Levels and Funding

6.1 Imported food control is only a very small part of the current Port Health service. The main activities currently revolve around ship inspections and infectious diseases. As such existing imported food controls are conducted by just 1.5 FTE (1 FTE administrative support, 0.5 FTE Competent officer).

6.2 Based on DEFRA's anticipated EU POAO figures, it is assumed that a 24/7 port health service will be required. Having utilised a ratio of service demand against staff provided by a similar UK Port with existing POAO responsibilities, it is anticipated that Dover PHA will require in the region of 140 FTE to fulfil their responsibilities relating to EU POAO alone. An unknown number of additional staff will be required to enable them to conduct ALL required imported food control checks.

6.3 Under existing legislation, PHA's are required to provide sufficient staffing levels to meet demand, with responsibility for provision of infrastructure and facilities falling to the port operator. Based on this continuing assumption all PHA costs will relate to resourcing, training and equipment for Port Health staff to operate the service. With regards to EU POAO, in order to facilitate a 24 hour, 7 day a week

Port Health Service this equates to an additional 141 staff including 18 specialist Port Health Officers and 18 Official Veterinarians.

- 6.4 Following the submission of a bid earlier in the year, the Food Standards Agency (FSA) allocated Dover PHA £40,000 to be spent by March 2021 on transition preparations.
- 6.5 Further to this, DEFRA have recently opened a 'Transition Fund' for the recruitment and start up process for EU POAO Port Health staff only, to be spent by March 2021 on transition preparations. A bid of **£4,110,543.80** has been submitted under this by Dover PHA for the period up until the end of March 2021 (Appendix 1). No funding has been identified as yet beyond this date.
- 6.6 The government's current focus is prioritised by the new requirement to examine EU POAO. Little attention has been given to the control of Organic and IUU products. It has been confirmed that, from 1st January 2021 such products exported from the EU will require endorsement by Dover PHA. Although no government body is able to confirm the exact figures, it is anticipated that the increase will be in the region of 3000 -10,000 per annum. This increase is not accounted for in any bidding provisions from government. The expectation is that the PHA will recruit posts specifically for this income generating function before the 1st January 2021. Based on the figures supplied an additional 3 Technical officers need to be recruited and in post by November/December to enable necessary in-house training to take place prior to implementation on 1st January.

7. Summary of risks and concerns

- 7.1 Nationally, in terms of Port Health, there has been a significant disconnect throughout this transition period between policy and delivery, as well as a lack of co-ordination between multiple government departments and agencies.
- 7.2 A table outlining all of Dover PHA's current concerns is set out in Appendix 2. All points have been consistently raised and documented by Dover PHA over the last 3 years with all relevant government departments. However, despite this, even at this late stage, there remains a lack of clarity on key factors including:
- The detail of the controls and checks that will be required by the PHA
 - The overall volume of trade (not just POAO) and hence number of checks required in relation to all functions (POAO, HRFNAO, Organics, IUU)
 - Location and specification of BCP
 - Funding availability up until end of March 2021 (Bid submitted but no timescale for approval)
 - Funding commitments beyond April 2021 (As it currently stands any financial risk falls to the PHA beyond end March)
 - What the future charging mechanism will be for the service
 - Availability of competent PHO and OVS and what contingencies are in place for a national shortage
- 7.3 However, what is clear is that the magnitude of what PHA's are required to put in place is not deliverable within the timescale set out by government. Essentially Dover PHA will need to redesign and implement a port health service of immense

scale in just a few months without the necessary financial securities or technical capabilities being available.

7.4 There are many risks and implications of the PHA not being border ready including:

- a)** Inaccurate trade volume predictions:
 - Should the predicted volume of trade not materialise it may result in insufficient income to cover costs (financial risk to the PHA).
 - Should the predicted volume of trade exceed what is expected the PHA may not be able to cope with demand resulting in delays.
- b)** Inability to recruit sufficient numbers of appropriately qualified / trained individuals due to a nationwide shortage preventing the service from operating fully.
- c)** Changes in trade and frequency of imports could result in significant impacts on the port operator, Dover and the PHA:
 - Should the BCP not be ready in time, importers will be required to re-route goods to an alternative BCP of the correct status.
 - If goods cannot be effectively processed in a timely manner at Dover, importers will choose to find the quickest and most cost-effective trade route.

Appendix 1 – PHA Transition Fund Application

<p>1. Please complete the following details (future correspondence will be via the contact point names provided):</p>			
Lead Local Authority Name:	Port Health Authority Name: Dover Port Health Authority		
Contact Point Name:	Contact Point Name: Lucy Manzano / Beverley Edmondson		
Local Authority Address:	Port Health Authority Address: Dover District Council Council Offices White Cliffs Business Park Whitfield Dover CT16 3PJ		
Telephone:	Telephone: 01304 872216		
Email:	Email: lucy.manzano@dover.gov.uk / beverley.edmondson@dover.gov.uk		
<p>2. Total funding being bid for?</p> <p>01 Oct 2020 to 31 Mar 2021 = <u>£4,110,543.80</u> (£3,736,858 + 10% contingency)</p> <p>Total 12 month cost estimate <u>£8,221,087.60</u> (£7,473,716 + 10% contingency)</p>			
<p>3. Please provide a detailed breakdown of how you plan to spend these funds, including the cost of each item and a description of why it is necessary</p>			
Cost	Item	Necessity of this item	When you intend to incur this expenditure
1440000	18 x OVs	Essential	Jan/Feb/Mar 2021
950580	18 x PHOs	Essential	Jan/Feb/Mar 2021
2256120	54 x PHSOs	Essential	Jan/Feb/Mar 2021
1404450	45 x AO	Essential	Jan/Feb/Mar 2021
316860	6 x Team Leaders	Essential	Jan/Feb/Mar 2021
84150	3 x HR	Essential	Immediate
165900	3 x Legal	Essential	Jan/Feb/Mar 2021
125340	3 x IT	Essential	Jan/Feb/Mar 2021
120000	2 Project Managers	Essential	Immediate
42300	PPE for 141 staff	Essential	Jan/Feb/Mar 2021

252766	Office Equipment – IT equipment, laptop, tablet, mobile, etc.	Essential	Jan/Feb/Mar 2021
315250	Unsocial Shift Allowance	Essential	

4. Please provide detail on the impact of not receiving funding for any of the items listed above

SPS checks would not be able to be undertaken on EU POAO Imports if funding was not provided. If only partial funding was made available, there would be significant delays to checks and food would not reach the shelves inland, resulting in national food shortages.

It is anticipated that the BCP will have approval for all categories of food products from all countries – EU and Rest of World. Biosecurity could be compromised if Rest of World trade arrives at Dover but is not checked because of insufficient staff available to undertake imported food controls.

5. Please provide a delivery plan and outline of risks to delivery

*****The availability of this funding only being up until 31st March 2021 means the delivery plan cannot be achieved – additional, guaranteed funding is required beyond March 2021. Without this, DPHA will be unable to undertake SPS checks at the BCP.*****

The recruitment of staff can only take place once funding has been agreed. The recruitment process takes a minimum of 3 months. Staff will require training – it is unknown who will undertake this training and how long the training will take especially as Dover Port Health Authority (DPHA) is not a BCP and has no experience in POAO import controls. To ensure new staff are competent in their roles, training usually takes 6 months (including on the job training). We would expect DEFRA to assist with providing this training and organising is centrally to ensure all staff are training expediently and competently and can be ready for undertaking SPS checks as of 1st April 2021.

Risks / Concerns

The funding is only available until 31st March 2021. Currently there is no additional funding available after this date which means there will be a significant funding gap and one which Dover District Council would not be able to fill. With no guaranteed funding, it will not be possible to undertake SPS checks on EU POAO imports.

Due to the late notification of the bid, there is insufficient time to recruit the minimum numbers of staff required to staff the BCP.

There is currently no BCP at Dover and if one is not provided ed by 01/07/2021 or if authorisation has not been granted by this date, EU POAO imports will not be able to enter through Dover.

If the proposed BCP is not of a suitable size to handle the number of goods (EU and Rest of World) or does not have the appropriate facilities including sufficient accommodation for port health staff, SPS checks will not be able to be undertaken.

There has been no information provided on the charging regime for import controls to enable DPHA to calculate whether staffing costs etc. will be adequately covered by the future income generated by SPS checks.

A significant increase in workload in other areas of imported food controls – high risk food not of animal origin and products of animal origin from third countries, organics, catch certificates and potentially export health certificates – could impact SPS checks if there are insufficient staff.

If the data provided by Defra is an underestimation and volumes of trade far exceed these figures, the service that has been planned for will not be able to meet this additional demand.

If the data provided by Defra is an over estimation and volumes of trade are significantly less than predicted, DPHA will not be able recoup staffing costs etc. and there will be a huge financial shortfall.

A lack of qualified EHOs and port health trained OV's to fulfil the PHO and OV posts will mean that there will be a delay in completing SPS checks (e.g. signing of CHEDS).

An inability to recruit staff in Dover, as has been seen in the past with any new role in the Public Protection team, suggests that it will be impossible to fill the 141 posts.

Insufficient time to train staff to undertake checks by 1st April / 1st July 2021

A training burden on PHA due to lack of centrally organised training available from the Competent Authority (Defra).

Insufficient time available to deliver training.

An expectation from Defra that DPHA would be able to assist other ports because of their limited imported food control knowledge and spending time dealing with these queries will hinder undertaking our own SPS controls.

Insufficient time to develop departmental policies and procedures.

Lead Applicant's name	Lucy Manzano
Lead Applicant's signature	Lucy Manzano
Authorised person's name	Diane Croucher
Authorised person's signature	Diane Croucher
Date when form was completed	11/09/2020

Appendix 2: Issues Log/Key Concerns:

Issue	Explanation	Action Taken	Outcome
<p>1. Confirmation of Site/Inspection Facility</p>	<p>Confirmation of the site and its ownership is needed immediately. A strong working relationship with the facility provider is key to ensuring examinations can be conducted appropriately.</p>	<p>Action Taken: DEFRA have advised that site ownership has not been agreed. Dover PHA have requested that the council are included in any considerations of potential commercial ownership (i.e. approached along with other partners to see if they would like to own the site (as a commercial enterprise opportunity)). Dover PHA have repeatedly requested that DEFRA confirm the location of the site. They have stated that they cannot as it remains commercially sensitive despite the impact its authorisation will have on the authority.</p>	<p>Outstanding response required from DEFRA.</p>
<p>2. Access to Site/Inspection facility Plans</p>	<p>Facilities must be designed and maintained to specifications outlined in legislation/guidance etc. to enable the site to be fully authorised. Without access to specifications we are unable to plan where the anticipated staff of 140+ will be accommodated i.e. will office space, car parking and welfare facilities be provided on site etc? Will the provision itself be suitable for food examinations? How will it be shared and used with other multiple agencies? Will sufficient space be available for all vehicles presenting, which could be 1,000's each day?</p>	<p>Action taken: Dover PHA have asked DEFRA and FSA to include Dover PHA in any infrastructure planning discussions and groups as we are aware that meetings are taking place, but so far the authority has been excluded from these. Dover PHA have also requested copies of BCP concept plans, which have been shared with other ports, but not Dover. DEFRA have been emailed repeatedly regarding this. This has also been raised with the Short Straits & South East Border and Protocol Delivery Group.</p>	<p>Outstanding response required from DEFRA.</p>
<p>3. Secure Funding</p>	<p>Access to funding has been made available from DEFRA, but only until March 2021 when it must all be spent. Therefore, there is a substantial funding gap and risk to</p>	<p>Action taken: Requested confirmation from DEFRA as to what money will be available post March 2021. DEFRA have</p>	<p>Await confirmation from DEFRA.</p>

	<p>the council post March 2021. Although it is assumed that funding streams will be made available, this has not been confirmed and this presents a significant financial risk to the council who will be the employer of approximately 140+ new staff with an anticipated annual staffing cost of in excess of £8 million.</p> <p>Income will be generated from checks, but this will take several months and potentially years to match the initial start-up costs etc.</p> <p>The risk of being able to fund these posts long term is further increased by the total number of goods requiring checks remaining unknown, as well as a significant variability in trade routes. This is further hampered by inconsistent government guidance and direction as well as the presentation of unverified and unvalidated import data to work from.</p> <p>All of these factors impact greatly on our ability to plan and instigate an appropriate service. Because for example we could end up with staff outnumbering the actual checks required, or staff being outnumbered substantially by the actual checks required. The real volumes will not be known until the checks and systems required are communicated by government and traders choose their preferred trade routes, which is heavily waited on the time it takes to import through a certain port against the costs incurred.</p>	<p>said they are unable to confirm financial assistance post March, but they are working on this and have raised it within their departments. They have informed Dover PHA that they are awaiting direction from the Treasury.</p>	
<p>4. Recruitment of Staff</p>	<p>There is a Port Health recruitment crisis (which includes the availability of Vets). It is widely acknowledged within the profession, that there are not enough qualified PHO's within the UK to fill the posts required nationally by the end of the transition period. To undertake import checks, port</p>	<p>Action taken: Requested confirmation from the FSA of the total number of registered PHO's in the UK to see, as a simple starting point, if there are currently enough PHO's in the UK to fill the posts.</p>	<p>Unresolved. FSA to confirm existing total numbers of</p>

	<p>health staff must be competent to the specification outlined by the FSA in its Code of Practice. There is a national shortage of competent officers. All ports will be seeking to recruit PHO's at unprecedented levels to cover the additional checks. Wider specialists will also be needed to assist the setup of the new service i.e. with experience of analysing data, HR/Recruitment, project management, accountancy, IT etc. all of which are areas of expertise that fall outside of the knowledge of the existing Port Health Team.</p>	<p>Dover PHA have also requested that the FSA review the training requirements so that local authorities can recruit appropriate individuals with key attributes to train quickly in specific areas of port health. The FSA have confirmed that they are working on an update to the Code of Practice, but that this will not be confirmed until approximately January 2021. Dover PHA advised that this is too late and must be accelerated. Specialist staff (HR, IT etc,) recruitment has been covered within the DEFRA bid. Mutual aid is not an option as all PHA's and indeed our neighbouring authorities are in the same position and will be seeking to recruit additional specialist staff.</p>	<p>registered EHO/PHO's in UK and confirm qualification amendments.</p>
<p>5. Logistics of Recruiting of 141 Staff</p>	<p>As outlined above it is confidently anticipated that the authority will not be able to recruit 18 PHO's, 18 Vets, 54 Technical Officers and 45 Administrative Officers and 6 EHO's. There are also no training provisions available to offer quick and relevant training to get people up and running. Individuals that currently work as technical officers would have to obtain the accredited Higher Certificate before they could work as PHO's under the current regime. Courses are currently only run at Birmingham and Nottingham, and we are informed that capacity has not been increased or considered. To recruit 141 new members of staff is a massive undertaking by any stretch, and in effect it is equivalent to setting up a SME or new district council in itself. Therefore, HR assistance and support would be required to draft job specifications, place adverts, shortlist, invite to interview and then post interview in the job offering stage, personnel checks etc.</p>	<p>Action taken: Outlined to the FSA and DEFRA the need to review the training requirements and access to it. The provision of specialist organisational staff (HR, IT etc.) has been covered in the DEFRA bid and contract/specialist agencies will be approached if successful.</p>	<p>Await outcome of Bid and updates from FSA.</p>

	all of which are extremely time consuming and cannot be absorbed by the existing team.		
6. Training of Staff	All staff involved with the new facility will require extensive training. Currently there are no training courses available for port health staff to attend. This is a significant risk. Suitably qualified staff is one issue, competency to undertake checks is another. Dover PHA internal training is a 3-6 months shadowing process before full authorisation is given. There will be a compromise between timeframe and training.	Action taken: Outlined to the FSA and DEFRA the urgent need for PHO training to be made available, as there is currently none. The FSA are looking into this, but currently no training has been outlined.	Await confirmation from DEFRA and FSA.
7. Service Design/Policies/Procedures	The new facility will involve checks that are new and unfamiliar to the existing staff. The new regime will need a different set up to the existing service we provide. Our current processes are based around third country imports. From 01/01/2021, EU POAO will become our primary import. These checks (which have not been confirmed) remain entirely unknown. Understanding the framework within which we are required to deliver checks is essential.	Action taken: This has been outlined to the FSA and DEFRA and requests for clear guidance, direction and details of what checks and how to conduct them have been requested. No detail or further information has been provided by the agencies on what we must do. To assist us we have approached counterparts at larger ports who are experienced in POAO examinations, but not in EU trade.	Await confirmation from DEFRA and FSA.
8. Inventory/IT systems	No electronic systems in place to pre-notify, identify, hold, advise of examination and/or clearance of controlled goods entering via the port that require examination. Without a full integrated inventory system goods will not be able to be processed through the facility. Training on any new systems and processes is essential.	Action Taken: This has been repeatedly raised with the FSA and DEFRA however, no progress or developments have been presented. Government focus has been on other systems including IPAFFS (which is a separate system and does not cover inventory) Partial delivery of IPAFFS Training has taken place.	Await confirmation from DEFRA and FSA.
9. Timeframe	The timeframe remaining to implement full checks from 1 st July 2021 is not achievable.	Action Taken: Continue to urge the FSA and DEFRA to be more transparent and quickly exchange and share information that is critical to our service delivery.	Unactionable

<p>10. Impact on Trade</p>	<p>Because we have not been informed of what the checks will be, we are unable to inform trade so that they can prepare for and conduct their own training on IT systems, what documentation they will need etc. Disruption to flow is inevitable as neither trade or government agencies are ready for the end of the transition period, as we remain uninformed as to what the checks will be (and the Border Delivery Model is not sufficiently detailed to cover this). New systems and procedures will be used, and traders, importers and agents must be made aware of these in a timely manner. Trade are already contacting Dover PHA for advice on what to do, but we are unable to provide them with clear direction as we do not know ourselves.</p>	<p>Action Taken: Urged DEFRA and the FSA to provide clear guidance (over and above the very general layout of the Border Operating Model). Attend BIFFA trade association meetings.</p>	<p>Await confirmation from DEFRA and FSA of what controls will actually be.</p>
<p>11. Insufficient Administrative Support for Organic and IUU Checks to be conducted January 2021</p>	<p>The government's focus is prioritised on the new requirement to examine EU POAO. No attention has been placed on the legal requirement to control Organic and IUU (sea fish) products. It has been confirmed that Organic and IUU products from the EU will from the 1st January 2021, be required to be endorsed by Dover PHA. Although all government bodies are unable to confirm the exact figures, it has been confirmed that the increase is anticipated to be substantial and in the region of 3-10,000. This increase is not accounted for in any bidding provisions from government and the expectation is that PHA will recruit posts specifically for this income generating function.</p>	<p>Action Taken: Obtain CEO authorisation to recruit 3 Technical officers as a matter of urgency to be in post by November/December to enable in-house training to be conducted. Of note the current charge for Organic Checks is £45 and a range of charges are made for IUU endorsements from £20-£83.</p>	<p>CEO to authorise recruitment.</p>
<p>12. Unconfirmed status of Export Health Certificates</p>	<p>Contradictory exchanges of information have been shared regarding where export health certificates will be issued (LA at point of production of PHA at point of export).</p>	<p>Action Taken: Repeatedly raised question with Defra. Remains at outstanding question on the Port Steering Group log.</p>	<p>Awaiting confirmation from DEFRA.</p>

Local Plan Project Advisory Group Membership

The Cabinet at its meeting held on 7 September 2020 appointed the membership of the Local Plan PAG as followed (CAB10):

“It was agreed: (a) That the membership of the Local Plan Project Advisory Group for the Council Year 2020/21 be established as follows: Portfolio Holder for Planning & Regulatory Services (Chairman); Chairman of the Planning Committee (Vice-Chairman); Chairman of the Overview & Scrutiny Committee; and Councillors D G Beaney, T A Bond, P D Jull, S C Manion, E A Biggs, D G Cronk and H M Williams.

(e) That the proposed Terms of Reference for the Local Plan Project Advisory Group set out at Appendix E of the report be approved.

(f) That the external representatives from Dover College, Megger Instruments Ltd, Viking Maritime Group, the Dover Society, the Deal Society, Sandwich Town Team and the Kent Association of Local Councils be thanked for serving on the Project Advisory Group.”

The accompanying [report](#) explains this as follows:

“2.1 It is proposed that the Local Plan Project Advisory Group should be slimmed down by removing representatives from the Dover Business Forum (currently Dover College, Megger Instruments Ltd and Viking Maritime Group), the voluntary sector (The Dover Society, The Deal Society and Sandwich Town Team) and the Kent Association of Local Councils. Member representation will be increased to 4 Conservative Group Members, 3 Labour Group Members, plus the Chairman of Planning Committee and the Chairman of the Overview and Scrutiny Committee.”

The Terms of Reference of the Local Plan PAG are included for information.

This item was added at the request of the Chairman, Councillor C D Zosseder, due to concerns over the change in membership relating to external appointees.

LOCAL PLAN PROJECT ADVISORY GROUP DRAFT TERMS OF REFERENCE

Membership (10 Councillors):

- Portfolio Holder for Planning and Regulatory Services
- Chairman of Planning Committee
- Chairman of Overview and Scrutiny Committee
- Four members of the Controlling Group
- Three members of the Main Opposition Group

The Chairman will be the Portfolio Holder for Planning and Regulatory Services and the Vice-Chairman will be the Chairman of the Planning Committee.

Other organisations/representatives who are not formal members of the Group may be asked by the Portfolio Holder for Planning and Regulatory Services to participate in meetings from time to time.

Terms of Reference:

The purpose of the Group is:

- To assist and support the Cabinet/Portfolio Holder for Planning and Regulatory Services with regards to the preparation of the Local Plan and other associated documents.
- To advise Cabinet (via the Portfolio Holder for Planning and Regulatory Services) on the delivery of the Local Plan and other associated documents.

Powers:

The Group is not a decision-making body. Its recommendations will be reported back to the Cabinet via the Portfolio Holder for Planning and Regulatory Services.

Confidentiality:

A number of the issues that will be discussed by the Group will be of a confidential nature. Group members will be expected to respect this confidentiality, and should not discuss such matters outside the Group until they have been formally placed in the public realm.

Conflicts of Interest:

Members of the Local Plan Project Advisory Group will be expected to declare any Disclosable Pecuniary Interest (DPI) or Other Significant Interest (OSI), and the precise nature of that interest, in accordance with the adopted procedures, and must withdraw from the meeting at the commencement of the consideration of any matter in which they have

declared a DPI or OSI. They 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.

External participants (where invited on an ad hoc basis) will be expected to declare a conflict of interest, and the precise nature of that interest, as soon as they become aware of its existence. Whilst the existence of an interest may not necessarily bar them from participating in discussions, they are advised to refer to the relevant protocol of their organisation/governing body.

Frequency of Meetings:

Meeting dates will be determined in consultation with the Portfolio Holder for Planning and Regulatory Services.

Subject:	SANDWICH GUILDHALL FORECOURT IMPROVEMENT WORKS
Meeting and Date:	Cabinet – 5 October 2020
Report of:	Roger Walton, Strategic Director (Operations and Commercial)
Portfolio Holder:	Councillor Oliver Richardson, Portfolio Holder for Environment and Corporate Property
Decision Type:	Key Decision
Classification:	Unrestricted

Purpose of the report: To consider the business case to carry out improvement works to the Guildhall Forecourt in Sandwich, which form part of 'A New Vision for Sandwich'.

Recommendation:

To confirm agreement to the improvement works to the Guildhall Forecourt (a multi-stakeholder-funded project), using the £400,000 allocation in the Medium-Term Financial Plan towards a total project budget of £1.05 million.

To confirm agreement to the advance purchase of Yorkstone paving (that is on a long lead-in) required to deliver the project at a cost of approx. £70,000 to £100,000 (up to 25% deposit required).

To authorise the Strategic Director (Operations and Commercial), in consultation with Portfolio Holder for Environment and Corporate Services, to take all necessary actions, including, but not limited to, the awarding of contracts, to deliver the works that are the subject of this report.

1. Summary

- 1.1 The Guildhall Forecourt, a focal point and hub within Sandwich was identified by the public (during a wider review of Sandwich) as an area in need of improvement. This project seeks to rejuvenate the forecourt area; providing an improved surface, new street furniture, easier access, a more flexible space as well as improve connections to the rest of the town and improvement works to the public highway.
- 1.2 Within an overall project budget of £1.05 million a provision of £400,000 identified in the current Medium-Term Financial Plan is to be used alongside funding from a number of key stakeholders to carry out the improvement works.

2. Introduction and Background

- 2.1 The Guildhall Forecourt Improvement Works are part of the wider "A New Vision for Sandwich" programme of improvements to Sandwich Town, they are seen as the driver for future works. The programme is managed by a partnership board, established in September 2016, chaired by the Mayor of Sandwich. The New Vision for Sandwich Project includes representatives from Kent County Council, English Heritage and Dover District Council, all who participated in the development of the proposals.

- 2.2 Originally planned for delivery in 2020, due to Covid 19 and the rescheduling of the Open Golf tournament to July 2021 it is now envisaged that these works will commence Autumn 2021.
- 2.3 Planning Permission (DOV/18/00312) for the erection of a bus shelter, replacement paving and street furniture, installation of external lighting and associated landscaping was obtained on 3rd August 2018 by lead consultants HMY and Mark Hanton Studios.
- 2.4 The project also includes improvement works to the Public Highway which will be carried out under light touch Section 278 agreement. The precise terms and conditions are currently being negotiated.
- 2.5 In order to commence the works within the 3 years period required under the planning permission the bus shelter will be relocated within Sandwich from the Guildhall Forecourt in Spring 2021.
- 2.6 The project is being delivered in partnership by Dover District Council, Sandwich Town Council and Kent County Council. Dover District Council are taking on the Project Management for delivery of the works.
- 2.7 In previous reports to Cabinet the forecourt and highway works were reported as separate works packages. It is now proposed to deliver both at the same time. By bringing both workstreams together it will allow closer management and sequencing of the works and allow closer control across what is ultimately a single project. It will prevent help prevent potential conflicts between different the phases of work.
- 2.8 Given the effects that Covid 19 has brought upon us all the project has taken on even more significance as there is a greater desire to see more progressive use of outside areas to serve business needs.
- 2.9 Cabinet are asked to note that following a competitive tender process the Strategic Director (Operations & Commercial) will evaluate tenders, value engineer if necessary and award the contract for the works in accordance with the existing scheme of officer delegation in consultation with Portfolio Holder for the Environment and Corporate Services and key stakeholders.
- 3. **Advance purchase of Yorkstone**
- 3.1 In order to ensure that the improvement works transition into the existing townscape seamlessly reclaimed Yorkstone paving is being used to allow new surfaces to match the existing (seen throughout much of Sandwich).
- 3.2 The paving is difficult to procure in the quantities required for this project so it is proposed to place a deposit to in effect advance purchase the material and secure its availability for Autumn 2021.
- 3.3 To secure the paving suppliers require between 15% - 25% (subject to change) deposit of the total sum. It is envisaged that the Yorkstone paving for the project will cost in the region of £70 - £100k requiring up to £25k to be made available. Cabinet are requested to note that the Strategic Director (Operations & Commercial) will seek to make a payment in 2020 in order to ensure the material is ready.
- 4. **Identification of Options**
- 4.1 Option 1: To do nothing
- 4.2 Option 2: For the improvement works to go ahead
- 5. **Evaluation of Options**
- 5.1 Option 1: Not doing this work will mean that this key space within Sandwich is not be improved. The continued and future uses of the space will be put at risk as drainage and safety issues associated with the cobblestone surface and general access will

remain and could worsen. The forecourt will not be fit for purpose for the future and accessibility across the space will remain an issue.

5.2 Option 2: Updating the street furniture and surface will make the space safer, provide more flexibility in use and make it more accessible to the visiting public. Reconfiguration of the bus hub will improve traffic flow and safety for pedestrians. It also starts the important pedestrian links through the rest of the town.

6. Resource Implications

6.1 The total project budget is £1.05 million.

6.2 It is proposed to use the £400k provision in the current Medium-Term Capital Programme along with the other partner funding to carry out the improvement works; there are no revenue implications. Sandwich Town Council take on the legacy of the maintenance once the works are complete.

6.3 Sandwich Town Council are applying for a £350k loan from the Public Works Loan Board (PWLB). Confirmation of this is expected in advance of the Cabinet meeting.

6.4 The funding partners are listed below:

Funder	Amount	Funding Status
Sandwich Town Council	£350k	Approved PWLB loan (awaiting)
Kent County Council	£150k	Confirmed Contingency Sum
Royal & Ancient (R&A) Golf Club	£75k	Confirmation in writing
Discovery Park	£50k	Confirmation in writing
Princes	£25k	Confirmation in writing

The above are all subject to formal agreements and payment structures being put in place.

7. Climate Change and Environmental Implications

7.1 Due to its conservation area setting alongside historic buildings the materials to be used for the works must complement the existing environment. Where possible locally sourced and reclaimed materials (Yorkstone) will be used. The main pallet of materials is one of longevity and low maintenance.

7.2 The main strength of this project from an environmental point of view is that it is helping improve a public transport and pedestrian hub, providing links within and to the town and surrounding areas. Its redevelopment will encourage the use of these sustainable methods of transport within a town centre location (in a bid to help reduce local car congestion as a result of the works). These works aim to improve the local environment for all who visit Sandwich.

8. Corporate Implications

8.1 Comment from the Director of Finance (linked to the MTFP): Accountancy has been consulted and has no further comment. (DL)

8.2 Comment from the Solicitor to the Council: The Head of Governance has been consulted during the preparation of this report and has no further comment to make.

- 8.3 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/section/149>
- 8.4 Other Officers (as appropriate): Head of Inward Investment and Tourism: The proposal to improve the Guildhall Forecourt and the adjacent highway at the Cattle Market has been the subject of an extensive multi-partner approach alongside local consultation that has informed the development of the scheme. While relevant consents and approvals have been obtained as part of this process, the implementation and timing of the scheme has been determined by the need to align with other works, events such as the 149 Open and conclusion of the funding sources. The cancellation of the 149th Open and the impacts of Covid-19 have brought challenges to the intended timing of the start of project; it effectively being pushed back a year to September 2021. However, while the need for the project evolved in an earlier climate, it is very evident that the post Covid-19 lockdown has resulted in greater awareness of the value of outside space and the environment; the benefits of the café culture and the need to lessen the impacts of vehicular traffic in town centre localities. Adding this to the changing habits borne out of the ‘staycation’, where coastal localities are experiencing a resurgence of interest, has highlighted the need to deliver this project as a matter of priority both for the local community and the wider district. This would, therefore, accord with and support the aims of the Tourism and Visitor Strategy. Finally, it should also be noted that improvements in the place making fostered by this project will also add value to the growing development and investments at Discovery Park and elsewhere in the area.
9. **Appendices**
None.
10. **Background Papers**
Planning Permission (DOV/18/00312)

Contact Officer: David Parish, Principal Design Services Officer - Ex 2433

Subject:	HOUSING STOCK COMPLIANCE
Meeting and Date:	Cabinet – 5 October 2020
Report of:	Roger Walton, Strategic Director (Operations and Commercial)
Portfolio Holder:	Councillor Derek Murphy, Portfolio Holder for Housing and Health
Decision Type:	Non-Key Decision
Classification:	Unrestricted

Purpose of the report: To update on the current compliance status in relation to the management of the Council's housing stock.

Recommendation: That Cabinet notes the current compliance status which relates to the various aspects of statutory Health & Safety compliance associated with managing housing stock and which is currently managed by East Kent Housing.

1. Summary

- 1.1 East Kent Housing, as part of their management of the Council's Housing stock, are responsible for compliance and the reporting of compliance. Appendix 1 includes the latest report dated 23rd September 2020 provided by East Kent Housing.

2. Introduction and Background

- 2.1 The report includes in Appendix A the compliance information provided by East Kent Housing and covers the following compliance areas:

1. Asbestos Management
2. Electrical Safety Management
3. Fire Safety Management
4. Gas Safety Management
5. Lift Safety Management
6. Water Safety Management

3. Identification of Options

- 3.1 **The Council notes the report provided by East Kent Housing:** The report provides the current position on compliance issues which will help give the Council a picture of the current compliance.

4. Resource Implications

- 4.1 This report appertains only to the current compliance position being achieved by East Kent Housing hence there are no direct resource implications. Compliance is at the heart of the wider management of the service and the resources needed to manage compliance have been included with the proposed structures.

5. Climate Change Implications

- 5.1 The compliance report does not have an impact, either negative or positive, on climate change. Where actions are taken to improve compliance, these will be reviewed on a case by case basis with one of the goals being to reduce carbon emissions as much as is practically possible.
6. **Corporate Implications**
- 6.1 Comment from the Section 151 Officer: Accountancy have been consulted and have no further comments to add (BW)
- 6.2 Comment from the Solicitor to the Council. “The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make”.
- 6.3 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/section/149>
7. **Appendices**
- Appendix 1 – East Kent Housing compliance data
8. **Background Papers**
- None.

Contact Officer: Martin Leggatt – Head of Assets and Building Control

Dover District Council - Compliance Metrics						
Compliance Regime	Total Stock/Blocks	Stock/Blocks Not Applicable to work stream	Stock/Blocks/Installations Applicable to work stream	Number Compliant	Number Non Compliant	
Asbestos Management						
Asbestos Management - Communal	417	231	186	186	0	100.00%
Asbestos Management - Domestic	4311	113	4198	1429	2769	34.04%
Electrical Safety Management - Residential						
Electrical Installations - Communal	417	249	168	168	0	100.00%
Electrical Installations - Domestic	4313	2	4311	1033	3278	23.96%
Fire Safety Management						
Fire Risks Assessments req. to be undertaken	417	194	223	222	1	99.55%
Arising items						
Trivial Risks			2			
Tolerable Risks			2			
Moderate			157			
Substantial			58			
Intolerable			0			
In Review			4			
		Total identified risks	223			
FRA works arising from FRA			2029	1450	579	71.46%
FRA non works arising from FRA			519	506	13	97.50%
Fire Alarms	417	303	114	114	0	100.00%
Emergency Lighting	417	286	131	131	0	100.00%
Smoke detectors	4313	0	4322	4294	28	99.35%
Gas Safety Management						
Gas Safety Communal	417	397	20	20	0	100.00%
Gas Safety Domestic	4313	337	3976	3972	4	99.90%
Gas Safety Domestic - s39 confirmed in place				4		
		Programme total		3968		
Heating (non gas)	417	334	83	74	9	89.16%
Lift Safety Management						
Lift Installations - Communal	417	411	6	6	0	100.00%
Lift Installations - Domestic			0		0	
Water Safety Management						
Legionella Risk Assessments	418	381	37	33	4	89.19%
Arising items						
Low			16			
Medium			147			
High			57			
		Total identified risks	220			
Legionella works/actions arising			888	668	220	75.23%